TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

ORDINANCE NO. 07-21-11

ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING THE SUMP PUMP DISCHARGE REGULATIONS IN CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF CRANBURY

WHEREAS, On November 25, 2019, the Township Committee of the Township of Cranbury adopted Ordinance No. 11-19-15, codified at Chapter 132 of the Code of the Township of Cranbury, to address how sump pump and mechanical discharge of water shall be regulated in the Township;

WHEREAS, on December 14, 2020, as required by the State of New Jersey's revised stormwater management rules, N.J.A.C. 7:8, the Township Committee adopted Ordinance No. 11-20-12 to revise its stormwater management rules in Section 150-61 of the Township Code;

WHEREAS, certain amendments must be made to the Township's sump pump regulations in Chapter 132 of the Township Code to ensure they are consistent with the stormwater management regulations in Chapter 150 of the Township Code.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Cranbury, in Middlesex County State of New Jersey, as follows:

SECTION I.

Chapter 132 ("Sump Pump Discharge"), of the Code of the Township of Cranbury shall be amended as follows (deletions are struck through and additions are underlined):

§ 132-1 Sump pump discharge.

A. There shall be no sump pump discharges or mechanical discharge of any stormwater <u>or groundwater</u> directly onto any Township street or sidewalk, into the sanitary sewer, or directly into any public drywell.

B. The sump pump or mechanical discharge of any stormwater <u>or groundwater</u> shall be discharged into any of the following:

(1) An established watercourse;

(2) A natural drainage course, only where an established watercourse is not available;

(3) ~~A~~ The subject property's yard, only if such yard is capable of absorbing the discharge without creating stagnant water pools; or

(4) A drywell or gravel infiltration trench located on the property owner's property;

(5) As may be permitted in Township Code Section 150-61(L).

§ 132-2 Definitions.

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

ESTABLISHED WATERCOURSE

A man-made condition of the land constructed for the purpose of receiving and transporting surface water runoff including swales, storm inlets and underground stormwater conveyance systems. Concave depressions or slopes forming street gutters along curbs shall not be considered "established watercourses."

NATURAL WATERCOURSE

A natural condition of the land which serves as a ~~runoff~~ surface conveyance for surface waters.

§ 132-3 Timing.

Any ~~occupant, owner or tenant who~~ property that currently releases sump pump or mechanical water discharge onto public streets, ~~or~~ sidewalks, or drywells shall become compliant with this chapter by July 1, ~~2020~~ 2022.

§ 132-4 Applicability.

This chapter is applicable to all sump pump mechanical water discharging, whether by a private person or public entity, and whether discharged from private or public property.

§ 132-5 Enforcement.

Enforcement of this chapter shall begin on July 1, ~~2020~~ 2022. This chapter shall be enforced by the Township Code Enforcement Officer. All properties shall be inspected at the time of sale to ensure compliance with this chapter.

§ 132-6 Violations and penalties.

Any property owner, ~~occupant or tenant~~ violating any provision of this chapter shall be liable for the penalties established in Chapter 1, § 1-15, of this Code, entitled "General penalty; continuing violations," except that no person found to have violated a provision of this chapter shall be subject to imprisonment for such violation.

SECTION II. SEVERABILITY.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION III. INCONSISTENT ORDINANCES REPEALED.

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION IV. EFFECTIVE DATE.

This ordinance shall take effect upon its passage and publication.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on July 26, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the meeting room of Town Hall, 23-A North Main Street, in the Township of Cranbury on August 9, 2021 at 7:00 P.M., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

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DEBRA A. RUBIN, RMC
MUNICIPAL CLERK