

**BOROUGH OF RIVERTON  
ORDINANCE NO. 2023-06**

**AN ORDINANCE OF THE BOROUGH OF  
RIVERTON, COUNTY OF BURLINGTON, STATE  
OF NEW JERSEY, AMENDING CHAPTER 111 TO THE  
CODE OF THE BOROUGH CONCERNING  
PRIVATELY-OWNED SALT STORAGE**

**WHEREAS** the removal of snow and ice is essential to public safety during winter storm events.

**WHEREAS** the use of de-icing materials as a method of removing ice has been found to have adverse effects on the ground water and proper utilization of and management of de-icing materials is critical to ensure that the environmental impacts of related practices are reduce to the furthest extent possible; and

**WHEREAS** the Borough believes that it is in the best interest of the Borough and its residence to regulate the storage of privately-owned de-icing materials within the Borough.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Riverton, in the County of Burlington and State of New Jersey that:

**SECTION 1.** Chapter 111 of the Code of the Borough of Riverton is hereby amended to add Article IIX to be known as "Privately-Owned Salt Storage." and shall read as follows:

Chapter 111 Article IIX Privately-Owned Salt Storage.

§111-43 Purpose.

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on privately-owned property in the Borough of Riverton to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

§111-44 Definitions.

For the purpose of this ordinance, 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.

**"De-icing materials"** means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

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

**"Storm drain inlet"** means the point of entry into the storm sewer system.

**"Permanent structure"** means 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 access way from wind driven rainfall).

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 de-icing 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 access way from wind driven rainfall.

“**Person**” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

#### §111-45 De-icing Material Storage Requirements.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>, but no longer than 30 days without prior written approval from the NJPDES:
  1. Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
  2. Materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, and/or ditches or other stormwater conveyance channels;
  3. Materials shall be formed in a cone-shaped storage pile;
  4. All storage piles 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;
    - 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.
      - i. Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used.
  5. The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of solid deicing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15<sup>th</sup> through April 15<sup>th</sup>.
- C. The property owner shall designate a person(s) responsible for operations at the site where these materials are stored, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met.

#### §111-46 Exemptions.

This ordinance does not apply to facilities where the stormwater discharges from salt storage activities are regulated under another NJPDES permit.

#### §111-47 Enforcement.

This ordinance shall be enforced by the Code Enforcement Officer of the Borough of Riverton and the Riverton Police Department during the course of ordinary enforcement duties.

§111-48 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in a fine not to exceed \$1,000.

**SECTION 2.** If any section, paragraph, subsection, clause, or provision of this Amendment shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective;

**SECTION 3.** If any ordinances or parts thereof are in conflict with the provisions of this Ordinance those provisions shall be repealed to the extent of such conflict.

**SECTION 4.** This Ordinance shall take effect upon passage and publication in accordance within applicable law.

<b>INTRODUCTION</b>						
<b>Roll Call Vote</b>						
<b>Council Member</b>	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Corbi	x		x			
Fullerton		x	x			
Quinn			x			
Rafter			x			
Scott			x			
Wilburn			x			

<b>ADOPTION</b>						
<b>Roll Call Vote</b>						
<b>Council Member</b>	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Corbi	x		x			
Fullerton						x
Quinn		x	x			
Rafter			x			
Scott						x
Wilburn			x			

**CERTIFICATION**

I, Michelle Hack, Municipal Clerk of the Borough of Riverton, County of Burlington, and State of New Jersey, do hereby certify the forgoing to be a true and correct copy of an Ordinance which was introduced by the Council of the Borough of Riverton at its meeting of October 17, 2023, with a second reading, public hearing, and final adoption held on November 21, 2023.

  
**Michelle Hack,**  
**Municipal Clerk**