

ORDINANCE #42-24

AN ORDINANCE TO SUPPLEMENT CHAPTER 26 OF THE MUNICIPAL CODE, ENTITLED "LAND DEVELOPMENT," TO MAKE MODIFICATIONS IN ORDER TO OBTAIN MIDDLESEX COUNTY APPROVAL OF ORDINANCE #32-24

WHEREAS, the New Jersey State Department of Environmental Protection (DEP) has drafted new stormwater management rules/controls pursuant to N.J.A.C. 7:8; and

WHEREAS, the Borough of Sayreville incorporated the DEP's new stormwater management rules/controls into Chapter 26, titled "Land Development", Article V, titled "Development Requirements and Standards" through Ordinance #32-24; which is pending approval by the County of Middlesex ("County"); and

WHEREAS, the County advised that additional modifications are needed to Chapter 26 to obtain County approval of Ordinance #32-24.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey that Chapter 26 of the Municipal Code of the Borough of Sayreville, entitled "Land Development", Article V, titled "Development Requirements and Standards" needs to be supplemented and amended by adding the following language:

SECTION 1. Chapter 26, titled "Land Development", Article V, titled "Development Requirements and Standards" is hereby amended and supplemented as follows

§ 26-99 Utilities

§ 26-99.6D Stormwater Management Requirements for Major Development

a.-d. [No changes].

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 subsections 26-99.6D.o, 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.-r. [No changes].

§ 26-99.6F 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. [No changes].

SECTION 2. Severability.

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.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

INTRODUCED/APPROVED ON FIRST READING

DATED: September 9, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Michael Colaci, Councilman
(Public Works Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: September 23, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Michael Colaci, Councilman
(Public Works Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney