

Chapter 54

HAZARDOUS MATERIALS

§ 54-1. Definitions.

§ 54-2. Liability.

§ 54-3. Hearing upon reasonableness of assessment.

§ 54-4. Attorney's fees and costs.

[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 3-5-1992 as Ord. No. 10-1992. Amendments noted where applicable.]

GENERAL REFERENCES

- Builders and contractors — See Ch. 28.
- Unsafe buildings and structures — See Ch. 30.
- Fire prevention — See Ch. 48.
- Sewer connections — See Ch. 71.
- Public Health and Nuisance Code — See Ch. 99.

§ 54-1. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

ANY/ALL COSTS INCURRED REGARDING SAID OPERATIONS — All costs associated with a discharge within the boundaries of the City of Gloucester City, or where mutual aid requests are made for said service, which shall include labor and material for measures taken by the City of Gloucester City that prevent or mitigate damages to the public health, safety or welfare of said residents, including lands, private and public, therein.

DISCHARGE — Any intentional or unintentional action or omission resulting in the release, spill, leak, emission,

dump or disposal of hazardous substances/materials into the waters or lands within the City of Gloucester City, or where mutual aid requests are granted, or outside the City of Gloucester City when damage may result to the waters or lands in the City of Gloucester City.

HAZARDOUS SUBSTANCES/MATERIALS — All elements and compounds, including petroleum products as set forth within N.J.S.A. 58:10-23.11b, as amended, except that sewage and sewage sludge shall be considered "hazardous substances" for the purpose of this ordinance.

PERSON — Any individual, public or private corporation, companies, association, societies, firms, partnerships or joint-stock companies.

§ 54-2. Liability.

Any person who shall discharge hazardous substances/materials within the City of Gloucester City, or where mutual aid requests are granted, shall be strictly liable for any/all costs incurred by the City of Gloucester City or agencies and employees thereon.

§ 54-3. Hearing upon reasonableness of assessment.

Upon assessment of any/all costs, the person assessed may, within ten (10) days of receipt of such assessment, make a written request for a hearing before the Environmental Committee of Council exclusively upon the reasonableness of the amount assessed.

§ 54-4. Attorney's fees and costs.

The person responsible for the discharge shall be liable for all attorney's fees and costs incurred in the execution of any/all elements of this ordinance.