

Stormwater

Pollution

Prevention

Plan

2025

Prepared For: Borough of Hightstown
156 Bank Street
Hightstown, New Jersey 08520

Prepared By: Carmela Roberts, P.E., C.M.E., C.P.W.M.
Borough Engineer

Dated: April 28, 2025



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

Stormwater Pollution Prevention Plan

Borough of Hightstown

Mercer County

NJG NJG0152889

Annual Review Date: April 28, 2025

Stormwater Program Coordinator:

Carmela Roberts, P.E., C.M.E., C.P.W.M.

Table of Contents

| | |
|--|-----------|
| Form 1 – Team Members | 3 |
| Form 2 – Revision History | 4 |
| Form 3 – Public Announcements..... | 5 |
| Form 4 – Post-Construction Stormwater Management in New Development and Redevelopment ... | 6 |
| Form 5 – Ordinances | 8 |
| Form 6 – Street Sweeping..... | 9 |
| Form 7 – MS4 Infrastructure | 10 |
| Form 8 – Community-wide Measures..... | 13 |
| Form 9 – Municipal Maintenance Yards & Other Ancillary Operations | 14 |
| Form 10 – Training..... | 17 |
| Form 11 – MS4 Mapping | 19 |
| Form 12 – Watershed Improvement Plan | 20 |

Form 1 – Team Members

| Stormwater Program Coordinator (SPC) | | | |
|---|-----------------------|--|--------------------------------------|
| Name and Title | | Carmela Roberts, PE, CME, CPWM Borough Engineer | |
| Phone | (609) 586-1141 ex 125 | Email | CRoberts@robertsengineeringgroup.com |
| Individual(s) Responsible for Major Development Project Stormwater Management Review | | | |
| Name and Title | | Carmela Roberts, PE, CME, CPWM Borough Engineer | |
| Phone | (609) 586-1141 ex 125 | Email | CRoberts@robertsengineeringgroup.com |
| Name and Title | | Cameron Corini, PE, CME, CPWM Professional Engineer | |
| | (609) 586-1141 ex 127 | Email | CCorini@robertsengineeringgroup.com |
| Other Municipal Stormwater Team Members | | | |
| Name and Title | | Kenneth Lewis Superintendent of Public Works | |
| Phone | (609) 490-5115 | Email | publicworks@hightstownborough.com |
| Name and Title | | Dimitri Musing Administrator | |
| Phone | (609) 490-5100 | Email | administrator@hightstownborough.com |
| Shared/Contracted Service Providers | | | |
| Provider Name | Service Provided | Term of Service | |
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Form 2 – Revision History

| Revision Date | Form # Changed | Reason for Revision (Updates to staff, policy, webpage, etc.) |
|---------------|----------------|--|
| 5/2/2019 | 1/15/2019 | Using new NJDEP template |
| 5/1/2020 | | Annual Update |
| 5/1/2021 | | Annual Update |
| 2/1/2022 | | Annual Update |
| 4/1/2023 | | Annual Update |
| 5/1/2024 | | Annual Update and new NJDEP SPPP template |
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Form 3 – Public Announcements
Part IV.B. and C.

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| 1. Provide the link to the dedicated stormwater webpage for your municipality. |
| www.hightstownborough.com/stormwater-management/ |
| 2. List the name and title of person(s) responsible for stormwater webpage postings/updates. |
| Peggy Riggio, RMC/QPA/CMR Borough Clerk |
| 3. List the newspapers, social media outlets, websites, direct mailings (Email or postal), and other communication approaches typically used to inform/educate the public on stormwater program information and related events/activities. |
| <p>The Borough distributes monthly electronic newsletters to those residents that have requested the service. The Borough includes, “Solutions to Stormwater Pollution” flyer in tax bills that are sent to all residents and business owners annually.</p> <p>In 2024, the Borough issued newsletters to all residents educating them on stormwater pollution issues with the tax bill.</p> <p>Pet Waste Information Sheet is included with license renewal reminder to pet owners and when issuing a new license.</p> <p>The Borough also provides information via Facebook.</p> <p>The Borough maintains a Stormwater Management information source of maps, reports and ordinance information on its website at www.hightstownborough.com/stormwater-management/.</p> |

Form 4 – Post-Construction Stormwater Management in New Development and Redevelopment

Part IV.E.

1. How does the municipality define “major development”? If it is different from the definition in N.J.A.C. 7:8, explain the difference.

The Borough defines “major development” as follows and is not different from the definition in N.J.A.C. 7:8.

A. An individual development, as well as multiple developments that individually or collectively result in:

- (1) The disturbance of one or more acres of land since February 2, 2004;
- (2) The creation of 1/4 acre or more of regulated impervious surface since February 2, 2004;
- (3) The creation of 1/4 acre or more of regulated motor vehicle surface since March 2, 2021; or
- (4) A combination of Subsection A(2) and (3) above that totals an area of 1/4 acre or more. The same surface shall not be counted twice when determining if the combination area equals 1/4 acre or more.

B. Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of Subsection A(1), (2), (3) or (4) above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

2. Is the municipality’s stormwater control ordinance (SCO) the same as or more stringent than NJDEP’s model SCO? If more stringent, explain the difference.

The Borough of Hightstown’s SCO is the same as NJDEP’s model SCO.

3. Describe the process for reviewing major development project applications for compliance with the SCO and Residential Site Improvement Standards (RSIS).

All applications for major development projects are submitted to the Planning/Zoning Board Secretary and forwarded to the Planning Board's Engineer and Planner. The Engineer reviews the plans to make sure they are in compliance with the Stormwater Control Ordinance and Residential Site Improvements Standards. The Planning Board will not approve any applications that are not in compliance with the Stormwater Control Ordinance and the Residential Site Improvements Standards.

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| <p>4. Does your municipality have a mitigation plan included in your Municipal Stormwater Management Plan and Stormwater Control Ordinance? Indicate the location of records of all variances granted.</p> |
| <p>Yes. Planning Board Hightstown Borough Hall 156 Bank Street Hightstown, New Jersey 08520</p> |
| <p>5. Indicate the dates of each iteration of the township’s Stormwater Control Ordinance, starting with the initial adoption and including revisions.</p> |
| <p>Adopted 2/16/21 (Ord. #2021-01) Revised 9/5/2023 (Ord. #2023-16) Revised 12/19/2023 (County) Effective 2/17/2023 (Ord. #2023-16) Adopted 11/20/2023 (Ord. #2023-17)</p> |
| <p>6. Indicate the dates of each iteration of the township’s Municipal Stormwater Management Plan, starting with the initial adoption and including revisions.</p> |
| <p>Adopted 2/9/2005. Revised 3/14/2005. Revised 7/16/2014 Revised 7/12/2024.</p> |

Form 5 – Ordinances
Part IV.F.1.

| Ordinance | Date Adopted | Was the DEP model adopted without change? If not, explain how the municipality's is more stringent. | Entity Responsible for Enforcement | Fees & Fines |
|--|---------------------|--|---|---------------------------|
| 1. Pet Waste | 8/1/2004 | Yes | Police Department. | <i>Up to \$2,000 Fine</i> |
| 2. Wildlife Feeding | 3/21/2005 | Yes | Police Department or Public Works. | <i>Up to \$2,000 Fine</i> |
| 3. Litter Control | 3/21/2005 | Yes | Police Department or Public Works. | <i>\$50 to \$2,000</i> |
| 4. Improper Disposal of Waste | 3/21/2005 | Yes | Police Department or Public Works. | <i>\$50 to \$2,000</i> |
| 5. Yard Waste | 3/21/2005 | Yes | Police Department or Public Works. | <i>Up to \$2,000 Fine</i> |
| 6. Private Storm Drain Inlet Retrofitting | 2/16/2021 | Yes | Planning Board. | <i>Site Not Approved</i> |
| 7. Illicit Connections | 3/21/2005 | Yes | Police Department or Public Works. | <i>Up to \$2,000 Fine</i> |
| 8. Privately-Owned Salt Storage | 9/5/2023 | Yes | Police Department & Superintendent of Public Works. | Fine \$500 |
| 9. Tree Removal- Replacement | 2/5/2024 | Yes | Environmental or Shade Tree Commissions. | <i>Fee \$5.00</i> |
| List any additional stormwater-related ordinances the municipality has adopted that address issues beyond the scope of the MS4 permit. Include adoption date, entity responsible for enforcement, and related fees and fines. | | | | |
| Refuse Container/Dumpster Ordinance, date adopted 4/18/2022, entity responsible for enforcement: Police Department or Public Works. Ordinance 25-1-11.C.2. | | | | |
| Stormwater Control Ordinance, date adopted 11/20/2023 and entity responsible for enforcement: Code Enforcement Officer. | | | | |
| Indicate the location of records associated with ordinances and related violations and enforcement actions below. | | | | |
| Construction Office of Hightstown Borough Hall located at 156 Main Street Hightstown, New Jersey 08520. | | | | |

Form 6 – Street Sweeping

Part IV.F.2.a.i. and ii.

1. Provide a written description and/or attach a map outlining the sweeping schedule for the following:

- Segments of municipal roads with storm drain inlets that discharge to surface water (required at least 3 times each year)
- Segments of municipal roads that do not have storm drain inlets but do discharge to surface water (required at least 1 time each year)

Note: Only asphalt and concrete roads need to be swept. Roads that do not have storm drain inlets and do not discharge to surface water do not need to be swept.

The Borough of Hightstown's streets are not required to be swept under the NJPDES permit. As the Borough does not own a street sweeper, we ask Mercer County to sweep the County Roads once a year. The County roads were swept twice. They also sweep the downtown area and a few surrounding streets at least two (2) times as a courtesy. The downtown area sidewalks are swept weekly with a walk-behind sweeper. Dates of street sweepings are not recorded.

2. Indicate if sweeping work is outsourced and if so, describe the arrangement.

Mercer County sweeps the County Roads at least once a year.

Form 7 – MS4 Infrastructure
Part IV.F.2-4. and Part IV.G.2-3.

1. Municipal Storm Drain Inlets

- a. Describe how you ensure that municipal inlets without permanent wording cast into the design have been properly labelled.
- b. Describe how you ensure that municipal and private storm drain inlets have been retrofitted.
- c. Describe how you ensure that newly installed storm drain inlets include corresponding catch basins or other BMPs to collect solids.
- d. Describe when and how you conduct inspections of storm drain inlets and the criteria used to determine when they need to be cleaned.

- a. Inlets are inspected and labels replaced once per year. Inlet castings are also replaced with permanent wording casts within the project area of each new roadway project.
- b. The Borough Engineer inspects all municipal road projects to ensure that all inlets have been properly retrofitted as required.

For any repaving, repairing, reconstruction, or alternation project on any Borough Road that contains inlets that do not meet the current standard, the inlets are replaced as part of the project. Inlets which are inspected during the year and require replacement are scheduled for replacement or repair accordingly.

For any project requiring privately owned storm drains to be retrofitted, the Borough Engineer and the Construction Official inspect the site to make sure the inlets are properly retrofitted prior to issuing final approval and/or Certificate of Occupancy at the end of the project.

- c. During design and review, the Planning Board Engineer will ensure the proposed design includes catch basins or other BMPs to collect solids. During construction, the Borough Engineer will ensure the proper catch basins or other BMPs meant to collect solids will be installed.
- d. All municipal catch basins are inspected by the Department of Public Works twice yearly, once in the dryer season and once in the wet season. The frequency of inspection will increase if it is particularly stormy during the spring, fall, or summer. If at the time of inspection, no sediment, trash, or debris is observed in the catch basin, then that basin will not be cleaned. All catch basins are inspected even if they were found to be "clean" on the previous inspection. At the time of cleaning, the catch basins will also be inspected for proper function. If there are any problems during cleaning, they are addressed as soon as possible. All municipal catch basins are also cleaned and maintained on an as-needed basis.

The private owners are required by the Borough to inspect annually and make necessary repairs.

2. Municipal Catch Basins

- a. Describe when and how you conduct inspections of catch basins.
- b. Describe the criteria used to determine when catch basins need to be cleaned.

a. Catch basins are visually inspected by the Department of Public Works. Inspections are twice yearly—once in the dryer season and once in the wet season. The frequency of inspection will increase if it is particularly stormy during the spring, fall, or summer. Catch basins are also inspected if notified by a resident of any issue.

b. If there is any indication of malfunctioning which may include a buildup of brush, leaves, and trash; soil erosion; structural deficiencies; backup of stormwater; etc.

3. Municipal Conveyance System

Describe when and how inspections of MS4 conveyance systems are conducted, and the criteria used to determine when they need to be cleaned. Include a description of the equipment and techniques used.

The Borough’s conveyance system is inspected by the Department of Public Works as noted above. Observations such as flooded inlets may indicate clogged pipes or back-ups in the conveyance system. The Department of Public Works will visually inspect the area of concern, determine the problem, and take appropriate measures to fix the issue. If the problem cannot be fixed in-house, such as in cases where more attention and equipment is required, then the repair work will be outsourced to a contractor. An example of work outsourced is videoing and jetting of pipes.

4. Municipal Outfall Inspections – Stream Scouring

Describe the program in place to detect, investigate, and control localized stream scouring from stormwater outfalls. Include a description of the equipment and techniques used.

The Borough Engineer has utilized a Global Position System (GPS) to create the MS4 Stormwater Outfall Map, which identifies the location of all outfall pipes operated by the Borough of Hightstown. The Borough Engineer identifies, inspects, and investigates each outfall yearly (see Illicit Connection Elimination Program and Outfall Pipe Stream Scouring Remediation Program). Any stream scouring is recorded, and repairs are then scheduled. Any repairs that cannot be completed in-house will be outsourced to a contractor.
Equipment: Topcon Hiper V using real-time kinematic accuracy.

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| <p>5. Municipal Outfall Inspections – Illicit Discharge Detection and Elimination Describe the program in place for conducting visual dry weather inspections of municipally owned or operated outfalls. Include a description of the equipment and techniques used. Record cases of illicit discharges using the DEP’s Illicit Connection Inspection Report Form from the Department’s main stormwater webpage.</p> |
| <p>The Borough Engineer conducts inspections of all outfalls yearly. The Borough Engineer will use the NJDEP Illicit Connection Inspection Report Form to conduct these inspections, and each of these forms will be kept with the other SPPP reports. Outfall pipes that are found to have a dry weather flow or evidence of an intermittent non-stormwater flow will be further evaluated to locate potential illicit connections. If the Borough can locate the illicit connection(s) (and the location is within the Borough of Hightstown), the Borough will cite the responsible party for being in violation of the Illicit Connection Ordinance and will take actions to eliminate the illicit connection(s). If after a reasonable level of investigation, the Borough is unable to locate the source of the illicit connection(s) then the Borough will report the illicit connection to the NJDEP.</p> |
| <p>6. Other Municipal Infrastructure List the types of MS4 infrastructure in your town that require inspection but are not noted above in items 1-5. Describe when and how you conduct inspections of this infrastructure and the criteria used to determine when they need to be maintained and/or cleaned.</p> |
| <p>N/A.</p> |
| <p>7. Stormwater Facilities Not Owned or Operated by the Municipality Describe your program for ensuring adequate long-term cleaning, operation, and maintenance of stormwater facilities not owned or operated by the municipality. This should include your plan for ensuring annual inspections are being done on these private properties and describe how you record the locations and logs associated with private infrastructure.</p> |
| <p>The Borough Ordinance mandates all stormwater facilities not owned by the Municipality be maintained by the facility owner. If any stormwater facility is found to be not in compliance, the facility owner is notified by the Borough to make the required repair. Records are kept in the office of the Superintendent of Public Works.</p> |
| <p>8. Infrastructure Records Indicate the location of records related to stormwater infrastructure inspection, cleaning, maintenance, and repair activities.</p> |
| <p>Records are kept in the office of the Superintendent of Public Works.</p> |

Form 8 – Community-wide Measures

Part IV.F.2.

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| <p>1. Herbicide Application Management Describe your program for preventing herbicides from being washed into the waters of the State and to prevent erosion caused by de-vegetation.</p> |
| <p>Herbicides are not used.</p> |
| <p>2. Excess Deicing Material Management Describe your program for ensuring that excess salt piles are removed in a timely manner after storm events.</p> |
| <p>Salt and de-icing materials are not stored in the Borough. All salt and de-icing are kept at the EWRS (school).</p> |
| <p>3. Roadside Vegetative Waste Describe your program for ensuring proper pickup, handling, storage, and disposal of wood waste and yard trimmings generated by the permittee along municipal roads or on municipal properties (trimming trees, mowing, etc.).</p> |
| <p>Yard trimmings & wood waste (branches, logs, wood chips, brush, etc.) throughout the Borough is directly trucked to the disposal site of Buck Mining or Britton Industries. Grass clippings are mixed with yard waste and disposed of at Buck Mining.</p> <p>Scheduled curb-side leaf collection was conducted from November 4, 2024, through December 27, 2024. Flyer by Public Works stipulates placement of only leaves to be 10 feet from a storm drain and no sooner than 7 days prior to scheduled collection time. No twigs, branches, trash or other debris are to be included. County roads on County schedule. 110 cy of leaves were collected and disposed of at Buck Mining.</p> <p>Private-yard waste collection is weekly during the spring; collection is every Tuesday during the season and taken to Buck Mining. 5.14 tons of logs were taken to Briton Industries. 592 cy of yard debris were collected and disposed of at Buck Mining. 272 cy of woodchips were collected and disposed of at Buck Mining</p> <p>Instructions to the Residents is found on the Department of Public Works' webpage.</p> |
| <p>4. Roadside Erosion Control Describe your program to detect and repair erosion along municipal roadways.</p> |
| <p>Visual inspection and hand grading, topsoil, and seed.</p> |

Form 9 – Municipal Maintenance Yards & Other Ancillary Operations

Part IV.F.5.

Please complete a separate Form 9 for each yard or site. Indicate the number of yards/sites the municipality owns or operates: 2

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| 1. Site Name and Address | |
| Hightstown Public Works Department Garage, 156 Bank Street, Hightstown Storage Yard/Recycling Center, 174 Oak Lane, Hightstown. | |
| 2. Monthly Site Inspections | |
| Describe the nature of inspections conducted at this site and the location of inspection logs. | |
| The Department of Public Works performs monthly inspections. Inspection logs with DPW. | |
| 3. Inventory List | |
| List all materials and machinery that are potentially exposed to stormwater. | |
| Materials | Machinery/Equipment |
| Inventory List is attached. | Chipper |
| | Ford F450 |
| | Galion Grader (pending scrap or to be sold) |
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| 4. Discharge of Stormwater from Secondary Containment | |
| Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored. | |
| N/A | |
| 5. Fueling Operations | |
| Does fueling occur on site? If so, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If not, explain where fueling takes place. | |
| The Borough does not own or maintain fueling facilities. All Borough vehicles are fueled at private service stations. | |

6. Vehicle/Equipment Maintenance and Repair

Do you perform maintenance and repair on site? Is this conducted indoors or outdoors? If outdoors, describe the BMPs in place to minimize contamination of stormwater from maintenance and repair activities.

Monthly vehicle inspections are conducted. Some repairs/maintenance of vehicles/equipment are done on site in the garage.

Spills in the garage are minimal and mostly drip size from maintaining vehicles. Kitty litter and newspaper are used to absorb the spill and placed in the garbage.

The borough has an oil/grease separator that the garage is directly connected to so that any spills are addressed, if too large for kitty litter, etc.

A monthly visual inspection of the grounds/floors is done to make sure there is no runoff of oil or debris on the ground.

7. Wash Wastewater Containment

Do you wash vehicles on site? If so, describe the BMPs in place to minimize contamination of stormwater from these activities. Note that on site containment structures require annual inspections by a NJ licensed professional engineer. If not, explain where vehicle washing takes place.

Vehicles are typically washed off-site.

Vehicles are sometimes washed in the garage and there is an inlet and pipe that are connected to the oil/grease separator.

8. Salt and Other Granular De-icing Materials

Do you store salt and other granular deicing materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.

Salt and de-icing materials are not stored in the Borough.

All salt and de-icing are kept at the EWRSD (school).

9. Aggregate Material, Wood Chips, and Finished Leaf Compost

Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.

Aggregate material is stored in containers at the Recycling Center.

Wood chips, and/or finished leaf compost are not stored.

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| <p>10. Cold Patch Asphalt Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.</p> |
| <p>Yes. Placed on a concrete pad protected by a lean-to at the Recycling Center.</p> |
| <p>11. Street Sweepings and Storm Sewer Cleanout Materials Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.</p> |
| <p>No Street Sweepings. No storm sewer cleanout material is stored. The Department of Public Works places the material in a container and is taken directly to Bulk Mining or Britton Industries for disposal.</p> |
| <p>12. Construction and Demolition Waste, Wood Waste, and Yard Trimmings Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.</p> |
| <p>Construction and Demolition Waste are not stored. See above for Wood waste and yard trimmings.</p> |
| <p>13. Scrap Tires Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.</p> |
| <p>No, tires that are scrapped are recycled, none are stored.</p> |
| <p>14. Inoperable Vehicles and Equipment Do you store inoperable vehicles or equipment on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater. If not, explain where they are stored.</p> |
| <p>A Galion Grader is outside waiting to be scrapped or sold. All compartments are closed to prevent stormwater contamination. Two former inoperable vehicles were removed in 2024.</p> |

Form 10 – Training

Part IV.F.6-10.

| Stormwater Program Coordinators |
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| Describe the training provided for the municipal Stormwater Program Coordinator. |
| <p>Online and/or in-person training is required for the Stormwater Program Coordinator. The Stormwater Program Coordinator conducts yearly training and any training required by the NJDEP as regulations are amended and updated.</p> |

| Topic | Municipal Employees |
|--|--|
| Examples: in-person or virtual group sessions, e-Learning, field trainings, and videos | |
| Describe the training provided for municipal staff. | |
| SPPP | Municipal staff complete training within 3 months of being hired and on a yearly basis afterward. Staff watch the stormwater training videos provided by the NJDEP. |
| Construction Site Stormwater Runoff | Municipal staff complete training within 3 months of being hired and on a yearly basis afterward. Staff watch the stormwater training videos provided by the NJDEP. |
| Post-Construction Stormwater Management in New and Redevelopment | Municipal staff complete training within 3 months of being hired and on a yearly basis afterward. Staff watch the stormwater training videos provided by the NJDEP. |
| Ordinances | Municipal staff are active and/or made aware of new ordinances and regulations. |
| Community-wide Measures | The municipal administrator plans all stormwater community events/measures and sends notifications to the municipal staff as well as residents. |
| Stormwater Facilities Maintenance | <p>Municipal staff complete training within 3 months of being hired and on a yearly basis afterward. Staff watch the stormwater training videos provided by the NJDEP.</p> <p>The Department of Public Works will complete the yearly training as required by the NJDEP.</p> |

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| Municipal Maintenance Yards and Other Ancillary Operations | The Department of Public Works will complete the yearly training as required by the NJDEP. |
| MS4 Mapping | Copies of the stormwater map are provided to municipal staff, and they are made aware of any changes that are made to the map. |
| Outfall Stream Scouring | The Department of Public Works is trained to recognize and repair stream scouring. The DPW will complete the yearly training as required by the NJDEP. |
| Illicit Discharge Detection and Elimination | The Department of Public Works is trained to recognize and stop illicit discharges. The DPW will complete the yearly training as required by the NJDEP. |
| Watershed Improvement Plan | N/A |

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| Stormwater Management Design Reviewers |
| Describe the training provided for individuals responsible for reviews and approvals of stormwater management designs. |
| They complete the 5-year NJDEP stormwater training as well as training required at any amendments to the stormwater regulations. |

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| Municipal Board and Governing Body Members |
| Describe the training provided for members of the planning/zoning board and municipal council. |
| Members of the planning/zoning board and municipal council watch the training videos provided by NJDEP. |

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| Training Records |
| Indicate the location of training records for the above required training. |
| Borough of Hightstown 156 Bank Street Hightstown, NJ 08520 |

Form 11 – MS4 Mapping

Part IV.G.1.

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| 1. Provide a link to the most current MS4 outfall/infrastructure map. | |
| https://www.hightstownborough.com/wp-content/uploads/2020/09/MS4-Outfall-Pipe-Map-1.3.19.pdf | |
| 2. Indicate the total of each type of MS4 infrastructure listed below (due 01 Jan 2026). | |
| a. MS4 outfalls | 16 |
| b. MS4 ground water discharge points (basins or overland flow infiltration areas) | |
| c. MS4 interconnections | |
| d. MS4 storm drain inlets | |
| e. MS4 manholes | |
| f. Length of conveyance (channels, pipes, ditches, etc.) | |
| g. MS4 pump stations | |
| h. MS4 stormwater facilities (any that are not listed above) | |
| i. Maintenance yard(s) and other ancillary operations | 2 |
| 3. Describe how the municipality’s outfall/infrastructure map is reviewed and updated to reflect any new or newly identified MS4 infrastructure (e.g., an outfall is closed, a new basin is constructed, ownership of an outfall has changed, etc.). | |
| <p>The map will be updated periodically to include new construction, maintenance, and repairs, etc.</p> | |
| 4. Describe how the municipality will create and update its MS4 Infrastructure Map. | |
| <p>The existing map is reviewed annually and updated as needed.</p> | |

Form 12 – Watershed Improvement Plan

Part IV.H.

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| 1. Describe how your municipality is developing its Watershed Improvement Plan. |
| <p>The Borough has researched the locations of TMDL's and the requirements for a Watershed Improvement Plan.</p> <p>No TMDL locations were found, and the Borough is not preparing a WIP, at this time.</p> |
| 2. Describe any regional projects or collaboration efforts with other municipalities. |
| N/A |
| 3. Indicate the location of records related to all public information sessions and meetings for discussions of the Watershed Improvement Plan. |
| N/A |

Chapter 5. Animal Control

Article 5-4. Disposal of Pet Waste

§ 5-4-1. Definitions.

[Ord. No. 2004-14]

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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.

IMMEDIATE

As regards the removal of pet solid waste, shall mean at once, without delay.

OWNER/KEEPER

Any person who possesses, maintains, houses or harbors any pet or otherwise has custody of any pet, whether or not he or she is the owner of such pet.

PERSON

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

PET

A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE

Waste matter expelled from the bowels of the pet; excrement.

PROPER DISPOSAL

Placement in a designated waste receptacle, or other suitable container, and discarding in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

§ 5-4-2. Requirement for Disposal.

[Ord. No. 2004-14]

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

§ 5-4-3. Exemptions.

[Ord. No. 2004-14]

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this article while such animal is being used for that purpose.

§ 5-4-4. Enforcement.

[Ord. No. 2004-14]

The provisions of this article shall be enforced by the Police Department and the Local Board of Health of the Borough of Hightstown.

§ 5-4-5. Violations and Penalty.

[Ord. No. 2004-14]

Any person, firm or corporation who violates or neglects to comply with any provision of this article or any regulation promulgated pursuant thereto shall, upon conviction thereof, be liable to penalties as stated in Chapter 1, Article 1-5.

Chapter 3. Police Regulations

Article 3-4. Feeding of Wildlife Prohibited

§ 3-4-1. Feeding of Wildlife Prohibited.

[Ord. No. 2005-11]

- A. **Definitions.** For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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.

FEED

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON

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

WILDLIFE

All animals that are neither human nor domesticated.

- B. **Prohibited Conduct.** No person shall feed, in any public park or on any other property owned or operated by the Borough of Hightstown, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).
- C. **Enforcement.**
- (1) The provisions of this article shall be enforced by the Hightstown Borough Police Department.
 - (2) Any person found to be in violation of this article shall be ordered to cease the feeding immediately.
- D. **Penalties.** Any person(s) who is found to be in violation of the provisions of this article shall be subject to penalties as stated in Chapter 1, Article 1-5.

Chapter 14. Property Maintenance

Article 14-6. Litter and Debris

§ 14-6-1. Littering Prohibited.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

- A. It shall be unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than a litter receptacle, or having done so, to allow such litter to remain.
- B. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this article, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this article.

§ 14-6-2. Litter Receptacles.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

Litter receptacles and their servicing are required at the following public places which exist in the Borough: buildings held out for use by the public, including but not limited to: schools and government buildings; parks; construction sites; gasoline service station islands; shopping centers; parking lots; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses, concerts and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles.

§ 14-6-3. Containerization of Sweepings.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. All litter sweepings shall be collected and properly containerized for disposal.

§ 14-6-4. Litter, Debris and Garbage.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

All litter, debris and garbage must be lawfully disposed of in accordance with § 18-1-13 of the Revised General Ordinances of the Borough of Hightstown, and shall not be placed at curbside before 5:00 p.m. on the day before collection. Empty containers shall be removed from the curbside by 8:00 p.m. on the collection day.

§ 14-6-5. Recyclables.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

Recyclable materials shall be disposed of separately, in accordance with the provisions of Article **18-1** of the Revised General Ordinances of the Borough of Hightstown.

§ 14-6-6. Open or Overflowing Waste Disposal Bins.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

It shall be unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins or dumpsters on his or her property, except that open construction dumpsters will be permitted subject to the requirements of § **14-6-9** herein.

§ 14-6-7. Harboring of Rodents.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

Non-elevated wood piles, poorly maintained compost piles of organic or nonorganic yard and kitchen waste, or any accumulation of materials that will rot or decay, allowing infestation and habitats for rodents, insects, etc. shall not be permitted.

§ 14-6-8. Debris from Uncovered Vehicles.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

It shall be unlawful for any vehicle to be driven, moved, stopped or parked on any public roadway unless such vehicle is constructed, covered or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any materials which constitute litter have fallen or escaped, or which could cause an obstruction, damage a vehicle or otherwise endanger travelers, pedestrians or public property, shall immediately cause the public property to be cleaned of all such materials and shall pay the cost therefor.

§ 14-6-9. Construction Sites.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

It shall be unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during or immediately following completion of any construction or demolition project. It shall be the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage.

Chapter 14. Property Maintenance

Article 14-8. Dumping Prohibited

§ 14-8-1. Dumping Prohibited.

[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

No person shall within the limits of the Borough throw, discard, dump, cast or deposit or permit to be maintained along any public street, highway or public place, or on or off any right-of-way, or on any private property, any household or commercial solid waste, rubbish, junk, garbage, litter, debris or other waste materials in any place not specifically approved by an appropriate governmental authority for the purpose of solid waste storage or disposal.

Chapter 18. Solid Waste

Article 18-2. Recycling

§ 18-2-1. Collection Program Established.

[Ord. No. 2009-18]

There is hereby established a program for separate collection of metal containers; plastic and plastic containers; paper, newsprint, magazines, cardboard; glass; grass clippings; yard and garden waste and additional materials that may be designated by Borough, County or State policies, from the residences of the Borough of Hightstown for recycling purposes. Such collections shall be made periodically in accordance with a schedule by the Borough Council promulgated as set forth in § **18-2-2**.

§ 18-2-2. Promulgation of Regulations.

[Ord. No. 2009-18]

The Borough Council shall establish and, through the Clerk, promulgate regulations as to the manner, days and times of collection of recyclables, and the type, handling, location and time of placement of materials for collection, in accordance with any agreement the Borough may hold with a contracted collector.

§ 18-2-3. Separation of Recyclables from Refuse.

[Ord. No. 2009-18]

The recyclable items listed in § **18-2-1** shall be kept separate from and not mixed with regular garbage and refuse which is collected by the Borough. Newspapers shall be considered clean and uncontaminated if they have not been exposed to substances or conditions rendering them unusable for recycling. Persons may wrap solid waste in used newspapers and discard the same with regular solid waste even if such wrapping does not render the newspapers unusable for recycling.

§ 18-2-4. Procedures for Placement of Leaves, Weeds, Shrubby Clippings, Limbs, Branches and Other Garden Waste; Collection to Be Made by Borough Public Works Department.

[Ord. No. 2009-18]

- A. Definitions. For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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 words "shall" and "will" are always mandatory and not merely directory.

CONTAINERIZED

Placement in a trash can, bucket, bag or other vessel, such as to prevent the contents from spilling or blowing out into the street and coming into contact with stormwater.

PERSON

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

STREET

Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

- B. Except as provided in Subsections **C** and **D** below, the owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place leaves or grass clippings, unless they are containerized, in the street. If leaves or clippings that are not containerized are placed in the street, the party responsible for placement of said leaves or grass clippings must remove them from the street or said party shall be deemed in violation of this article.
- C. During the period from September 1 through December 31 of each year, leaves shall be placed in piles along the curbline of the street in accordance with the provisions of Subsection **D** and in conformance with a collection schedule to be promulgated annually by the Superintendent of Public Works. The piles shall not extend more than five feet away from the curbline. The Superintendent of Public Works may require that leaves be bagged and shall provide the public with notice of such requirement.
- D. Sweeping, raking, blowing or otherwise placing leaves that are not containerized at the curb or along the street is only allowed during the seven days prior to a scheduled and announced collection, and leaves shall not be placed closer than 10 feet from any storm drain inlet. Placement of leaves at the curb or along the street at any other time or in any other manner is a violation of this article, and the party responsible for placement of the leaves must remove them from the street or said party shall be deemed in violation of this article.
- E. All weeds and similar growth clippings shall be placed in a container so that they may be easily emptied in the collector's vehicle. Collection of such materials will be done by appointment only.
- F. Hedge and shrubbery clippings, tree trimmings and garden waste will be collected if tied in bundles not to exceed four feet in length and not to exceed two feet in diameter. The total volume placed at the curb for one day's pickup shall not exceed 10 bundles and must be placed so that the material will not spill out into the gutter or onto the street or sidewalks. Collection of such materials will be done by appointment only.
- G. The Borough will remove and chip limbs and small trees which do not exceed six feet in length and five inches in diameter, when placed at curbside in an orderly manner. Chipping will be done by appointment only.
- H. Removal from property of trees larger than five inches in diameter and stumps or limbs which are larger than five inches in diameter will be at the expense of the owner and shall not be the responsibility of the Borough.

§ 18-2-5. Procedures for Disposal of Grass Clippings; Schedule; Fee.

- A. During the period from April 15 through October 15 of each year, the Borough of Hightstown Public Works Department will collect grass clippings from those residents wishing to dispose of them. Such collections will be made weekly on Mondays without the need for appointments.
- B. Grass clippings shall be kept separate from and not disposed of with regular garbage and refuse which is collected by the Borough.
- C. Grass clippings shall be contained in special biodegradable compost bags to be sold by the Borough. No grass will be collected that is not contained in compost bags purchased from the Borough. The bags will be available at the office of the Borough Clerk and at the Public Works office during normal business hours. In addition, bags may be sold through commercial/retail outlets located in the Borough, as approved by Resolution of the Borough Council.
- D. Bags will be sold at a price which reflects the per-bag cost of refuse, collection and disposal, which price may be revised from time to time by Resolution of the Borough Council.

§ 18-2-6. Recyclables to Become Borough Property After Placement at Curb.

[Ord. No. 2009-18]

From the time of placement at the curb by any resident of recyclable materials for collection by the Borough pursuant to the program established hereby and the rules and regulations issued hereunder, such materials shall become and be the property of the Borough, and it shall be violation of this article for any person, other than persons authorized by the Borough or the resident, to collect or pick up, or cause to be collected or picked up, such materials. Each such collection in violation hereof from one or more residences during the period shall constitute a separate and distinct offense. Notwithstanding the foregoing, upon collection of the materials by the Borough's collection contractor, all such materials shall become the property of the Borough's collection contractor.

§ 18-2-7. Enforcement.

[Ord. No. 2009-18; Ord. No. 2015-16]

The Borough of Hightstown Recycling Coordinator, Housing Official/Housing Inspector, and the Hightstown Borough Police Department are hereby authorized and directed to enforce this article. Enforcement may include random inspections of garbage set out for disposal in order to determine compliance.

§ 18-2-8. Violations and Penalties.

[Ord. No. 2009-18]

Any person, firm or corporation who violates or neglects to comply with any provision of this article or any regulation promulgated pursuant thereto shall, upon conviction thereof, be liable to the fine as stated in Chapter 1, Article 1-5, except that the maximum fine for failure to comply with § 18-2-3 shall not exceed \$500.

§ 18-2-9. Donation or Sale of Recyclables.

[Ord. No. 2009-18]

Any resident may donate or sell recyclable materials to any person, partnership or corporation, whether operating for profit or not for profit. The person, partnership or corporation may not, however, under any circumstances pick up the recyclable materials from the curbside in the Borough.

Chapter 25. Stormwater Control

Article 25-1. General Provisions

§ 25-1-7. Solids and Floatable Materials Control Standards.

[Ord. No. 2021-01; amended 9-5-2023 by Ord. No. 2023-16]

Site design features identified under § **25-1-4F** above, or alternative designs in accordance with § **25-1-4G** above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this section, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § **25-1-7B** below.

A. Design engineers shall use one 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; or
- (2) A different grate, if each individual clear space in that grate has an area of no more than 7.0 square inches, or is no greater than 0.5 inch 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 system floors used to collect stormwater from the surface into a storm drain or surface water body.

- (3) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven square inches, or be no greater than two inches across the smallest dimension.

B. The standard in Subsection **A** above does not apply:

- (1) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine square inches;
- (2) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- (3) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 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 of the following:

- (a) A rectangular space 4.625 inches long and 1.5 inches wide (this option does not apply for outfall netting facilities); or
- (b) A bar screen having a bar spacing of 0.5 inch.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle-safe grates in new residential development [N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1].

- (4) Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars, to the elevation of the water quality design storm as specified in N.J.A.C. 7:8; or
- (5) 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.

Chapter 21. Storm Sewer System

Article 21-1. Discharges to Storm Sewer System

§ 21-1-1. Purpose.

The purpose of this article is to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Hightstown, and to prohibit illicit connections to same, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 21-1-2. Definitions.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article 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.

DOMESTIC SEWAGE

Waste and wastewater from humans or household operations.

ILLICIT CONNECTION

Any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Borough of Hightstown, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

INDUSTRIAL WASTE

Non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. § 1317(a), (b), or (c)).

MUNICIPAL SEPARATE STORM SEWER SYSTEM

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Borough of Hightstown or other public body, and is designed and used for collecting and conveying stormwater.

NJPDES PERMIT

A permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

NON-CONTACT COOLING WATER

Water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

PERSON

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

PROCESS WASTEWATER

Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§ 21-1-3. Prohibited Conduct.

- A. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Borough of Hightstown any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).
- B. The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Hightstown is prohibited, except as set forth in § 21-1-4 below. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

§ 21-1-4. Exceptions to Prohibition.

- A. Water line flushing and discharges from potable water sources.
- B. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters).
- C. Air conditioning condensate (excluding contact and non-contact cooling water).
- D. Irrigation water (including landscape and lawn watering runoff)
- E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
- F. Residential car washing water, and residential swimming pool discharges.
- G. Sidewalk, driveway and street wash water.
- H. Flows from fire fighting activities.
- I. Rinsing of Equipment.
 - (1) Flows from rinsing of the following equipment with clean water:
 - (a) Beach maintenance equipment immediately following their use for their intended purposes; and

- (b) Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
- (2) Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§ 21-1-5. Enforcement.

The provisions of this article shall be enforced by the Hightstown Borough Police Department and the Superintendent of Public Works or his designee(s).

§ 21-1-6. Penalties.

Any person(s) who continues to be in violation of the provisions of this article, after being duly notified, shall be subject to penalties as stated in Chapter 1, Article 1-5.

Chapter 22. Privately Owned Salt Storage

Article 22-1. Privately Owned Salt Storage Regulations

§ 22-1-1. Purpose.

[9-5-2023 by Ord. No. 2023-14]

- A. The purpose of this chapter is to prevent stored salt and other solid deicing materials from being exposed to stormwater.
- B. This chapter establishes requirements for the storage of salt and other solid deicing materials on properties not owned or operated by the Borough (privately owned), including residences within the Borough, to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 22-1-2. Definitions.

[9-5-2023 by Ord. No. 2023-14]

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 consistent 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.

DEICING MATERIALS

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

PERMANENT STRUCTURE

- A. A permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the accessway from wind-driven rainfall).
- B. A fabric frame structure is a permanent structure if it meets the following specifications:
 - (1) Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of deicing materials;
 - (2) The design shall prevent stormwater run-on and run-through, and the fabric cannot leak;
 - (3) The structure shall be erected on an impermeable slab;

- (4) The structure cannot be open-sided; and
- (5) The structure shall have a roll-up door or other means of sealing the accessway from wind-driven rainfall.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

RESIDENT

A person who resides on a residential property where deicing material is stored.

STORM DRAIN INLET

The point of entry into the stormwater system.

§ 22-1-3. Deicing Material Storage Requirements.

[9-5-2023 by Ord. No. 2023-14]

- A. Temporary outdoor storage of deicing materials shall be allowed between October 15th and April 15 of the year, in accordance with the following requirements:
 - (1) Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - (2) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - (3) Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after each use;
 - (4) Loose materials shall be covered as follows:
 - (a) The cover shall be waterproof, impermeable, and flexible;
 - (b) The cover shall extend to the base of the pile(s);
 - (c) The cover shall be free from holes or tears;
 - (d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - (e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - [1] Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord, provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - (5) Containers must be sealed when not in use; and
 - (6) The site shall be free of all deicing materials between April 16 and October 14.
- B. Deicing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose deicing materials in a permanent structure, such storage may be permanent, and thus not restricted to the time period between October 15 and April 15.
- C. All temporary and/or permanent structures utilized for the storage of deicing materials must also comply with all other applicable Borough ordinances, including but not limited to building and zoning regulations.

- D. The property owner, or owner of the deicing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this chapter are met. Inspection records shall be kept on site and made available to the municipality upon request.
- (1) Residents who operate businesses from their homes that utilize deicing materials are required to perform weekly inspections.

§ 22-1-4. Exemptions.

[9-5-2023 by Ord. No. 2023-14]

- A. Residents may store deicing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the deicing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within two weeks.
- B. If containerized (in bags or buckets) deicing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in § **22-1-3** above. Piles of deicing materials are not exempt, even if stored in a permanent structure.
- C. This chapter does not apply to facilities where the stormwater discharges from deicing material storage activities are regulated under another NJPDES permit.

§ 22-1-5. Enforcement.

[9-5-2023 by Ord. No. 2023-14]

The provisions of this chapter shall be enforced by the Hightstown Borough Police Department and the Superintendent of Public Works or his/her designee(s).

§ 22-1-6. Violations and Penalties.

[9-5-2023 by Ord. No. 2023-14]

Any person(s) who is found to be in violation of the provisions of this chapter shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in penalties as stated in Chapter 1, Article **1-5**.

Ordinance 2024-01

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20, ENTITLED "PROTECTION OF TREES," OF "THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN."

WHEREAS, the Borough of Hightstown (the "Borough") previously established Chapter 20, entitled "Protection of Trees," of "The Revised General Ordinances of the Borough of Hightstown" (also referenced as the "Borough Code"); and

WHEREAS, the Mayor and Council now wish to revise Chapter 20 of the Borough Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Hightstown in the County of Mercer and State of New Jersey, as follows:

1. That Chapter 20, entitled "Protection of Trees," of "The Revised General Ordinances of the Borough of Hightstown" is hereby amended and supplemented in the following respects (additions are show with underline; deletions are shown with ~~strikethrough~~):

Chapter 20. Protection of Trees

Article 20-1. Tree Regulations

§ 20-1-1. Title.

This article shall be known and may be cited as the "Tree Regulations of the Borough of Hightstown, County of Mercer, State of New Jersey."

§ 20-1-2. Definitions.

- A. For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular and words in the singular include the plural. The word "shall" is mandatory and not merely directory.
- B. As used in this article, the following terms shall have the meanings indicated:

BOROUGH

The Borough of Hightstown, County of Mercer, State of New Jersey.

ENVIRONMENTAL COMMISSION

The body having jurisdiction over public park and/or street trees.

PARK

Includes all public parks having individual names.

PERSON

Any person, firm, partnership, association, corporation, company or organization of any kind.

PROPERTY LINE

The outer edge of a street right-of-way.

PROPERTY OWNER

The person owning such property as shown by the Tax Map of the Borough.

PUBLIC PLACES

Includes all other grounds owned by the Borough.

PUBLIC TREES

Includes all shade and ornamental trees now or hereafter growing on any tree lawn or any public areas where otherwise indicated.

SHADE TREE OFFICIAL

The designated official assigned to carry out the enforcement of this article.

STREET or HIGHWAY

The entire width of every public way or right-of-way when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular and pedestrian traffic.

TREE LAWN

That part of a street or highway, not covered by sidewalk or other paving, lying between the property line and that portion of the street or highway usually used for vehicular traffic.

TRUCK THOROUGHFARE

Any street on which trucks are not prohibited.

§ 20-1-3. Duties of Environmental Commission.

The Environmental commission shall have the authority and responsibility to:

- A. Study the problems and determine the needs of the Borough in connection with its tree planting program.
- B. Recommend to the proper authority the type and kind of trees to be planted upon municipal streets or parts of municipal streets or in parks.
- C. Organize and disseminate news and information regarding the selection, planting and maintenance of trees within the corporate limits, whether the same are on private or public

property, and make recommendations from time to time to the Borough Council as to desirable legislation concerning the tree program and activities for the municipality.

- D. Hold regular and special meetings at which the subject of trees insofar as it relates to the municipality may be discussed by the members of the Commission and all others interested in the tree program.
- E. Promulgate the rules and regulations of the Arboricultural Specifications and Standards of Practice governing the planting, maintenance, removal, fertilization, pruning and bracing of trees on the streets or other public sites in the municipality and direct, regulate and control the planting, maintenance and removal of all trees growing now or hereafter in any public area of the Borough.
- F. Formulate, adopt and amend a Master Street-Tree Plan. The Master Street-Tree Plan shall specify appropriate species of the trees to be planted on the streets or other public sites of the municipality. From and after the effective date of the Master Street-Tree Plan or any amendment thereof, all planting shall conform thereto.
- G. Consider all existing and future utility and environmental factors when recommending a specific species for each of the streets and other public sites of the municipality.
- H. Affix reasonable conditions to the granting of a permit in accordance with the terms of this article.

§ 20-1-4. Shade Tree Official.

A. Appointment; Vacancies.

- (1) The Shade Tree Official shall be appointed from the membership of the Environmental Commission by the Mayor with the concurrence of the Borough Council. Prior to making the appointment, the Mayor shall receive the recommendation of the Environmental Commission.
- (2) If the position of Shade Tree Official remains vacant for any reason for more than one month, the Environmental Commission may designate a qualified person to perform the duties of the Shade Tree Official on a temporary basis and until such time as an appointment to the position may be made.

B. Duties of Shade Tree Official. The Shade Tree Official shall have the authority and responsibility to:

- (1) Regulate the planting, maintenance and removal of trees on streets and other publicly owned property to ensure safety or preserve the aesthetics of such public sites.
- (2) Inspect all work done under a permit issued in accordance with the terms of this article.

- (3) Enforce the provisions of this article.

§ 20-1-5. Permits.

A. Permit Required. Except as required by other sections, clauses or provisions of this article, no person shall plant, spray, fertilize, preserve, prune, remove, cut above or below ground or otherwise disturb any tree on any public street or Borough-owned property without first filing an application and procuring a permit from the Environmental Commission. The person receiving the permit shall abide by the Arboricultural Specifications and Standards of Practice adopted by the Environmental Commission.

B. Application.

- (1) Application for a permit must be made to the Environmental Commission not less than two weeks in advance of the time the work is to be done and shall be accompanied by payment of a fee of \$5. Requests for Borough assistance should be indicated on the application.

- (2) An application for planting of a tree shall state:

- (a) The number of trees to be set out.
- (b) The location of the tree(s) and grade.
- (c) The species, cultivar or variety of each tree.
- (d) The method of planting.
- (e) Such other information as the Environmental Commission shall find reasonably necessary to a fair determination of whether a permit should be issued.

- (3) An application for maintenance of trees shall state:

- (a) The number and kinds of trees to be sprayed, fertilized, pruned or otherwise preserved.
- (b) The kind of treatment to be administered.
- (c) The composition of the spray material to be applied.
- (d) Such other information as the Environmental Commission shall find reasonably necessary to a fair determination of whether a permit should be issued.

- (4) An application for a permit to remove a tree shall state:

- (a) The number and location of trees to be removed.

- (b) The reason(s) removal is necessary or appropriate.
- (c) The species, cultivar or variety of the replacement tree(s).
- (d) The intended location of the replacement tree(s).
- (e) The method of planting the replacement tree(s).
- (f) Such other information as the Environmental Commission shall find reasonably necessary to a fair determination of whether a permit should be issued.
- (g) Except as otherwise authorized by the Environmental Commission, no permit for removal of a tree shall be issued unless provision is made for the planting of a replacement tree at the site of removal or at a location approved by the Environmental Commission.

C. Issuance of Permit. The Environmental Commission shall issue the permit provided for herein if, in its judgment, the proposed work is desirable and the proposed method and workmanship thereof are of a satisfactory nature. Any permit granted shall contain a definite date of expiration, and the work shall be completed in the time allowed on the permit and in the manner as therein described. Any permit shall be void if its terms are violated.

§ 20-1-6. Removal, Replanting and Replacement.

- A. Planting in Violation of Regulations. Whenever any tree shall be planted in violation of the provisions of this article, it shall be lawful for the Shade Tree Official to remove or cause removal of the same, and the exact cost thereof shall be assessed to the person planting the tree as provided by law in the case of special assessments.
- B. Removal of Trees for Sidewalk or Street Improvements. Whenever it is necessary for the Borough to remove a tree or trees from a tree lawn in connection with the paving of a sidewalk or the paving or widening of the portion of a street or highway used for vehicular traffic, the Borough shall replant such trees or replace them. If conditions prevent planting on tree lawns, this requirement will be satisfied if any equivalent number of trees of the same size and species as provided for in the Arboricultural Specifications are planted in another location approved by the Environmental Commission.
- C. Removal of Trees for Construction; Replacement. No person or property owner shall remove a tree from the tree lawn for the purpose of construction or for any other reason unless he replaces the removed tree or trees in accordance with the adopted Arboricultural Specifications. Such replacement shall meet the standards of size, species and placement as provided for in a permit issued by the Environmental Commission. The person or property owner shall bear the cost of removal and replacement of all trees removed.

§ 20-1-7. Pruning.

- A. Responsibility of Property Owner or Tenant. It shall be the duty of any person owning or occupying real property bordering on any public street to prune any trees on such property in such manner that they do not obstruct or shade the streetlights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs or obstruct the traveling public's view of the street. The minimum clearance of any overhanging portion of a tree shall be 10 feet over sidewalks and 12 feet over all streets, except truck thoroughfares, which shall have a clearance of 16 feet.
- B. Failure to Prune Trees; Notice. Should any person owning real property bordering on any public street fail to prune trees as hereinabove provided, the Environmental Commission shall order such person or persons, within 30 days after receipt of written notice, to so prune such trees. The order required herein shall be served by mailing a copy of the order to the last known address of the owner or occupant of the property.
- C. Failure to Comply; Cost Assessed to Owner. When a person to whom an order is directed shall fail to comply within the specified time, it shall be lawful for the municipality to prune such trees, and the exact cost thereof shall be assessed to the owner as provided by law in the case of special assessments.

§ 20-1-8. Abuse or Mutilation of Public Trees.

Unless specifically authorized by the Environmental Commission or the Shade Tree Official, no person shall intentionally damage, cut, carve, transplant or remove any public tree; attach any rope, wire, nails, advertising posters or other contrivance to any such tree; allow any gaseous, liquid or solid substance which is harmful to such trees to come in contact with them; or set fire to or permit any fire to burn when such fire or the heat thereof is likely to injure any portion of any such tree.

§ 20-1-9. Interference with Officials Unlawful.

No person shall hinder, prevent, delay or interfere with the Environmental Commission or the Shade Tree Official in the performance of its or his authority and duties pursuant to this article; provided, however, that nothing herein shall be construed as an attempt to prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the municipality.

§ 20-1-10. Protection During Construction or Excavation.

- A. All trees on any public street or other publicly owned property in the immediate vicinity of an excavation or construction of any building, structure or street work shall be guarded with a good, substantial and highly visible fence, frame or box not less than four feet high and eight feet square or at a distance in feet from the trunk equal to the diameter of the trunk in inches [measured six inches from the ground], whichever is greater, and all building material, dirt or other debris shall be kept outside the barrier.
- B. No person shall excavate any ditches, tunnels or trenches or lay any drive within a radius of 10 feet from any public tree without first obtaining a written permit from the Environmental Commission.

§ 20-1-11. Obstructing Nutrients from Public Trees Unlawful.

No person shall deposit, place, store or maintain upon any public place of the municipality any stone, brick, sand; concrete or other materials which may impede the free passage of water, air and fertilizer to the roots of any tree growing therein, except by written permit of the Environmental Commission.

§ 20-1-12. Forestry Program.

The Borough of Hightstown is accredited with the New Jersey Urban and Community Forestry Program (the "Forestry Program"). The details of the Borough's Forestry Program are on file for public inspection and review in the office of the Borough Clerk.

§ 20-1-123. Violations and Penalties.

The Environmental Commission or the Shade Tree Official shall cause a Municipal Court complaint to be issued to any person, firm or corporation violating any of the provisions of this article. Any person found to have violated a provision of this article shall be liable, upon conviction to the penalty as stated in Chapter 1, Article 1-5.

2. That all other provisions of Chapter 20 of the Borough Code which are not referenced in Section 1 of this Ordinance shall remain unaffected/unchanged and remain in full force and effect.

3. That all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.


4. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

INTRODUCED: January 16, 2024

ADOPTED: February 5, 2024

ATTEST:


MARGARET RIGGIO
MUNICIPAL CLERK


SUSAN BLUTH
MAYOR

Chapter 25. Stormwater Control

Article 25-1. General Provisions

§ 25-1-11. Requirements Regarding Dumpsters and Other Refuse Containers.

[4-18-2022 by Ord. No. 2022-05^[1]

A. Purpose. This section requires dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or other discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Hightstown and/or the waters of the state so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

B. Definitions. For the purpose of this section, 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.

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 Hightstown Borough or other public body, and is designed and used for collecting and conveying stormwater.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

REFUSE CONTAINER

Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

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.

C. Applicability.

- (1) Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
- (2) Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Hightstown.

D. Exceptions.

- (1) Permitted temporary demolition containers.
- (2) Litter receptacles (other than dumpsters or other bulk containers).
- (3) Individual homeowner trash and recycling containers.
- (4) Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- (5) Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

E. Enforcement and penalties.

- (1) This section shall be enforced by the Stormwater Management Coordinator and/or Superintendent of the Department of Public Works and/or their designee of the Borough of Hightstown.
- (2) Any person who is found to be in violation of this section shall be subject to penalties as stated in Chapter 1, Article 1-5 of the Revised General Ordinances of the Borough of Hightstown.

[1] *Editor's Note: This ordinance also redesignated former §§ 25-1-11 and 25-1-12 as §§ 25-1-12 and 25-1-13.*

Ordinance 2023-17

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AN ORDINANCE FURTHER AMENDING AND SUPPLEMENTING CHAPTER 25, ENTITLED “STORMWATER CONTROL,” OF “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN.”

WHEREAS, the Borough of Hightstown (the “Borough”) previously established Chapter 25, entitled “Stormwater Control,” of “The Revised General Ordinances of the Borough of Hightstown” (also referenced as the “Borough Code”); and

WHEREAS, the New Jersey Department of Environmental Protection (the “DEP”) adopted new stormwater regulations on July 17, 2023 (the “regulations”); and

WHEREAS, the regulations affect the Borough in that they are the new requirements for stormwater in the State of New Jersey (the “State”); and

WHEREAS, on September 25, 2023, the Mayor and Council of the Borough adopted Ordinance 2023-16 in order to revise Section 25 of the Borough Code, so as to comply with the new regulations; and

WHEREAS, since that time, the Mayor and Council have determined that certain limited additional revisions are needed, as set forth in the within Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Hightstown in the County of Mercer and State of New Jersey, as follows:

1. That Chapter 25, entitled “Stormwater Control,” of the Borough Code is hereby further amended and supplemented in the following respects (additions shown with underline were approved via Ordinance 2023-16; deletions shown with ~~striketrough~~ were also approved via Ordinance 2023-16; additions and/or deletions shown with underline or ~~striketrough~~ and also with **highlight** are proposed via the within Ordinance):

Chapter 25. Stormwater Control

Article 25-1. General Provisions

§ 25-1-1. Scope and Purpose.

A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining

natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose. The purpose of this chapter is to establish minimum stormwater management requirements and controls for "major development," as defined below in § 25-1-2, and also to establish maintenance and repair requirements for existing Stormwater Management BMP's, as also defined below in § 25-1-2.

C. Applicability.

(1) This chapter shall be applicable to the following major developments:

(a) Non-residential major developments; and

(b) Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

(2) This chapter shall also be applicable to all major developments undertaken by the Borough of Hightstown.

(3) ~~This chapter shall also apply to any Borough issued Zoning Permits which are not covered under items 1 and 2 above. The Zoning Officer shall provide a copy of all applications for Zoning Permits issued in accordance with this section to the Borough's Environmental Commission for review and recommendation.~~ This chapter shall also be applicable to all existing Stormwater Management BMP's

(4) An application required by ordinance pursuant to C(1) above that has been submitted prior to **September 5, 2023**, shall be subject to the stormwater management requirements in effect on **September 4, 2023**.

(5) An application required by ordinance for approval pursuant to C(1) above that has been submitted on or after March 2, 2021, but prior to ~~{adoption date of this ordinance}~~ September 5, 2023, shall be subject to the stormwater management requirements in effect on ~~{1 day prior to the adoption date of this ordinance}~~ September 4, 2023.

(6) Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023 shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

(7) Any application required pursuant to Sections A and B above, which has not received preliminary approval prior to the effective date of this chapter shall be subject to the provisions of this chapter.

D. Compatibility with Other Permit and Ordinance Requirements.

- (1) Development approvals issued pursuant to this chapter are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
- (2) This chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 25-1-2. 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. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

CAFRA CENTERS, CORES OR NODES

Those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

CAFRA PLANNING MAP

The map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

COMMUNITY BASIN

An infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

COMPACTION

The increase in soil bulk density.

CONTRIBUTORY DRAINAGE AREA

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE

A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY

An agency designated by the County ~~Board of Chosen Freeholders~~ Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

- A. A county planning agency or
- B. A county water resource association created under N.J.S.A. 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

DEPARTMENT

The Department of Environmental Protection.

DESIGN ENGINEER

A person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

DESIGNATED CENTER

A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DEVELOPMENT

- A. The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
- B. In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

DISTURBANCE

The placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

DRAINAGE AREA

A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

EMPOWERMENT NEIGHBORHOODS

Neighborhoods designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A. 55:19-69.

ENVIRONMENTALLY CONSTRAINED AREA

The following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

ENVIRONMENTALLY CRITICAL AREA

An area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

EROSION

The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

GREEN INFRASTRUCTURE

A stormwater management measure that manages stormwater close to its source by:

- A. Treating stormwater runoff through infiltration into subsoil;
- B. Treating stormwater runoff through filtration by vegetation or soil; or
- C. Storing stormwater runoff for reuse.

HUC 14 or HYDROLOGIC UNIT CODE 14

An area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION

The process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY

One or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

MAJOR DEVELOPMENT

- A. An individual "development," as well as multiple developments that individually or collectively result in:
- (1) The disturbance of one or more acres of land since February 2, 2004;
 - (2) The creation of 1/4 acre or more of "regulated impervious surface" since February 2, 2004;
 - (3) The creation of 1/4 acre or more of "regulated motor vehicle surface" since March 2, 2021 ~~(or the effective date of this chapter, whichever is earlier)~~; or
 - (4) A combination of Subsections A(2) and (3) above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.
- B. Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of Subsections A(1), (2), (3) or (4) above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

~~NOTE: The definition of major development above aligns with the definition at N.J.A.C. 7:8-1.2 and is recommended for consistency. Alternatively, a municipality may adopt the following definition, which is the minimum standard required. Municipalities that have already adopted the definition at N.J.A.C. 7:8-1.2 or another definition that goes beyond the minimum requirement should not reduce the stringency of their definition by adopting the minimum standard.~~

~~"Major development" means an individual "development," as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004.~~

~~Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually result in the disturbance of one or more acres of land since February 2, 2004. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."~~

~~Additionally, individual municipalities may define major development with a smaller area of disturbance, a smaller area of regulated impervious or motor vehicle surface, or both.~~

MOTOR VEHICLE

Land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

MOTOR VEHICLE SURFACE

Any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY

The Borough of Hightstown.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL or BMP MANUAL

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with § 25-1-4F of this chapter and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON

Any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

PUBLIC ROADWAY OR RAILROAD

A pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

PUBLIC TRANSPORTATION ENTITY

A Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

RECHARGE

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

- A. A net increase of impervious surface;
- B. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
- C. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or

- D. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE

Any of the following, alone or in combination:

- A. The total area of motor vehicle surface that is currently receiving water;
- B. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

SEDIMENT

Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

SITE

The lot or lots upon which a major development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)

An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

STATE PLAN POLICY MAP

The geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

STORMWATER MANAGEMENT BMP

An excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

STORMWATER MANAGEMENT MEASURE

Any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal nonstormwater discharges into stormwater conveyances.

STORMWATER MANAGEMENT PLANNING AGENCY

A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA

The geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

STORMWATER RUNOFF

Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

~~**TIDAL FLOOD HAZARD AREA**~~

~~A flood hazard area in which the flood elevation resulting from the two-, ten-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.~~

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES

A zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq.

URBAN REDEVELOPMENT AREA

Previously developed portions of areas:

- A. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- B. Designated as CAFRA Centers, Cores or Nodes;
- C. Designated as Urban Enterprise Zones; and
- D. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE

A structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, ten-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS or WETLAND

An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

§ 25-1-3. Design and Performance Standards for Stormwater Management Measures.

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
- (1) The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - (2) The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this chapter apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Note: ~~Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8-5.~~

§ 25-1-4. Stormwater Management Requirements for Major Development.

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 25-1-10.

- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergii* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 25-1-4P, Q and R.
- (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 25-1-4O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
- (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - (2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of § 25-1-4O, P, Q and R to the maximum extent practicable;
 - (3) The applicant demonstrates that, in order to meet the requirements of § 25-1-4O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - (4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under § 25-1-4D(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 25-1-4O, P, Q and R that were not achievable on site.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in § 25-1-4O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management

Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2(f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at: https://njstormwater.org/bmp_manual2.htm <https://dep.nj.gov/stormwater/bmp-manual/>.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this chapter, the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

| Best Management Practice | Stormwater Runoff Quality TSS Removal Rate (percent) | Stormwater Runoff Quantity | Groundwater Recharge | Minimum Separation from Seasonal High Water Table (feet) |
|---|---|-----------------------------------|---|---|
| Cistern | 0 | Yes | No | — |
| Dry Well ^(a) | 0 | No | Yes | 2 |
| Grass Swale | 50 or less | No | No | 2 ^(e) 1 ^(f) |
| Green Roof | 0 | Yes | No | — |
| Manufactured Treatment Device ^(a) ^(g) | 50 or 80 | No | No | Dependent upon the device |
| Pervious Paving System ^(a) | 80 | Yes | Yes ^(b) No ^(c) | 2 ^(b) 1 ^(c) |
| Small-Scale Bioretention Basin ^(a) | 80 or 90 | Yes | Yes ^(b) No ^(c) | 2 ^(b) 1 ^(c) |
| Small-Scale Infiltration Basin ^(a) | 80 | Yes | Yes | 2 |
| Small-scale sand filter | 80 | Yes | Yes | 2 |
| Vegetative Filter Strip | 60-80 | No | No | — |

(Notes corresponding to annotations (a) through (g) are found below Table 3)

| Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3) | | | | |
|--|--|----------------------------|---|--|
| Best Management Practice | Stormwater Runoff Quality TSS Removal Rate (percent) | Stormwater Runoff Quantity | Groundwater Recharge | Minimum Separation from Seasonal High Water Table (feet) |
| Bioretention System | 80 or 90 | Yes | Yes ^(b) No ^(c) | 2 ^(b) 1 ^(c) |
| Infiltration Basin | 80 | Yes | Yes | 2 |
| Sand Filter ^(b) | 80 | Yes | Yes | 2 |
| Standard Constructed Wetland | 90 | Yes | No | N/A |
| Wet Pond ^(d) | 50-90 | Yes | No | N/A |

(Notes corresponding to annotations (b) through (d) are found below Table 3)

| Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3 | | | | |
|---|--|----------------------------|----------------------|--|
| Best Management Practice | Stormwater Runoff Quality TSS Removal Rate (percent) | Stormwater Runoff Quantity | Groundwater Recharge | Minimum Separation from Seasonal High Water Table (feet) |
| Blue Roof | 0 | Yes | No | N/A |
| Extended Detention Basin | 40-60 | Yes | No | 1 |
| Manufactured Treatment Device ^(h) | 50 or 80 | No | No | Dependent upon the device |
| Sand Filter ^(c) | 80 | Yes | No | 1 |
| Subsurface Gravel Wetland | 90 | No | No | 1 |
| Wet Pond | 50-90 | Yes | No | N/A |

Notes to Tables 1, 2 and 3:

- (a) Subject to the applicable contributory drainage area limitation specified at § 25-1-40(2);
- (b) Designed to infiltrate into the subsoil;
- (c) Designed with underdrains;

- (d) Designed to maintain at least a ten-foot-wide area of native vegetation along at least 50% of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) Designed with a slope of less than 2%;
 - (f) Designed with a slope of equal to or greater than 2%;
 - (g) Manufactured treatment devices that meet the definition of green infrastructure at § 25-1-2;
 - (h) Manufactured treatment devices that do not meet the definition of green infrastructure at § 25-1-2.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with § 25-1-6B. Alternative stormwater management measures may be used to satisfy the requirements at § 25-1-40 only if the measures meet the definition of green infrastructure at § 25-1-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Subsection O(2) are subject to the contributory drainage area limitation specified at Subsection O(2) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Subsection O(2) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § 25-1-4D is granted from Subsection O(2).
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:

- (1) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - (2) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of § 25-1-8C;
 - (3) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 - (4) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at § 25-1-8; and
 - (5) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of 2 1/2 inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at § 25-1-2 may be used only under the circumstances described at § 25-1-4O(4).
- K. Any application for a new agricultural development that meets the definition of major development at § 25-1-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at § 25-1-4O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 25-1-4O, P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge ~~on-site~~ onsite and no adverse

environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the [Office of the Mercer County's Office of the County](#) Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 25-1-4O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US ~~f~~Feet or ~~L~~Latitude and ~~L~~Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 25-1-10B(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 25-1-4 of this chapter and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the [Office of the Mercer County's Office of the County](#) Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.
- O. Green Infrastructure Standards.
- (1) This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
 - (2) To satisfy the groundwater recharge and stormwater runoff quality standards at § 25-1-4P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at § 25-1-4F and/or an alternative stormwater management measure approved in accordance with § 25-1-4G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

| Best Management Practice | Maximum Contributory Drainage Area |
|----------------------------------|--|
| Dry Well | 1 acre |
| Manufactured Treatment Device | 2.5 acres |
| Pervious Pavement Systems | Area of additional inflow cannot exceed 3 times the area occupied by the BMP |
| Small-scale Bioretention Systems | 2.5 acres |
| Small-scale Infiltration Basin | 2.5 acres |
| Small-scale Sand Filter | 2.5 acres |

- (3) To satisfy the stormwater runoff quantity standards at § 25-1-4R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with § 25-1-4G.
- (4) If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § 25-1-4D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with § 25-1-4G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 25-1-4P, Q and R.
- (5) For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at § 25-1-4P, Q and R, unless the project is granted a waiver from strict compliance in accordance with § 25-1-4D.

P. Groundwater Recharge Standards.

- (1) This subsection contains the minimum design and performance standards for groundwater recharge as follows:
- (2) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at § 25-1-5, either:
 - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site; or

- (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the two-year storm as defined and determined pursuant to § 25-1-5D is infiltrated.
- (3) This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to Subsection P(4) below.
- (4) The following types of stormwater shall not be recharged:
 - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contained Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - (b) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards.

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
- (2) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - (a) Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - (b) If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure,

or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.

- (3) The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with ~~two~~ (2) above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
- (4) The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

| Time (Minutes) | Cumulative Rainfall (Inches) | Time (Minutes) | Cumulative Rainfall (Inches) | Time (Minutes) | Cumulative Rainfall (Inches) |
|----------------|------------------------------|----------------|------------------------------|----------------|------------------------------|
| 1 | 0.00166 | 41 | 0.1728 | 81 | 1.0906 |
| 2 | 0.00332 | 42 | 0.1796 | 82 | 1.0972 |
| 3 | 0.00498 | 43 | 0.1864 | 83 | 1.1038 |
| 4 | 0.00664 | 44 | 0.1932 | 84 | 1.1104 |
| 5 | 0.00830 | 45 | 0.2000 | 85 | 1.1170 |
| 6 | 0.00996 | 46 | 0.2117 | 86 | 1.1236 |
| 7 | 0.01162 | 47 | 0.2233 | 87 | 1.1302 |
| 8 | 0.01328 | 48 | 0.2350 | 88 | 1.1368 |
| 9 | 0.01494 | 49 | 0.2466 | 89 | 1.1434 |
| 10 | 0.01660 | 50 | 0.2583 | 90 | 1.1500 |
| 11 | 0.01828 | 51 | 0.2783 | 91 | 1.1550 |
| 12 | 0.01996 | 52 | 0.2983 | 92 | 1.1600 |
| 13 | 0.02164 | 53 | 0.3183 | 93 | 1.1650 |
| 14 | 0.02332 | 54 | 0.3383 | 94 | 1.1700 |
| 15 | 0.02500 | 55 | 0.3583 | 95 | 1.1750 |
| 16 | 0.03000 | 56 | 0.4116 | 96 | 1.1800 |
| 17 | 0.03500 | 57 | 0.4650 | 97 | 1.1850 |
| 18 | 0.04000 | 58 | 0.5183 | 98 | 1.1900 |
| 19 | 0.04500 | 59 | 0.5717 | 99 | 1.1950 |
| 20 | 0.05000 | 60 | 0.6250 | 100 | 1.2000 |

Table 4 - Water Quality Design Storm Distribution

| Time (Minutes) | Cumulative Rainfall (Inches) | Time (Minutes) | Cumulative Rainfall (Inches) | Time (Minutes) | Cumulative Rainfall (Inches) |
|----------------|------------------------------|----------------|------------------------------|----------------|------------------------------|
| 21 | 0.05500 | 61 | 0.6783 | 101 | 1.2050 |
| 22 | 0.06000 | 62 | 0.7317 | 102 | 1.2100 |
| 23 | 0.06500 | 63 | 0.7850 | 103 | 1.2150 |
| 24 | 0.07000 | 64 | 0.8384 | 104 | 1.2200 |
| 25 | 0.07500 | 65 | 0.8917 | 105 | 1.2250 |
| 26 | 0.08000 | 66 | 0.9117 | 106 | 1.2267 |
| 27 | 0.08500 | 67 | 0.9317 | 107 | 1.2284 |
| 28 | 0.09000 | 68 | 0.9517 | 108 | 1.2300 |
| 29 | 0.09500 | 69 | 0.9717 | 109 | 1.2317 |
| 30 | 0.10000 | 70 | 0.9917 | 110 | 1.2334 |
| 31 | 0.10660 | 71 | 1.0034 | 111 | 1.2351 |
| 32 | 0.11320 | 72 | 1.0150 | 112 | 1.2367 |
| 33 | 0.11980 | 73 | 1.0267 | 113 | 1.2384 |
| 34 | 0.12640 | 74 | 1.0383 | 114 | 1.2400 |
| 35 | 0.13300 | 75 | 1.0500 | 115 | 1.2417 |
| 36 | 0.13960 | 76 | 1.0568 | 116 | 1.2434 |
| 37 | 0.14620 | 77 | 1.0636 | 117 | 1.2450 |
| 38 | 0.15280 | 78 | 1.0704 | 118 | 1.2467 |
| 39 | 0.15940 | 79 | 1.0772 | 119 | 1.2483 |
| 40 | 0.16600 | 80 | 1.0840 | 120 | 1.2500 |

(5) If more than one BMP in series is necessary to achieve the required 80% TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B)/100$$

Where:

R = total TSS Percent Load Removal from application of both BMPs,

A = the TSS Percent Removal Rate applicable to the first BMP, and

B = the TSS Percent Removal Rate applicable to the second BMP.

(6) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green

infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in § 25-1-4P, Q and R.

- (7) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- (8) The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- (9) Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95% of the anticipated load from the developed site, expressed as an annual average.
- (10) ~~This~~ **The** stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards.

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § 25-1-5, complete one of the following:
 - (a) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected ~~two~~²-, ~~ten~~¹⁰-, and 100-year storm events, as defined and determined in § 25-1-5C and D, respectively, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - (b) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected ~~two~~²-, ~~ten~~¹⁰-, and 100-year storm events, as defined and determined pursuant to § 25-1-5C and D, respectively, and that the increased volume or change in timing of stormwater runoff will not increase flood

damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;

- (c) Design stormwater management measures so that the post-construction peak runoff rates for the current and projected two-, ten-, and 100-year storm events, as defined and determined in § 25-1-5C and D, respectively, are 50, 75 and 80%, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or

(d) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (2)(a)(b) and (c) above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

- (3) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§ 25-1-5. Calculation of Stormwater Runoff and Groundwater Recharge.

A. Stormwater runoff shall be calculated in accordance with the following:

- (1) The design engineer shall calculate runoff using ~~one of~~ the following methods:

~~(a)~~ The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, *Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - *Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at: https://www.nres.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf <https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422> or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873. ~~;~~ ~~or~~

~~(b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil~~

~~Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at: <http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.~~

- (2) For the purpose of calculating ~~runoff coefficients~~ curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "~~runoff coefficient curve number~~" applies to ~~both~~ the NRCS methodology above at § 25-1-5A(1)(a) ~~and the Rational and Modified Rational Methods at § 25-1-5A(1)(b)~~. A ~~runoff coefficient~~ curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover ~~have~~ has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
 - (3) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
 - (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 - *Urban Hydrology for Small Watersheds* or other methods may be employed.
 - (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
- B. Groundwater recharge may be calculated in accordance with the following: the New Jersey Geological Survey Report GSR-32; A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at: <https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf> or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. The precipitation depths of the current 2-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items (1) and (2) below:

(1) The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at: https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

(2) The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

| <u>Current Precipitation Adjustment Factors</u> | | | |
|---|----------------------------|-----------------------------|------------------------------|
| <u>County</u> | <u>2-year Design Storm</u> | <u>10-year Design Storm</u> | <u>100-year Design Storm</u> |
| <u>Mercer</u> | <u>1.01</u> | <u>1.02</u> | <u>1.04</u> |

D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected 2-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected 2-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the 2-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to C(1) above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Adjustment Factors

| <u>Future Precipitation Change Factors</u> | | | |
|--|----------------------------|-----------------------------|------------------------------|
| <u>County</u> | <u>2-year Design Storm</u> | <u>10-year Design Storm</u> | <u>100-year Design Storm</u> |
| <u>Mercer</u> | <u>1.16</u> | <u>1.17</u> | <u>1.36</u> |

§ 25-1-6. Sources for Technical Guidance.

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at: http://www.nj.gov/dep/stormwater/bmp_manual2.htm <https://dep.nj.gov/stormwater/bmp-manual/>.

(1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

(2) Additional maintenance guidance is available on the Department's website at: https://www.njstormwater.org/maintenance_guidance.htm <https://dep.nj.gov/stormwater/maintenance-guidance/>.

B. Submissions required for review by the Department should be mailed to: The Division of **Water Quality Watershed Protection and Restoration**, New Jersey Department of Environmental Protection, Mail Code **401-02B 501-02A**, PO Box 420, Trenton, New Jersey 08625-0420.

§ 25-1-7. Solids and Floatable Materials Control Standards.

A. Site design features identified under § 25-1-4F above, or alternative designs in accordance with § 25-1-4G above, to prevent discharge of trash and debris from drainage systems 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 settleable solids. For exemptions to this standard see § 25-1-7A(2) below.

(1) Design engineers shall use one 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:

(a) 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; or

(b) A different grate, if each individual clear space in that grate has an area of no more than 7.0 square inches, or is no greater than 0.5 inch 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 system floors used to collect stormwater from the surface into a storm drain or surface water body.

(c) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven square inches, or be no greater than two inches across the smallest dimension.

(2) The standard in Subsection A(1) above does not apply:

(a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine square inches;

(b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

(c) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 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 of the following:

[1] A rectangular space 4.625 inches long and 1.5 inches wide (this option does not apply for outfall netting facilities); or

[2] A bar screen having a bar spacing of 0.5 inch.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

(d) Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or

(e) 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.

§ 25-1-8. Safety Standards for Stormwater Management Basins.

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent ~~municipal or~~ county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing

stormwater management BMPs to be retrofitted to meet one or more of the safety standards in § 25-1-8C(1), (2) and (3) for trash racks, overflow grates, and escape provisions at outlet structures.

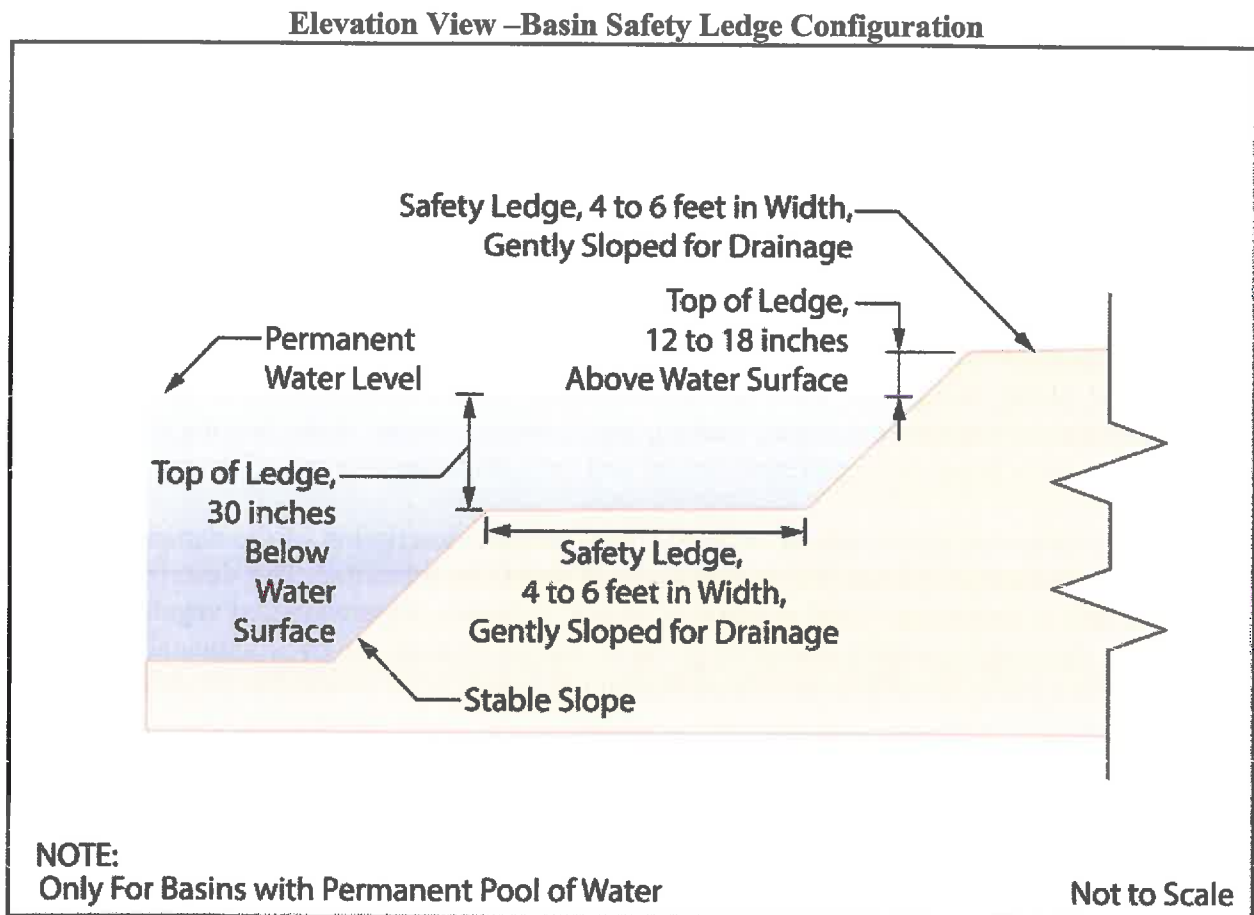
C. Requirements for Trash Racks, Overflow Grates and Escape Provisions.

- (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - (d) The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - (b) The overflow grate spacing shall be no ~~less~~ greater than two inches across the smallest dimension.
 - (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (3) Stormwater management BMPs shall include escape provisions as follows:
 - (a) If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to § 25-1-8C, a free-standing outlet structure may be exempted from this requirement;

- (b) Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than 2 1/2 feet. Safety ledges shall be comprised of two steps. Each step shall be four feet to six feet in width. One step shall be located approximately 2 1/2 feet below the permanent water surface, and the second step shall be located ~~one~~ 1 to 1 1/2 feet above the permanent water surface. See § 25-1-8E for an illustration of safety ledges in a stormwater management BMP; and
- (c) In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard. A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration.



§ 25-1-9. Requirements for a Site Development Stormwater Plan.

A. Submission of Site Development Stormwater Plan.

- (1) Whenever an applicant seeks municipal approval of a development subject to this chapter, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Subsection C below as part of the submission of the application for approval.
 - (2) The applicant shall demonstrate that the project meets the standards set forth in this chapter.
 - (3) The applicant shall submit ~~16~~ one (1) electronic and two (2) paper copies of the materials listed in the checklist for site development stormwater plans in accordance with Subsection C of this section.
- B. Site Development Stormwater Plan Approval. The applicant's Site Development project shall be reviewed as a part of the review process by the ~~municipal board or official~~ Planning Board Engineer from which municipal approval is sought. ~~That municipal board or official~~ The Planning Board shall consult the ~~municipality's review~~ Planning Board eEngineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this chapter.
- C. Submission of Site Development Stormwater Plan. The following information shall be required:
- (1) Topographic Base Map. The ~~reviewing~~ Planning Board eEngineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one inch (1") equals 200 feet (200') or greater, showing two-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and man-made features not otherwise shown.
 - (2) Environmental Site Analysis. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
 - (3) Project Description and Site Plans. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

- (4) Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of §§ 25-1-3 through 25-1-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
- (5) Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - (a) Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- (6) Calculations.
 - (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in § 25-1-4 of this chapter.
 - (b) When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
- (7) Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of § 25-1-10.

(8) Waiver from Submission Requirements. The ~~municipal official or board reviewing an application under this chapter~~ Planning Board may, in consultation with the ~~municipality's review engineer~~ Planning Board Engineer, waive submission of any of the requirements in § 25-1-9C(1) through (6) of this chapter when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§ 25-1-10. Maintenance and Repair.

A. Applicability. Projects subject to review as in § 25-1-1C of this chapter shall comply with the requirements of ~~Subsections B and C~~ § 25-1-10B and C.

B. General Maintenance.

- (1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development. For existing Stormwater Management BMP's, a professional engineer shall prepare an operation and maintenance plan for the stormwater management measures incorporated into the existing stormwater management facilities.
- (2) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
- (3) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
- (4) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- (5) If the party responsible for maintenance identified under Subsection **B(3)** above is not a public agency, the maintenance plan and any future revisions based on Subsection **B(7)** below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (6) Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
- (7) The party responsible for maintenance identified under Subsection **B(3)** above shall perform all of the following requirements:

- (a) Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
- (b) Evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; ~~and~~
- (c) Retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsections B(6) and (7) above.;

(d) Obtain a stormwater maintenance permit from the Borough Engineer by June 30th of each year; and

(e) On an annual basis submit to the Borough Engineer a maintenance and inspection report and certification on a form approved by the Borough Engineer with all required maintenance logs.

- (8) ~~The requirements of Subsections B(3) and (4) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.~~

Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Maintenance and inspection guidance can be found on the Department's website at: https://www.njstormwater.org/maintenance_guidance.htm.

A 2 (two) year maintenance guarantee in accordance with N.J.S.A. 40:55D-53 is required for all stormwater management facilities incorporated into a major development.

- (9) ~~In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property. The person responsible for maintenance identified under § 25-1-10B above shall submit an annual inspection report prepared by a professional engineer licensed in New Jersey or a New Jersey certified stormwater inspector to the Borough Engineer by June 30th of each year. The inspection report and log shall include and not be limited to:~~

(a) Detention basin outflow structures, escape provisions as outlined in N.J.A.C. 7:8-6.2 and all components;

(b) Vegetation;

(c) Trash racks and overflow grates;

(d) Embankment erosion; and

(e) Sediment removal and pond maintenance.

~~(10) The owner of a private stormwater facility is required to inspect the facility after each major storm event and perform any maintenance and/or repairs that may be required, in addition to routine mowing and removal and disposal of accumulated debris from the facility. The owner shall file a report with the Borough annually which provides its inspection dates (which shall be performed quarterly) and any action(s) taken to rectify any condition(s) found. The Borough shall inspect the facility once per year at the cost of \$100 to the property owner. The Borough shall also maintain a log and map to demonstrate compliance with maintenance requirements and shall document any actions taken by the Borough to enforce compliance. If inspection reveals that maintenance has not been maintained by the owner of the stormwater facility, then the Borough Official will issue an order to correct the deficiency within 30 days. If the deficiency is not corrected within 30 days, the Borough will correct the deficiency and recover the cost under the Property Maintenance Section of the Borough Code (Article 14-12). The Borough, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause as approved by the Borough Engineer or his/her designee.~~

(10) Copies of checklist requirements for various Stormwater Management BMP's shall be available from the Borough Clerk.

C. Nothing in this subsection shall preclude the municipality in which the major development or existing Stormwater Management BMP is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

~~§ 25-1-11. Requirements Regarding Dumpsters and Other Refuse Containers.~~

~~A. Purpose. This section requires dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or other discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Hightstown and/or the waters of the state so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.~~

~~B. Definitions. For the purpose of this section, 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.~~

~~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 Hightstown Borough or other public body, and is designed and used for collecting and conveying stormwater.~~

~~PERSON~~

~~Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.~~

~~REFUSE CONTAINER~~

~~Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.~~

~~STORMWATER~~

~~Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.~~

~~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.~~

~~C. Applicability.~~

- ~~(1) Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.~~
- ~~(2) Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Hightstown.~~

~~D. Exceptions.~~

- ~~(1) Permitted temporary demolition containers.~~
- ~~(2) Litter receptacles (other than dumpsters or other bulk containers).~~
- ~~(3) Individual homeowner trash and recycling containers.~~

~~(4) Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.~~

~~(5) Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).~~

~~E. Enforcement and penalties.~~

~~(1) This section shall be enforced by the Stormwater Management Coordinator and/or Superintendent of the Department of Public Works and/or their designee of the Borough of Hightstown.~~

~~(2) Any person who is found to be in violation of this section shall be subject to penalties as stated in Chapter 1, Article 1-5 of the Revised General Ordinances of the Borough of Hightstown.~~

~~[1] Editor's Note: This ordinance also redesignated former §§ 25-1-11 and 25-1-12 as §§ 25-1-12 and 25-1-13.~~

§ 25-1-12 11. Enforcement and Penalties.

A. This Section shall be enforced by the Code Enforcement Officer and/or their designee.

B. Any person(s) who erects, constructs, alters, repairs, converts, maintains, fails to maintain or uses any building, structure or land in violation of this chapter, or who otherwise has not complied in any respect with the requirements of this chapter, shall be subject to the following penalties for each offense: Any and all penalties as set forth in Chapter 1, Article 1-5, of the Revised General Ordinances of the Borough of Hightstown.

C. Each act or violation, and every day upon which any violation shall occur or continues to occur, shall constitute a separate offense.

D. In addition to the penalties prescribed by § 25-1-11B and C above, in the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the Borough engineer or his or her designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality may immediately proceed to do so and shall bill the cost thereof, along with any professional fees or other costs incurred by the municipality associated with maintenance and repair activities, to the responsible person. Nonpayment of such bill(s) may result in the imposition of a lien against the property.

§ 25-1-1312. Severability.

Each section, subsection, sentence, clause and phrase of this chapter is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this chapter to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this chapter.

2. That all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.


3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced: October 16, 2023

Adopted: November 20, 2023

ATTEST:



MARGARET RIGGIO
MUNICIPAL CLERK



SUSAN BLUTH
MAYOR

DPW - GARAGE (22 Employees)

| Material Name | Quantity | Qty Unit | # Cont | Container | Phys State |
|--|----------|--------------|--------|-----------------|------------|
| 10W30 MOTOR OIL - (ADVANCED LUBRICATION SPECIALTIES) | 10,000 | Gallons | 2.00 | Plastic or Non- | Liquid |
| 15W40 MOTOR OIL - (ADVANCED LUBRICATION SPECIALTIES) | 275,000 | Gallons | 1.00 | Above Ground Ta | Liquid |
| 30W MOTOR OIL - (ADVANCED LUBRICATION SPECIALTIES) | 275,000 | Gallons | 1.00 | Above Ground Ta | Liquid |
| 3M FIRE BARRIER SEALANT - (3M) | 10,100 | Fluid Ounces | 1.00 | Can | Liquid |
| A-100 FLAT WHITE PAINT - (SHERWIN WILLIAMS COMPANY) | 5,000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| ACETYLENE TANK - (PRAXAIR INC.) | 15,000 | Pounds | 1.00 | Cylinder | Solid |
| ALL PURPOSE LUBRICANT & PENETRATING OIL - (ANTI-SEIZE TECHNOLOGY) | 8,500 | Fluid Ounces | 1.00 | Can | Liquid |
| ANTI BORAX NO. 2 - (SUPERIOR FLUX & MFG. CO.) | 1,000 | Pounds | 1.00 | Can | Solid |
| ANTI-SEIZE LUBRICANT - (PERMATEX) | 8,000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| ARGON TANK - (PRAXAIR INC.) | 80,000 | Pounds | 2.00 | Cylinder | Solid |
| AUTO TRANSMISSION FLUID - (CHEVRON PRODUCTS COMPANY) | 55,000 | Gallons | 1.00 | Steel Drum | Liquid |
| AVIATION FORM-A-GASKET #3 SEALANT - (PERMATEX) | 16,000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| BATTERY CLEANER - (CRC INDUSTRIES) | 33,000 | Fluid Ounces | 3.00 | Can | Liquid |
| BATTERY TERMINAL PROTECTOR - (CRC INDUSTRIES) | 7,500 | Fluid Ounces | 1.00 | Can | Liquid |
| BIO-CON SLUDGE SEDIMENT REMOVER - (CRC INDUSTRIES) | 24,000 | Fluid Ounces | 2.00 | Plastic Bottle | Liquid |
| BLU-GRO 10-10-10, SULFUR & MICROS - (PLANT FOOD COMPANY) | 5,000 | Gallons | 2.00 | Plastic Bottle | Liquid |
| CAM2 FULL SYNTHETIC MOTOR OIL - (CAM2 INTERNATIONAL) | 4,000 | Quarts | 4.00 | Plastic Bottle | Liquid |
| CAM2 SUPERPRO MAX 5W-30 - (CAM2 INTERNATIONAL) | 10,000 | Gallons | 2.00 | Plastic or Non- | Liquid |
| CAM2 SUPERPRO MAX SYNTHETIC BLEND SAE 5W-20 - (CAM2 INTERNATIONAL) | 5,000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| CARBONA CARPET CLEANER - (DELTA CARBONA L.P.) | 27,500 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| CARQUEST BELT DRESSING - (CRC INDUSTRIES) | 14,000 | Fluid Ounces | 1.00 | Can | Liquid |
| CARQUEST BRAKE PARTS CLEANER - (CRC INDUSTRIES) | 76,000 | Fluid Ounces | 4.00 | Can | Liquid |
| CARQUEST CARBURETOR CLEANER - (CRC INDUSTRIES) | 2,000 | Fluid Ounces | 2.00 | Can | Liquid |
| CARQUEST HEAVY DUTY SILICONE - (CRC INDUSTRIES) | 32,000 | Fluid Ounces | 2.00 | Cylinder | Liquid |
| CARQUEST MULTI-PURPOSE LUBRICANT - (CRC INDUSTRIES) | 32,000 | Fluid Ounces | 2.00 | Can | Liquid |
| CARQUEST NO-SEIZE LUBRICANT - (CRC INDUSTRIES) | 8,000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| CARQUEST PREMIUM HI-TEMP DISC BRAKE WHEEL BEARING GREASE - (THE COAST) | 16,000 | Fluid Ounces | 1.00 | Can | Solid |
| CARQUEST WHITE LITHIUM GREASE (AEROSOL) - (CRC INDUSTRIES) | 32,000 | Fluid Ounces | 2.00 | Can | Liquid |
| CATEPILLAR YELLOW ARESOL ENAMEL - (MOLINE PAINT MANUFACTURING CO.) | 2,000 | Gallons | 2.00 | Can | Liquid |
| CHEVRON FM GREASE - (CHEVRON PRODUCTS COMPANY) | 5,000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| CHLORATOX 40 - (CORRELATED PRODUCTS INC.) | 1,000 | Gallons | 1.00 | Plastic Bottle | Liquid |
| CLOROX DISINFECTING BATHROOM CLEANER - (THE CLOROX COMPANY) | 30,000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| COASTAL MULTITRAC TRACTOR FLUID - (WARREN OIL COMPANY) | 10,000 | Gallons | 2.00 | Plastic or Non- | Liquid |
| COMET WITH BLEACH - (PROCTOR & GAMBLE) | 25,000 | Dry Ounce | 1.00 | Cylinder | Solid |
| CS-90 EQUIPMENT DEGREASER - (KIMBALL MIDWEST) | 14,000 | Fluid Ounces | 1.00 | Can | Liquid |
| DAP BLACKTOP ASPHALT FILLER AND SEALANT - (DAP PRODUCTS) | 262,600 | Fluid Ounces | 26.00 | Cylinder | Liquid |
| DAP CONCRETE & MORTAR FILLER & SEALANT - (DAP PRODUCTS) | 20,200 | Fluid Ounces | 2.00 | Cylinder | Liquid |
| DAP WELWOOD MARINE RESORCINOL GLUE - (DAP PRODUCTS) | 16,000 | Fluid Ounces | 1.00 | Can | Liquid |
| DARK CUTTING OIL | 8,000 | Fluid Ounces | 1.00 | Can | Liquid |
| DEFENDAL GLOBAL HEAVY DUTY EXTENDED LIFE ANTIFREEZE/COOLANT CONCENTR | 55,000 | Gallons | 1.00 | Steel Drum | Liquid |
| DI-ELECTRIC GREASE - (CRC INDUSTRIES) | 10,000 | Fluid Ounces | 1.00 | Can | Liquid |
| DIAMOND DISINFECTANT 1000 - (DIAMOND CHEMICAL COMPANY, INC.) | 15,000 | Gallons | 3.00 | Plastic or Non- | Liquid |
| DIESEL 911 - (POWER SERVICE PRODUCTS, INC.) | 80,000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| DIESEL FUEL SUPPLEMENT +CETANE BOOST - (POWER SERVICE PRODUCTS, INC.) | 80,000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| DIESEL-MATE CLEAR - (CERTIFIED LABS, DIV. OF NCH CORP) | 64,000 | Fluid Ounces | 4.00 | Plastic Bottle | Liquid |

DPW - GARAGE (22 Employees)

| Material Name | Quantity | Qty Unit | # Cont | Container | Phys State |
|--|----------|--------------|--------|-----------------|------------|
| DISC BRAKE QUIET - (CRC INDUSTRIES) | 4.000 | Fluid Ounces | 1.00 | Plastic Bottle | Solid |
| E-Z DENATURED SOLVENT ALCOHOL - (E.E. ZIMMERMAN COMPANY/ELROY TURPENT | 64.000 | Fluid Ounces | 1.00 | Can | Liquid |
| FABULOSO MULTI PURPOSE CLEANER - (COLGATE PALMOLIVE COMPANY) | 2.000 | Gallons | 2.00 | Plastic Bottle | Liquid |
| FEBREZE AIR - (PROCTOR & GAMBLE) | 35.200 | Fluid Ounces | 4.00 | Can | Liquid |
| FOOD MACHINERY LUBRICANT - (KIMBALL MIDWEST) | 24.000 | Fluid Ounces | 2.00 | Can | Liquid |
| FORM-A-GASKET #2 SEALANT - (PERMATEX) | 11.000 | Fluid Ounces | 1.00 | Cylinder | Solid |
| FREE - (CERTIFIED LABS, DIV. OF NCH CORP) | 36.000 | Fluid Ounces | 3.00 | Can | Liquid |
| FUEL OIL NO. 2 (LOW SULFUR) DIESEL - (HESS CORPORATION) | 25.000 | Gallons | 5.00 | Can | Liquid |
| GASOLINE - (CITGO PETROLEUM CORPORATION) | 25.000 | Gallons | 5.00 | Can | Liquid |
| GEAR OIL - (VALVOLINE OIL CO) | 5.000 | Gallons | 1.00 | Steel Drum | Liquid |
| GOJO ALL PURPOSE SKIN CLEANSER - (GOJO INDUSTRIES) | 1.000 | Gallons | 1.00 | Plastic Bottle | Liquid |
| GRIFFIN PIPE JOINT LUBRICANT - (JTM PRODUCTS) | 6.000 | Pounds | 3.00 | Can | Solid |
| HARVEY'S PIPE JOINT LUBRICANT - (WILLIAM A. HARVE COMPANY) | 2.000 | Pounds | 1.00 | Can | Liquid |
| HI TACK GASKET SEALANT - (LOCTITE CORPORATION) | 16.000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| HYDRAULIC JACK OIL | 1.000 | Fluid Ounces | 1.00 | Can | Liquid |
| JAX MAGNA-PLATE 44-0 - (JAX INC.) | 55.000 | Gallons | 1.00 | Steel Drum | Liquid |
| KARNAK 19 FLASHING CEMENT - (KARNAK CORPORATION) | 0.900 | Gallons | 1.00 | Can | Liquid |
| KRYSTAL KLEAR WINDSHIELD WASHER FLUID - (HIGHLINE AFTERNMARKET) | 5.000 | Gallons | 5.00 | Plastic Bottle | Liquid |
| LATEX RUBBER - DRIVEWAY SEALER - (GARDNER ASPHALT CORPORATION) | 5.000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| LIQUID WRENCH PENETRATING OIL - (BLUMENTHAL BRANDS INTEGRATED) | 20.500 | Fluid Ounces | 2.00 | Can | Liquid |
| LOCTITE LANDSCAPE CONSTRUCTION ADHESIVE - (HENKEL CORPORATION) | 10.000 | Fluid Ounces | 1.00 | Cylinder | Liquid |
| LYSOL MULTI SURFACE CLEANER - (RECKITT BENCKISER LLC) | 80.000 | Fluid Ounces | 2.00 | Plastic Bottle | Liquid |
| MARKING PAINT - ALL COLORS - (AERVOE-PACIFIC COMPANY, INC.) | 285.600 | Fluid Ounces | 21.00 | Can | Liquid |
| MASTER MECHANIC PROPANE FUEL - (ZEP INC.) | 14.100 | Fluid Ounces | 1.00 | Can | Liquid |
| MASTER STARTING FLUID - (MASTER CHEMICAL) | 55.000 | Fluid Ounces | 5.00 | Can | Solid |
| MEDALLION PLUS HYDRAULIC OIL - (PETROLIANCE) | 24.000 | Gallons | 1.00 | Tank Inside Bui | Liquid |
| MEDALLION PLUS SYNTHETIC BLEND SAE 5W-20 - (UNIVERSAL LUBRICANTS) | 24.000 | Gallons | 4.00 | Box | Liquid |
| MEDALLION PLUS SYNTHETIC BLEND SAE 5W-30 - (UNIVERSAL LUBRICANTS) | 64.000 | Fluid Ounces | 2.00 | Plastic Bottle | Liquid |
| MOTOR MEDIC AIR BRAKE ANTIFREEZE & RUST GUARD - (RSC CHEMICAL SOLUTION | 5.000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| MURALO ULTRA WHITE PAINT - (THE MURALO COMPANY, INC.) | 245.000 | Gallons | 98.00 | Plastic Bottle | Liquid |
| MUSKET DEF - (MUSKET CORPORATION) | 64.000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| NAPA DOT 3 BRAKE FLUID - (DOW CHEMICAL) | 4.000 | Gallons | 4.00 | Plastic Bottle | Liquid |
| NAPA WINDSHIELD WASHER FLUID - (SOUTH/WIN, LTD) | 16.000 | Fluid Ounces | 2.00 | Can | Liquid |
| NEVER SEEZ REGULAR GRADE CMPD - (BOSTIK, INC.) | 5.000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| NYTRO - (KARCHER NORTH AMERICA, INC.) | 10.000 | Pounds | 1.00 | Cylinder | Solid |
| OXYGEN, COMPRESSED - (PRAXAIR INC.) | 20.000 | Fluid Ounces | 2.00 | Cylinder | Liquid |
| PHENOSEAL VINYL ADHESIVE CAULK - (DAP PRODUCTS) | 2.000 | Gallons | 2.00 | Plastic Bottle | Liquid |
| PINE SOL ALL PURPOSE CLEANER - (THE CLOROX COMPANY) | 2.000 | Gallons | 2.00 | Plastic Bottle | Liquid |
| PRESTONE COMMAND HEAVY DUTY 50/50 ANTIFREEZE - (PRESTONE PRODUCTS CO | 4.000 | Gallons | 4.00 | Plastic Bottle | Liquid |
| PRIDE UNIVERSAL ANTIFREEZE - (COASTLINE PACKAGING CO.) | 12.000 | Quarts | 12.00 | Plastic Bottle | Liquid |
| PRIME GUARD FULL SYNTHETIC 5W-20 MOTOR OIL - (PRIME LUBE) | 32.000 | Fluid Ounces | 4.00 | Plastic Bottle | Solid |
| PRO DOPE PIPE JOINT COMPOUND - (HERCULES CHEMICAL COMPANY, INC.) | 16.000 | Fluid Ounces | 2.00 | Bag | Liquid |
| PURELL HAND SANITIZER - (GOJO INDUSTRIES) | 2.000 | Gallons | 2.00 | Plastic Bottle | Liquid |
| QUIN-CIP COMPRESSOR LUBE - (QUINCY COMPRESSOR) | 5.000 | Gallons | 5.00 | Plastic Bottle | Liquid |
| RAIN X 2 IN 1 WINDSHIELD FLUID - (ITW PERMATEX) | | | | | |

HIGHTSTOWN BOROUGH
HIGHTSTOWN BORO - MUN. BLDG/DPW
HazCom Inventory Listing
DPW - GARAGE (22 Employees)

| Material Name | Quantity | Qty Unit | # Cont | Container | Phys State |
|--|----------|--------------|--------|-----------------|------------|
| REFLECTA NEUTRAL FLOOR CLEANER - (THE RAMSEY COMPANY) | 2.000 | Gallons | 2.00 | Plastic Bottle | Liquid |
| RESOLVE STAIN REMOVER - (RECKITT BENCKISER) | 32.000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| RUST-OLEUM STOPS RUST SATIN ENAMEL - (RUST-OLEUM CORPORATION) | 3.000 | Gallons | 3.00 | Can | Liquid |
| RV PLUS ANTIFREEZE - (ZECOL PRODUCTS CO.) | 3.000 | Gallons | 3.00 | Plastic Bottle | Liquid |
| SAFETY BOOSTERS - (HILTI INC.) | 75.000 | Grams | 75.00 | Cylinder | Solid |
| SAFETY-KLEEN PREMIUM SOLVENT - PARTS WASHER - (SAFETY-KLEEN SYSTEMS, IN) | 12.000 | Gallons | 1.00 | Steel Drum | Liquid |
| SAYLOR'S PORTLAND CEMENT - (ESSROC) | 120.000 | Pounds | 2.00 | Bag | Solid |
| SKY LIGHT GLASS & SURFACE CLEANER CONCENTRATE - (JOHNSON DIVERSEY - CA) | 1.000 | Gallons | 1.00 | Plastic Bottle | Liquid |
| SOFT SOAP - (COLGATE PALMOLIVE COMPANY) | 1.000 | Gallons | 1.00 | Plastic Bottle | Liquid |
| SOLUTION HYDRO ALCOOLIQUE MAINS - HAND SANITIZER - (FIRMENICH SA) | 1.000 | Gallons | 1.00 | Plastic Bottle | Liquid |
| SOLUTION HYDRO ALCOOLIQUE MAINS - HAND SANITIZER - (FIRMENICH SA) | 55.000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| SPECTRACIDE WASP AND HORNET KILLER - (CHEMSICO) | 20.000 | Fluid Ounces | 1.00 | Can | Liquid |
| STAINLESS STEEL CLEANER - (3M) | 21.000 | Fluid Ounces | 1.00 | Can | Liquid |
| STING-X II AEROSOL | 4.500 | Fluid Ounces | 1.00 | Can | Liquid |
| STREET BOND - (QUEST CONSTRUCTION PRODUCTS) | 20.000 | Gallons | 4.00 | Plastic or Non- | Liquid |
| SUPER TECH RV & MARINE ANTIFREEZE - (FOX PACKAGING CO) | 11.000 | Gallons | 11.00 | Plastic Bottle | Liquid |
| SUPER WEATHERSTRIP AND GASKET ADHESIVE - (3M) | 10.000 | Fluid Ounces | 2.00 | Cylinder | Liquid |
| TAP MAGIC CUTTING FLUID - (THE STECO CORPORATION) | 32.000 | Fluid Ounces | 2.00 | Can | Liquid |
| THOMPSON'S WATER SEAL - (THE THOMPSON'S COMPANY) | 1.000 | Gallons | 1.00 | Can | Liquid |
| THRUST QUICK STARTING FLUID - (RADIATOR SPECIALTY COMPANY) | 66.000 | Fluid Ounces | 6.00 | Can | Liquid |
| TNEMEC PROTECTIVE COATING - (TNEMEC COMPANY, INC.) | 15.000 | Gallons | 3.00 | Steel Drum | Liquid |
| TOUGH GUY HEAVY DUTY NON-BUTYL FLOOR STRIPPER - (W.W. GRAINGER) | 1.000 | Gallons | 1.00 | Plastic Bottle | Liquid |
| TRAFFIC MARKING PAINT - BLUE - (SHERWIN WILLIAMS COMPANY) | 5.000 | Gallons | 1.00 | Can | Liquid |
| TRAFFIC MARKING PAINT - WHITE - (SHERWIN WILLIAMS COMPANY) | 35.000 | Gallons | 7.00 | Can | Liquid |
| TRAFFIC MARKING PAINT - YELLOW - (BALTIMORE PAINT) | 135.000 | Gallons | 27.00 | Can | Liquid |
| TUB O TOWELS CLEANING WIPES - (FEDERAL PROCESS CORPORATIONH) | 2.000 | Pounds | 2.00 | Plastic Bottle | Solid |
| ULTRA AJAX - (COLGATE PALMOLIVE COMPANY) | 28.000 | Fluid Ounces | 1.00 | Plastic Bottle | Liquid |
| USED OIL | 1100.000 | Gallons | 4.00 | Tank Inside Bui | Liquid |
| VALVOLINE ANTIFREEZE - (VALVOLINE LLC) | 55.000 | Gallons | 1.00 | Steel Drum | Liquid |
| VALVOLINE CRIMSON #2 GREASE - (VALVOLINE LLC) | 120.000 | Pounds | 1.00 | Steel Drum | Solid |
| VERSA BUFF - (W.W. GRAINGER) | 1.000 | Gallons | 1.00 | Plastic Bottle | Liquid |
| WD-40 - (WD-40 COMPANY) | 2.000 | Gallons | 2.00 | Can | Liquid |
| WINDEX - (S. C. JOHNSON & SON, INC.) | 4.000 | Gallons | 4.00 | Plastic Bottle | Liquid |
| WORTHINGTON PROPANE - (WORTHINGTON CYLINDER CORP.) | 42.300 | Fluid Ounces | 3.00 | Cylinder | Liquid |
| ZEP ALL PURPOSE CLEANER & DEGREASER - (ZEP MANUFACTURING COMPANY) | 5.000 | Gallons | 1.00 | Plastic or Non- | Liquid |
| ZEP MICRONEX - (ZEP INC.) | 2.000 | Gallons | 2.00 | Plastic Bottle | Liquid |
| ZEP WET-LOOK FLOOR POLISH - (ZEP INC.) | 1.000 | Gallons | 1.00 | Plastic Bottle | Liquid |

MSRP ANNUAL REPORT - Tier A

You have completed the Annual Report submittal process. You may print or save a copy of this submittal report for your records.

Service ID: 1901446
Facility Name: HIGHTSTOWN BORO
Reporting Period: January 1, 2024 through December 31, 2024
NJPDES Permit #: NJG0152889
Activity ID: DST230001

Contacts

Name: Carmela Roberts
Title: Hightstown Borough Engineer
Contact Type: Stormwater Coordinator
Organization Name: ROBERTS ENGINEERING GROUP LLC
Organization Type: LLC
E-Mail: croberts@robertsengineeringgroup.com
Phone: (609) 586-1141 (Work Phone Number)
Contact Address: 1670 WHITEHORSE HAMILTON SQUARE RD
Hamilton, New Jersey 08690

Uploaded Attachments

| Attachment Name | Attachment Description | File Name |
|----------------------------|--|--|
| Supplemental Questionnaire | Borough of Hightstown, Mercer County, NJ | Supplementary_Questionnaire_Borough of Hightstown_2024.pdf |

Annual Report Details - Part A

Municipality Information

| | |
|--|--------------------------------------|
| Team member responsible for completing the report: | Carmela Roberts |
| Team member email address: | croberts@robertsengineeringgroup.com |

Stormwater Pollution Prevention Plan

| | |
|---|------------|
| 1. Has the municipality revised its Stormwater Pollution Prevention Plan during the last calendar year? | Yes |
| 2. Date of the last revised SPPP: | 05/01/2024 |

Public Notice

| | |
|--|-----|
| 1. Is the municipality complying with applicable State and local public notice requirements when providing for public participation in the ongoing development and implementation of the stormwater program? | Yes |
|--|-----|

Report Details - Part B

Post-Construction Stormwater Management in New Development and Redevelopment

| | |
|---|------------|
| 1. Is the municipality reviewing and approving major development residential projects in accordance with the Residential Site Improvement Standards (RSIS)? | Yes |
| 2. Did the municipality adopt a municipal stormwater management plan? | Yes |
| 3. Most recent date of adopted municipal stormwater management plan: | 07/12/2024 |
| 4. Status of this plan (if not adopted): | |
| 5. Did the municipality adopt the municipal stormwater control ordinance provided by NJDEP without change? | Yes |
| 6. Most recent date the municipality adopted a municipal stormwater control ordinance: | 11/20/2023 |
| 7. What is the current status of the ordinance? | |
| 8. Did the municipality submit the adopted municipal stormwater management plan to the appropriate county review agency for approval? | Yes |

| | |
|---|------------|
| 9. Most recent date the adopted Municipal Stormwater Management Plan was submitted to the appropriate county review agency for approval: | 07/12/2024 |
| 10. If yes, did the municipality send the adopted municipal stormwater control ordinance to the appropriate county review agency for approval? | Yes |
| 11. Most recent date the adopted Municipal Stormwater Control Ordinance was submitted to the appropriate county review agency for approval: | 12/19/2023 |
| 12. Status of county review: | Approved |
| 13. Did the municipality adopt the review agency's required amendments and resubmit to the county review agency? | |
| 14. Is the Stormwater Control Ordinance in effect? | Yes |
| 15. Most recent effective date of Stormwater Control Ordinance: | 11/27/2023 |
| 16. Ordinance Number(s): | 2023-17 |
| 17. What is the current status of the adopted plan and ordinance? | |
| 18. Are you reviewing projects as part of your site plan and subdivision approval process to ensure that they comply with your municipality's effective municipal stormwater control ordinance(s)? | Yes |
| 19. How many projects that were subject to either the municipal stormwater control ordinance or the stormwater provisions of RSIS did the municipality approve? | 0 |
| 20. Does the municipal stormwater management plan contain a mitigation plan? | Yes |
| 21. Has the municipality granted any variances or exemptions from the design and performance standards for stormwater management measures set forth in the approved municipal stormwater management plan and stormwater control ordinance(s)? | No |
| 22. If yes, how many variances or exemptions from the design and performance standards has the municipality granted? | |
| 23. If granted any variances or exemptions, did you submit a written report to the county review agency describing the variance or exemption and the required mitigation? | |
| 24. Does the municipality's plan review evaluate storm drain inlet protection for solids and floatables in accordance with Attachment C of the permit? | Yes |

| | |
|---|--|
| 25. Does the municipality require plans for long-term operation and maintenance for stormwater BMPs? | Yes |
| 26. Are you ensuring that adequate long-term operation and maintenance of stormwater BMPs is being performed on property that you do not own or operate? Please keep an inventory of stormwater BMPs indicating type, function and location in a format provided by the Department onsite and available for inspection or upon request. | Yes |
| 27. Briefly indicate how this is being accomplished (e.g., ordinance requiring operation and maintenance by private entity; operation and maintenance by you or other governmental entity): | The stormwater control ordinance requires operation and maintenance by a private entity. |
| 28. Is the municipality's stormwater management plan re-examined at each re-examination of the master plan in accordance with N.J.A.C. 7:8-4? | Yes |
| 29. Date re-examination report was last adopted: | 11/12/2024 |

Report Details - Part C

Local Public Education Program and Outreach

| | |
|--|-----|
| 1. Has the municipality developed a Local Public Education Program? | Yes |
| 2. Has the municipality conducted educational activities that total the minimum number of points required by the permit? | Yes |

Storm Drain Inlet Labeling

| | |
|--|------|
| 1. Has the municipality established a storm drain inlet labeling program? | Yes |
| 2. Indicate the percentage labeled to date: | 100% |
| 3. Other Amount: | |
| 4. Is your municipality maintaining the labels (i.e. replacing and/or repainting)? | Yes |

Community Wide Ordinances

Have you adopted and are you enforcing a regulatory mechanism for:

| | |
|--|--------------------------------|
| 1. Pet Waste Ordinance: | Yes |
| 2. Date adopted: | 08/01/2004 |
| 3. Litter Ordinance/State Litter Statute: | Litter Ordinance |
| 4. Date adopted: | 03/21/2005 |
| 5. Improper Disposal of Waste Ordinance: | Yes |
| 6. Date adopted: | 03/21/2005 |
| 7. Wildlife Feeding Ordinance: | Yes |
| 8. Date adopted: | 03/21/2005 |
| 9. Containerized Yard Waste Ordinance / Yard Waste Collection Program Ordinance: | Adopted Both |
| 10. Date adopted: | 03/21/2005 |
| 11. Illicit Connection Ordinance: | Yes |
| 12. Date adopted: | 03/21/2005 |
| 13. Refuse Container/Dumpster Ordinance: | Yes |
| 14. Date adopted: | 04/18/2022 |
| 15. Private Storm Drain Inlet Retrofitting Ordinance: | Yes |
| 16. Date adopted: | 02/16/2021 |
| 17. Status of these ordinances (if not adopted): | |
| 18. Method(s) of enforcement (e.g., summons, warnings, additional signs, etc.): | Fines per Code Book Chapter 1. |
| 19. Are you distributing the Pet Waste Information Sheets with pet licenses? | Yes |

Report Details - Part D

MS4 Outfall Pipe Mapping

| | |
|---|------------|
| 1. Has the municipality completed the mapping of the MS4 outfall pipes? | Yes |
| 2. Date completed: | 05/17/2023 |
| 3. Number of outfall pipes that you operate in the municipality: | 16 |
| 4. How many MS4 outfall pipes are mapped? | 16 |

Illicit Connection Elimination Program

| | |
|--|-----|
| 1. Does the municipality have an ongoing program to detect and eliminate illicit connections to municipally owned or operated outfall pipes? | Yes |
| 2. How many outfall pipes were inspected during the past calendar year? | 16 |
| 3. Number of illicit connections detected during the past calendar year: | 0 |
| 4. Number of illicit connections eliminated during the past calendar year: | 0 |

Street Sweeping Program

| | |
|--|---------------------------------------|
| 1. In the past calendar year, were all required streets swept? | N/A - no streets required to be swept |
| 2. What was the total number of miles swept? | |

List the amount of materials collected for each month in 2024.

| | |
|--------------|--|
| 3. Units: | |
| 4. January: | |
| 5. February: | |
| 6. March: | |
| 7. April: | |

| | |
|---|---|
| 8. May: | |
| 9. June: | |
| 10. July: | |
| 11. August: | |
| 12. September: | |
| 13. October: | |
| 14. November: | |
| 15. December: | |
| 16. Total (Note: 1.053 cubic yards = 1 ton): | 0 |
| 17. Explain the reason if reporting zero (0) for a month above: | |

Storm Drain Inlet Retrofitting

| | |
|---|-----|
| 1. Has the municipality completed repaving, repairing, reconstruction, or alterations on any road surfaces in direct contact with municipally owned or operated storm drain inlets? | Yes |
| 2. Approximately what percentage of storm drains within the municipality currently meet the standard? | 50 |

Stormwater Facility Maintenance

Stormwater facilities include, but are not limited to, catch basins, extended detention basins, low flow bypasses, underground detention, dry wells, manufactured treatment devices, pervious paving buffers, infiltration basins/trenches, sand filters, constructed wetlands, wet ponds, bioretention, rooftop vegetated cover, vegetative filters, and stormwater conveyance systems. Stormwater facility inventories that indicate the type, function, and location of the facility must be kept onsite and available for inspection or upon request in a format provided by the Department. The format is available as SPPP Form 13 at: http://www.nj.gov/dep/dwq/pdf/Tier_A/A%20-%20pdf%206.pdf.

| | |
|--|-----|
| 1. Have you developed a Stormwater Facility Maintenance Program? | Yes |
|--|-----|

Other Stormwater Facilities

| | |
|--|--|
| 1. Were all stormwater facilities that you operate inspected? | Yes |
| 2. Were any found to be in need of cleaning or repair in order to function properly? | Yes |
| 3. During the past calendar year, were any stormwater facilities (excluding catch basins) cleaned? | Yes |
| 4. Were repairs made? | Yes |
| 5. Describe repair(s) or if repairs have not yet been made, provide a schedule for the repair(s): | Inlets within road projects were upgraded to meet NJDEP Stormwater regulations. Outfalls were cleaned as necessary |

Catch Basins

| | |
|---|------|
| 1. Total number of catch basins that the municipality operates: | 126 |
| 2. Total number of catch basins inspected: | 126 |
| 3. Total number of catch basins cleaned: | 126 |
| 4. Amount of materials removed from catch basins, in tons, during the past calendar year: | .5 |
| 5. Units: | Tons |

Report Details - Part E

Outfall Pipe Stream Scouring Remediation

For all outfall pipes undergoing remediation through a scour remediation program, attach additional page(s) as necessary indicating the location of the outfall pipe (including the alphanumeric identifier), the repair start date, and the repair completion date.

| | |
|---|-----|
| 1. Has the municipality developed a prioritized list of outfall pipes requiring outfall pipe stream scouring remediation? | Yes |
|---|-----|

De-icing Material and Sand Storage

| | |
|--|--|
| 1. Does the municipality have a permanent structure for all de-icing material storage? | N/A - share services with another entity |
| 2. If sand is being stored outside, is it set back 50 feet from storm sewer inlets, ditches or other stormwater conveyance channels, and surface water bodies? | N/A - no sand stored outdoors |

Fueling Operations

| | |
|---|------------------|
| 1. Is the municipality implementing Best Management Practices for vehicle fueling and receiving of bulk fuel deliveries at maintenance yard operations in accordance with Attachment E of the permit? | N/A - no fueling |
|---|------------------|

Vehicle Maintenance

| | |
|---|-----|
| 1. Is the municipality implementing Best Management Practices for vehicle maintenance and repair activities at maintenance yard operations in accordance with Attachment E of the permit? | Yes |
|---|-----|

Good Housekeeping Practices

| | |
|--|-----|
| 1. Is the municipality implementing Good Housekeeping Practices for all materials or machinery listed in the Inventory Requirements for Municipal Maintenance Yard Operations (including maintenance activities and ancillary operations) in accordance with Attachment E of the permit? | Yes |
|--|-----|

Equipment and Vehicle Washing

| | |
|---|-----|
| 1. Has the municipality implemented measures to properly handle the discharge of equipment and vehicle wash wastewater from | Yes |
|---|-----|

| | |
|---|-----------------------------|
| municipal maintenance yard operations? | |
| 2. Please indicate which option you implemented to eliminate the unpermitted discharge: | Connected to sanitary sewer |
| 3. Date the management measure was implemented: | 08/01/2009 |
| 4. What is the NJPDES permit number that authorizes the discharge of vehicle and equipment wash wastewater? | |
| 5. Is the municipality maintaining records of vehicle and equipment washing? | |

Annual Employee Training

| | |
|---|-------------------|
| 1. Did the municipality conduct training for employees on stormwater related topics as required under the MS4 permit (e.g., police officers trained on ordinances)? | Yes |
| 2. List date(s) of employee training: | December 16, 2024 |

Report Details - Part F

Sharing of Responsibilities

| | |
|---|-----|
| Does the municipality share services with another entity to satisfy a permit requirement? | Yes |
|---|-----|

For each of the following, indicate if you are relying on another entity to satisfy all or part of any permit requirements. Please provide additional information for any "Yes" answers in the provided Comments field.

| | |
|---|----|
| 1. Public notice: | No |
| 2. Comments: | |
| 3. Ensure compliance with RSIS for stormwater management: | No |
| 4. Comments: | |
| 5. Municipal stormwater management plan: | No |

| | |
|---|--|
| 6. Comments: | |
| 7. Municipal stormwater control ordinance: | No |
| 8. Comments: | |
| 9. Long term operation and maintenance of BMPs (post-construction): | No |
| 10. Comments: | |
| 11. Storm drain inlet design standard (post-construction): | No |
| 12. Comments: | |
| 13. Local public education program: | No |
| 14. Comments: | |
| 15. Storm Drain Inlet Labeling Program: | No |
| 16. Comments: | |
| 17. Illicit connection elimination program: | No |
| 18. Comments: | |
| 19. Street sweeping: | No |
| 20. Comments: | |
| 21. Storm drain inlet retrofitting: | No |
| 22. Comments: | |
| 23. Maintenance of municipally operated stormwater facilities: | No |
| 24. Comments: | |
| 25. Outfall pipe stream scouring: | No |
| 26. Comments: | |
| 27. De-icing and sand storage: | Yes |
| 28. Comments: | De-icing materials are stored at an approved facility in East Windsor. |
| 29. Fueling operations: | Yes |

| | |
|------------------------------------|---|
| 30. Comments: | Commercial facilities. The Borough vehicles include Public Works, Fire and First Aid. |
| 31. Vehicle maintenance: | No |
| 32. Comments: | |
| 33. Good Housekeeping: | No |
| 34. Comments: | |
| 35. Vehicle and Equipment Washing: | No |
| 36. Comments: | |
| 37. Employee Training: | No |
| 38. Comments: | |

Incidents of Non-compliance

| | |
|--|----|
| 1. Did your municipality have any incidents of non-compliance? | No |
| 2. Identify the steps being taken to remedy the noncompliance and to prevent such incidents from recurring. (If the text box is not large enough to complete this section, please provide your report as an attachment and upload it on the next screen. Please reference the attachment in the textbox.) | |

Certification

Certifier: Carmela Roberts
Certifier ID: CARMELAROBERTS
Challenge/Response Question: Something you always wanted to do?
Challenge/Response Answer: *****
Certification PIN: *****
Date/Time of Certification: 04/28/2025 14:18

"I certify under penalty of law that this Annual Report and Certification and all attached documents were prepared under my direction or supervision in accordance with a system

designed to assure that qualified personnel properly gather and evaluate this information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering this information, the information in this Annual Report and Certification and all attached documents is, to the best of my knowledge and belief, true, accurate and complete.

"I certify that the municipality is in compliance with its stormwater program, Stormwater Pollution Prevention Plan (SPPP) and the NJPDES Tier A Municipal Stormwater General Permit No. NJG0152889 except for any incidents of non-compliance which are identified herein. For any incidents of non-compliance, the Annual Report identifies the steps being taken to remedy the non-compliance and to prevent such incidents from recurring.

"I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for purposely, knowingly, recklessly, or negligently submitting false information."

Please note, no changes will be allowed to be made to this report upon its certification. If you need to correct or modify the report after certification, please contact your case manager at (609) 633-7021 so they may enable that function.

Carmela Roberts

04/28/2025

General

Date

MS4 Tier A Permit Annual Report - Supplemental Questionnaire

General Information

A. Municipal Information

Submission Date: April 28, 2025

Reporting Year: 2024

Municipality: **Borough of Hightstown**

County: **Mercer**

Stormwater Coordinator: **Carmela Roberts, PE, CME, CPWM, Borough Engineer**

Phone: **(609) 586-1141 ex 125**

Email: **CRoberts@robertsengineeringgroup.com**

Public Involvement and Participation

Provide direct link for the following (not the general web address for the municipality website):

Current Stormwater Pollution Prevention Plan (SPPP): www.hightstownborough.com/stormwater-management/

Municipal Stormwater Management Plan: www.hightstownborough.com/stormwater-management/

Town's Stormwater Webpage: www.hightstownborough.com/stormwater-management/

Local Public Education and Outreach

Report the number of points obtained in each public education and outreach category:

General Public Outreach: **2**

Watershed/Regional Collaboration: **6**

Targeted Audiences Outreach: **8**

Community Involvement Activities: **0**

School/Youth Education and Activities: **0**

Has the municipality advertised public education and outreach activities on the municipalities website?: Yes No

Post Construction Stormwater Management

Note: This portion of the annual report should be completed by a person knowledgeable in post-construction stormwater management project review and approvals.

Name of person completing this section: **Carmela Roberts, PE, CME, CPWM**

Affiliation of person completing this section: **Borough Engineer - Roberts Engineering Group, LLC**

Please fill out the attached major development project list for all major developments approved in the last calendar year.

MS4 Tier A Permit Annual Report - Supplemental Questionnaire

Community Wide Ordinances

Does the municipality maintain a database to track all instances of community wide ordinance violations?:

Yes No

Provide the web address for each ordinance and report the entity responsible for the enforcement of each ordinance as well as the number of warnings and violations issued for each in the past calendar year:

Pet Waste Ordinance www.hightstownborough.com

Entity: Police Dept

Warnings/Violations: 0

Wildlife Feeding Ordinance www.hightstownborough.com

Entity: Police Dept or DPW

Warnings/Violations: 0

Litter Control Ordinance www.hightstownborough.com

Entity: Police Dept or DPW

Warnings/Violations: 45

Improper Disposal of Waste Ordinance www.hightstownborough.com

Entity: Police Dept or DPW

Warnings/Violations: 65

Privately-Owned Salt Storage Ordinance www.hightstownborough.com

Entity: Police Dept or DPW

Warnings/Violations: 0

Tree Removal-Replacement Ordinance www.hightstownborough.com

Entity: Env. Com & ST Official

Warnings/Violations: 0

Containerized Yard Waste/Yard Waste Collection Program Ordinance www.hightstownborough.com

Entity: Police Dept or DPW

Warnings/Violations: 1

Private Storm Drain Inlet Retrofitting Ordinance www.hightstownborough.com

Entity: Planning Board

Warnings/Violations: 0

Illicit Connection Ordinance www.hightstownborough.com

Entity: Police Dept or DPW

Warnings/Violations: 0

Stormwater Control Ordinance www.hightstownborough.com

Entity: Planning Board

Warnings/Violations: 4

Municipal Maintenance Yard and Other Ancillary Operations

Does the municipality maintain a list of all materials and machinery located at each municipal maintenance yard and ancillary operation which could be a source of pollutants in a stormwater discharge?: Yes No

Has the municipality implemented Best Management Practices as described in Part IV.F.5 for all applicable activities at each municipal maintenance yard and ancillary operation owned or operated by the municipality?: Yes No

Does the municipality maintain an inspection log detailing conditions requiring attention and remedial actions taken at municipal maintenance yards and other ancillary operations?: Yes No

Does the municipality have an underground vehicle wash water storage tank? Yes No

MS4 Tier A Permit Annual Report - Supplemental Questionnaire

Employee Training

Does the municipality maintain records of employee training including sign in sheets, dates of training, and training agendas?:

Yes No

Does the municipality maintain a list of the names and dates of the Stormwater Permitting Coordinator's attendance to the mandatory SPC training? : Yes No

Does the municipality maintain a list of the names and dates of the municipal board and governing body members that review and approve applications for development and redevelopment projects who have completed the "Asking the Right Questions in Stormwater Review" training tool?: Yes No

Does the municipality maintain a list of the names and dates of individuals that review development and redevelopment projects for compliance with NJAC 7:8 on behalf of the municipality who have completed the Department approved stormwater management training once every 5 years?: Yes No

Did the municipality maintain a list of the names and dates of individuals that have completed the mandatory Rule Amendment training?: Yes No

MS4 Mapping

Have you completed your infrastructure map?: Yes No

Does the municipality update their maps annually?: Yes No

Does the municipality's map identify outfalls that do not discharge to surface waters?: Yes No

Stormwater Facilities Maintenance

Does the municipality keep up to date stormwater facility maintenance logs and inspection records for stormwater facilities owned or operated by the municipality?: Yes No

How does the municipality ensure adequate long-term cleaning, operation, and maintenance of stormwater facilities not owned or operated by the municipality?:

The Borough notifies the property owner(s) by letter of the inspection and notifies them of any repairs or cleaning required.

Does the municipality keep up-to-date stormwater facility maintenance logs and inspection records for stormwater facilities not owned or operated by the municipality?: Yes No

MS4 Tier A Permit Annual Report - Supplemental

Total Maximum Daily Load (TMDL)

Has the municipality reviewed TMDL reports to identify those which are relevant to the municipality's water bodies?:

Yes No

How many TMDLs were found to be applicable to the municipality?: 0

How has the municipality used TMDL information to assist in the prioritization of stormwater facility maintenance?:

No.

The Borough is not within a Regional Stormwater Management Planning Area and no TMDLs have been developed for waters within the Borough to date.

Has the municipality updated its SPPP to include TMDL information?: Yes No

Has the municipality incorporated any additional or optional measures? If so, please elaborate:

No.

Stream Scouring

How many outfalls did the municipality inspect for stream scouring in the past calendar year?: 16

How many instances of stream scouring were found during those inspections?: 2

How many instances of stream scouring were remediated in the past calendar year?: 0 repairs, pending

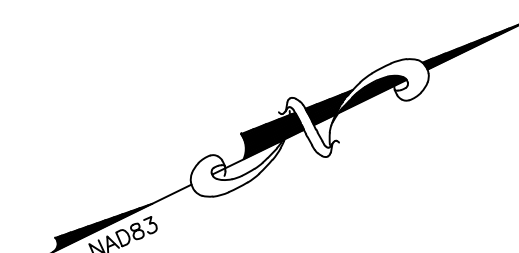
Were at least 20% of outfalls inspected for stream scouring this year?: Yes No

LEGEND

- EXISTING STREET ROW LINE
- - - EXISTING LOT LINE
- ★ EXISTING OUTFALL

| OUTFALL # | NORTHING | EASTING | MATERIAL |
|-----------|-------------|-------------|-------------|
| 1 | 525288.1279 | 485018.9558 | 44"x36" RCP |
| 2 | 524862.1532 | 485175.6412 | 18" RCP |
| 3 | 524460.5569 | 484985.0786 | 24" RCP |
| 4 | 525662.5452 | 482513.5666 | 12" CMP |
| 5 | 525284.1043 | 483591.9566 | 18" RCP |
| 6 | 525175.1021 | 484067.0911 | 18" CMP |
| 7 | 524827.7083 | 484733.3396 | 12" CMP |
| 8 | 523486.647 | 482073.2443 | 18" RCP |
| 9 | 522101.9899 | 486075.2262 | 27" RCP |
| 10 | 522133.8012 | 486075.8329 | 21" VCP |
| 11 | 523809.9001 | 484691.9647 | 36" CMP |
| 12 | 523419.6178 | 485722.4243 | 60" RCP |
| 13 | 523017.7729 | 486164.6093 | 12" VCP |
| 14 | 522495.5362 | 486982.5128 | 8" RCP |
| 15 | 523559.2398 | 485641.3747 | 8" PVC |
| 16 | 523666.9877 | 485554.3005 | 18" RCP |

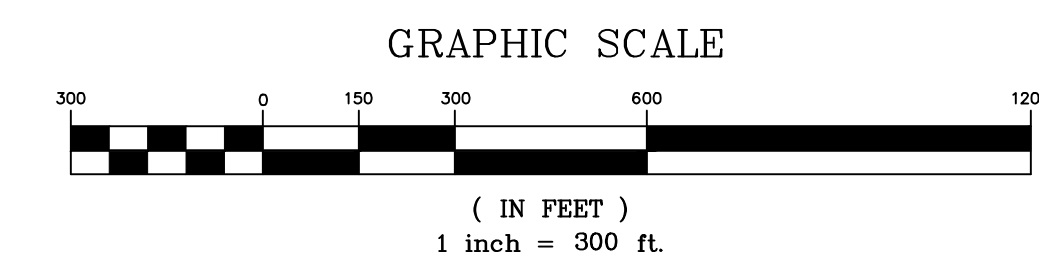
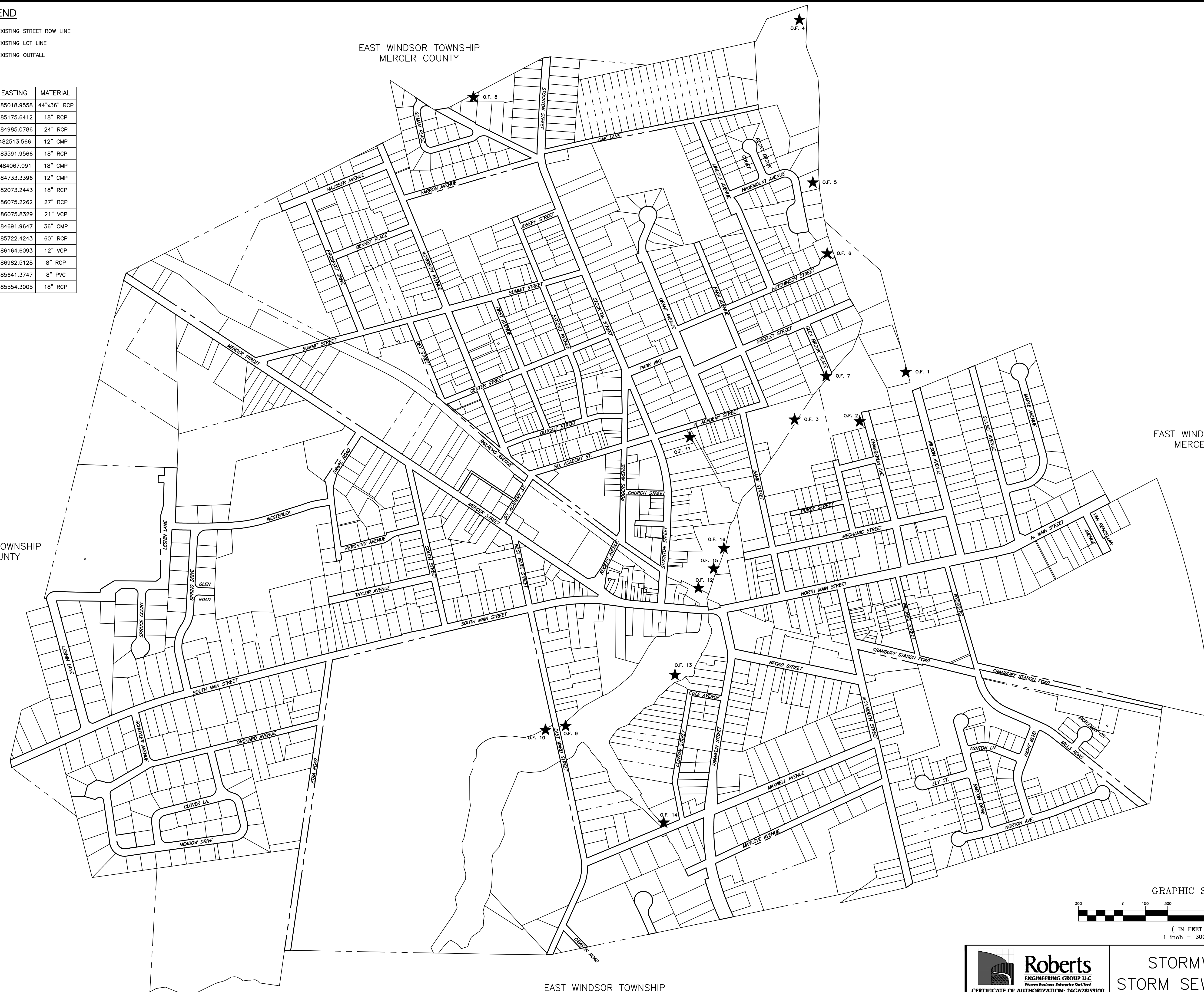
EAST WINDSOR TOWNSHIP
MERCER COUNTY



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EAST WINDSOR TOWNSHIP
MERCER COUNTY



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified
CERTIFICATE OF AUTHORIZATION: 24GA28159100
1670 Whitehorse-Hamilton Square Rd.
Hamilton, New Jersey 08690
609-586-1141 Fax 609-586-1143
www.RobertsEngineeringGroup.com

STORMWATER OUTFALL MAP
STORM SEWER COLLECTION SYSTEM
BOROUGH OF HIGHTSTOWN, MERCER COUNTY, NEW JERSEY
MAY 2023