Chapter 65A

PRIVATE STORM DRAIN INLET RETROFITTING

[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 4-6-2009 as Ord. No. O07-2009. Amendments noted where applicable.]

§ 65A-1. Purpose.

The purpose of this chapter is to require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the City of Gloucester City so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 65A-2. Definitions.

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future,

words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

A. MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the City of Gloucester City or other public body, and is designed and used for collecting and conveying stormwater. NOTE: In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

B. PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

C. STORM DRAIN INLET — An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

D. WATERS OF THE STATE — The ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 65A-3. Prohibited Conduct.

A. No person in control of private property (except a residential lot with one (1) single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is

in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

(1) Already meets the design standard below to control passage of solid and floatable materials; or

(2) Is retrofitted or replaced to meet the standard in Section 65A-5 below prior to the completion of the project.

§ 65A-4. Design standard.

Storm drain inlets identified in Section 65A-4 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settle-able solids. For exemptions to this standard see Section 65A-5C. below.

A. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

(1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

(2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of

roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

B. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two (2) or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

C. This standard does not apply:

(1) Where the Municipal Engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

(2) Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one (1) of the following:

(a) A rectangular space four and five-eighths (4 5/8) inches long and one and one-half (1 1/2) inches wide (this option does not apply for outfall netting facilities); or

(b) A bar screen having a bar spacing of 0.5 inches.

(3) Where flows are conveyed through a trash rack that has parallel bars with one (1) inch spacing between the bars; or

(4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment

or will damage or destroy the New Jersey Register listed historic property.

§ 65A-5. Enforcement.

This chapter shall be enforced by the Utility Department and the Police Department of the City of Gloucester City.

§ 65A-6. Penalties.

Any person(s) who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed $2,000. plus Court cost for each storm drain inlet that is not retrofitted to meet the design standard.

and time to which permission is sought for the open fire or barbeque. Permits for open fires or barbecues shall be issued only for public purposes and not for private functions or affairs from which the public is barred from participating. Authorization shall not be for more than one day.

§ 65-5. Violations and penalties. [Amended 5-6-1999 by Ord. No. 1999]

Any person who is found loitering on or using or occupying any public playground during prohibited hours or committing any act prohibited in this chapter shall, upon conviction thereof, be punished by a fine not to exceed $1,000 or by imprisonment not to exceed 90 days, or by both fine and imprisonment.

§ 65-5.1. Guilty plea and fine. [Added 6-3-1999 by Ord. No. 10-1999]

Any person who violates the following subsection: § 65-7.A.2, which states "NO pets permitted" may plead guilty to the violation without appearing before the Municipal Judge and, upon such pleading, shall be required to pay a municipal penalty of $30, in addition to the State of New Jersey A.T.S. Surcharge, for each offense, provided that the violation has been abated.

§ 65-6. Residency required for use.

The use of park and recreational areas shall be limited exclusively to residents of the City of Gloucester and their guests.

§ 65-7. Regulations for public parks, playgrounds, open spaces and recreation areas/ballfields. [Added 5-6-1999 by Ord. No. 6-1999; amended 8-16-2012 by Ord. No. O15-2012; 10-23-2014 by Ord. No. O22-2014]

A. The following list of prohibitions and rules of play shall hereby be adopted, conspicuously posted and enforced at all public parks, playgrounds, open spaces and recreation areas/ballfields.

PROHIBITIONS

1. NO pets permitted.
2. NO bicycles, skateboards, cleats or skates permitted.
3. NO playing Tag, running or running games permitted.
4. NO jumping over fences or from equipment permitted.
5. NO barbecue or open fires permitted.
6. Playgrounds shall be closed daily from dusk to dawn and, other times as posted for necessary maintenance.

RULES

1. Play at your own risk.
2. Climb only on equipment intended for climbing.
3. Use playground equipment properly.
4. Dispose of trash/recycling in proper receptacles.
5. Use only equipment designed for your age group.
6. Be considerate of small children.
7. Park bicycles in bike rack.

Playgrounds are designed and intended for children ages 13 and under. We encourage families to come and play together but ask that the older children use restraint and common sense in the playground.

SMOKE-FREE ENVIRONMENT

B. The purpose of this section is to protect residents and visitors to Gloucester City from secondhand smoke and tobacco related litter.

(1) Definitions:

(a) ELECTRONIC SMOKING DEVICE — An electronic device that can be used to deliver nicotine or other substance to that person inhaling from the device, including, but not limited to, and electronic cigarette, cigar, cigarillo or pipe.

(b) SMOKING — Burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, hookah or similar device, or the other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

(c) TOBACCO PRODUCT — Any substance containing tobacco, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco, including electronic smoking devices and dissolvable tobacco products not FDA approved for tobacco cessation.

(2) Restrictions.

(a) It is unlawful for any person to use tobacco products by smoking or other methods on public parks, playgrounds, open spaces and recreation areas/ ballfields.

(3) Posting signs.

(a) Signs shall be clearly, sufficiently and conspicuously posted where smoking is prohibited by this section. The sign(s) shall state "100% Smoke Free Public Property" or substantially similar language, written in lettering that is not less than three-quarter (3/4) inches in height, and shall contain the international no smoking sign or symbol.

(4) Enforcement.

(a) The Police Department and any municipal officer charged with code enforcement is hereby charged with the enforcement of this section. All members of the Police Department and code enforcement officers are hereby designated as enforcement officers for the purpose of enforcement of this section.

(5) Penalties.

Any persons who is found guilty of violating this section shall pay fines as follows:

(a) For a first offense, a fine not less than, $100. nor more than $250.

(b) For a second or subsequent offense, a fine of not less than $500. nor more than $1,000.

C. It is prohibited to fish, crab or otherwise seek to remove live items from the Delaware River from the Freedom Pier, Block 48 Lot 2. Common Council is authorized to suspend enforcement of this ordinance in appropriate circumstances by motion adopted at a public meeting.

railings properly designed and maintained to minimize the hazard of falling, and the same shall be kept structurally sound, in good repair and free from defects.

(10) All pools shall be maintained for recreational use in good repair and meet all UCC code standards.

(a) Portable pool/seasonal pools – For the purpose of this Property Maintenance Code, portable/seasonal pools by definition shall mean a pool that consists of a liner insert with PVC/plastic/fiberglass frame, and inflatable pool, or any pool that does not require a building permit. All portable pools may be erected for recreational use from May 1st and shall be disassembled by October 1st of the same calendar year.

[Added 2-28-2013 by Ord. No. O03-2013]

B. Appearance of exterior of premises and structures. The exterior of the premises, the exterior of structures and the condition of accessory structures shall be maintained so that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners, including the following:

(1) Storage of commercial and industrial material. There shall not be stored or used at a location visible from the sidewalk, street or other public areas equipment and materials relating to commercial or industrial uses, unless permitted for the premises under Chapter 92, Zoning.

Editor's Note: Chapter 93, Zoning, was repealed 1-2-1997 by Ord. No. 36-1996. Said ordinance, which adopted the Development Ordinance, is on file in the office of the City Clerk.

(2) Landscaping. Premises with landscaping and lawns, hedges and bushes shall be kept trimmed and from becoming overgrown and unsightly where exposed to public view and where the same constitute a blighting factor depreciating adjoining property.

(3) Reconstructed walls and sidings. Reconstructed walls and sidings of nonresidential structures shall be of standard quality and appearance commensurate with the character of the properties in the same block and on both sides of the street on which the premises front, such that the materials used will not be of a kind that, by their appearance under prevailing appraisal practice and standards, will depreciate the values of the neighboring and adjoining premises as aforesaid.

(4) General maintenance. The exterior of every structure or accessory structure, including fences, shall be maintained in good repair. The same shall be maintained free from broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration of inadequate maintenance, to the end that the property itself may be preserved safely and fire hazards eliminated and the adjoining properties protected from blighting influences. A periodic (every month) exterminating service shall be maintained in all multiple family dwellings.

(5) Street numbers affixed to buildings. Each building to which street numbers have been assigned shall have a number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be in Arabic numerals, at least three inches (76 millimeters) high and with a one-half-inch- (thirteen-millimeter-) wide stroke.

C. Structural and general maintenance.

(1) The outside building walls shall not have any holes or loose boards or any broken, cracked or damaged finish which admits rain, cold air, dampness, rodents, insects or vermin.

(2) Every dwelling shall be so maintained as to be weather- and watertight.

(3) Basements, cellars and crawl spaces shall be free from moisture resulting from seepage, and cross-ventilation shall be required where necessary to prevent accumulations of moisture and dampness, and they shall be paved with stone or concrete not less than four (4) inches thick and shall be maintained at all times in a condition so as be smooth, clean, free from cracks, breaks and other hazards.

(4) All parts of the premises shall be maintained so as to prevent infestation.

(5) All parts of the dwelling shall be kept in a clean and sanitary condition, free from nuisance and free from health, safety and fire hazards.

(6) Every roof, roof gutter, flashing, rainwater conductor and roof cornice shall be weather- and raintight and shall be kept in good repair.

(7) All accessory structures including but not limited to garages, sheds, decks, gazebos, patios, screen houses, awnings, carports, pools, hot tubs, fish ponds, shall be maintained for its intended use and shall be free from all nuisances, and free from health, safety and fire hazards. **[Added 2-28-2013 by Ord. No. O03-2013]**