

# Annual Report and Certification Tier A Municipal Stormwater General Permit

Municipality  
Information

Municipality: Hopewell Township County Mercer County  
NJPDES # : NJG\_0150622 PI ID #: 202083  
Team Member: Annette Bielawski/Stormwater Program Coordinator  
Date Effective: April 1, 2004 Date of Permit Authorization (EDPA) April 1, 2004

## Stormwater Pollution Prevention Plan

Have you prepared a Stormwater Pollution Prevention Plan that describes your Stormwater Program?  
Y (  ) N (  )

Does the SPPP include all of the information and items required by the permit (including Attachment A)? Y (  ) N (  )

Is the SPPP signed and dated? Y (  ) N (  ) Date SPPP signed: August 2, 2005

Is the SPPP retained by your Municipal Stormwater Program Coordinator? Y (  ) N (  )

Was the SPPP amended since the last annual report? Y (  ) N (  )

If so, in general terms, what was amended?

## Public Notice

Are you complying with applicable State and local public notice requirements when providing for public participation in the development and implementation of your stormwater program?  
Y (  ) N (  )

# Annual Report and Certification

Tier A Municipal Stormwater General Permit

Municipality:  
Information

Municipality: Hopewell Township County Mercer County

NJPDES # : NJG 0150622 PI ID #: 202083

Team Member: Victor Silvestrov / Public Works Coordinator

Date April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Post-Construction Stormwater Management in New Development and Redevelopment

Are you ensuring that any residential development and redevelopment projects that are subject to the Residential Site Improvement Standards for stormwater management comply with those standards? Y (  ) N (  )

Are you ensuring adequate long-term operation and maintenance of BMPs on property that you own or operate? Y (  ) N (  )

For storm drain inlets that you install, are you complying with the standards set forth in Attachment C of the permit to control passage of solid and floatable materials? Y (  ) N (  )

Have you forwarded a copy of the proposed municipal stormwater management plan required by the permit to the county planning board at least 20 days prior to the date of your public hearing on that plan? Y (  ) N (  )

Date forwarded: March 4, 2005

*[for purposes of this annual report, "municipal stormwater management plan" means a new municipal stormwater management plan, as well as amendments to an existing municipal stormwater management plan]*

Have you adopted a municipal stormwater management plan in accordance with N.J.A.C. 7:8-4? Y (  ) N (  )

Date adopted: March 22, 2005

Status of this plan (if not adopted):

Have you transmitted, within 30 days after adoption, a copy of your adopted municipal stormwater management plan to the county planning board for its information and files? Y (  ) N (  )

Date transmitted: July 29, 2005

Have you forwarded a copy of the proposed municipal stormwater control ordinance(s) required by the permit to the county planning board at least 10 days prior to the date of your public hearing on the ordinance(s)? Y (  ) N (  )

Date forwarded:

Have you adopted a municipal stormwater control ordinance(s) in accordance with N.J.A.C. 7:8-4?  
Y (  ) N (  )

Date adopted: September 12, 2005

Status of this ordinance(s) (if not adopted):

Have you submitted your adopted municipal stormwater management plan and stormwater control ordinance(s) to the appropriate county review agency for approval? Y (  ) N (  )

Date submitted: March 2005 MSWMP/ September 19, 2005 SCO

Are your adopted municipal stormwater management plan and stormwater control ordinance(s) approved and in effect? Y (  ) N (  )

Effective date: MSP adopted as Master Plan Element March 22, 2005/Stormwater Control Ordinance September 12, 2005

Ordinance number(s): MSP Resolution 05-020/SCO Ordinance No. 05-1352.

Status of adopted plan and ordinance(s) (if not in effect): *Plan and Ordinance adopted.*

Have you:

Placed your approved municipal stormwater management plan and stormwater control ordinance(s) on your website, and notified the Department, the Soil Conservation District and State Soil Conservation Committee? Y (  ) N (  ) N/A (  )

Date you notified the Department:

**OR**

Submitted your approved municipal stormwater management plan and stormwater control ordinance(s) to the Department, and provided notice to the Soil Conservation District and State Soil Conservation Committee? Y (  ) N (  ) N/A (  )

Date submitted to the Department: Submitted to Department as part of the 2005 Annual Certification and as part of this 2006 Annual Certification. Copies of all documents were submitted to the Soil Conservation District and State Soil Conservation Committee in July 2006.

Are you enforcing your approved municipal stormwater control ordinance(s)? Y (  ) N (  )

Have you granted any variances or exemptions from the design and performance standards for stormwater management measures set forth in your approved municipal stormwater management plan and stormwater control ordinance(s)? Y (  ) N (  )

If yes, does your approved municipal stormwater management plan include a mitigation plan in accordance with N.J.A.C. 7:8-4.2(c)11? Y (  ) N (  )

Did you submit a written report to the county review agency and the Department describing the variance or exemption and the required mitigation? Y (  ) N (  )

Date(s) report(s) submitted to the Department:

For storm drain inlets not installed by you, are you enforcing compliance with the standards set forth in Attachment C of the permit to control passage of solid and floatable materials? Y (  ) N (  )

If yes, specify whether such compliance is enforced through your stormwater control ordinance(s) or through a separate ordinance (and provide the separate ordinance number): Stormwater Control Ordinance (# 05-1352)

Are you ensuring adequate long-term operation and maintenance of BMPs on property that you do not own or operate? Y (  ) N (  )

If yes, briefly indicate how this being accomplished (e.g., ordinance requiring operation and maintenance by private entity; operation and maintenance by you or other governmental entity):  
Existing stormwater management ordinances require long term maintenance and operation and these requirements are reiterated in Homeowner Association Documents

Have you reexamined your approved municipal stormwater management plan at each reexamination of your master plan in accordance with N.J.A.C. 7:8-4? Y (  ) N (  )

Date reexamination report adopted: Did not have a reexamination of the master plan in 2006.

# Annual Report and Certification

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Information

Municipality: Hopewell Township County: Mercer County

NJPDES #: NJG: 0150622 PI ID #: 202083

Team Member: Annette Bielawski / Local Public Education Coordinator

Date April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Local Public Education

### Local Public Education Program

Have you developed a Local Public Education Program? Y (  ) N (  )

Date development of program completed:

Date of Annual Distribution of Educational Brochure: September, 2006 (est.)

Method of Distribution: Mailed with Tax Bills

Date of Annual Event: May 29, 2006

Description of Event: Veteran's Memorial Groundbreaking Ceremony

### Storm Drain Inlet Labeling

Have you established a storm drain inlet labeling program? Y (  ) N (  )

Have you divided your municipality into two sectors for the purpose of storm drain inlet labeling?

Y (  ) N (  )

If "yes," indicate the number of sectors labeled to date:  0  1  2

If "no," please check approximate percentage of storm drain inlets labeled to date:

25%  50%  75%  100%  other (specify) 5%

Have you developed a long term maintenance plan for the storm drain inlet labels? Y (  ) N (  )

Are you implementing your long-term maintenance plan? Y (  ) N (  )

# Annual Report and Certification

Tier A Municipal Stormwater General Permit

Municipality  
Information

Municipality: Hopewell Township

County Mercer County

NJPDES # :NJG: 0150622

PI ID #: 202083

Team Member: Robert Miller/ Ordinance Coordinator

Date: April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Improper Disposal of Waste

Have you adopted and are you enforcing a:

Pet Waste Ordinance Y (  ) N (  )

Date adopted: April 12, 2004

Litter Ordinance Y (  ) N (  ) N/A (  )

Date adopted: 1991

State Litter Statute Y (  ) N (  ) N/A (  )

Improper Disposal of Waste Ordinance Y (  ) N (  )

Date adopted: October 11, 2005

Wildlife Feeding Ordinance Y (  ) N (  )

Date adopted: Sept. 26, 2005

Containerized Yard Waste Ordinance Y (  ) N (  ) N/A (  )

Date adopted: October 11, 2005

Yard Waste Collection Program Ordinance Y (  ) N (  ) N/A (  )

Date adopted: Sept. 26, 2005

Illicit Connection Ordinance Y (  ) N (  )

Date adopted: Sept. 26, 2005

Status of these ordinances (if not adopted):

Method(s) of enforcement (e.g., summons, warnings, additional signs, etc.): Established by Ordinance in accordance with law.

Are you distributing the Pet Waste Information Sheets with pet licenses? Y (  ) N (  )

### Yard Waste Collection Program

Have you developed a yard waste collection program? Y (  ) N (  ) N/A (  )

Collection Dates:

October  November  December  Spring Cleanup  (April)

# Annual Report and Certification

Tier A Municipal Stormwater General Permit

Municipality Information

Municipality: Hopewell Township

County Mercer County

NJPDES # : NJG\_0150622

PI ID #: 202083

Team Member: Victor Silvestrov / Public Works Coordinator

Date April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Illicit Connection Elimination and MS4 Outfall Pipe Mapping

### Outfall Pipe Mapping

Number of sectors with MS4 outfall pipes mapped to date (please check):  0       1       2

Date first sector completed: \_\_\_ Date second sector completed: \_\_\_

### Illicit Connection Elimination Program

Have you developed an Illicit Connection Elimination program? Y (  ) N (  )

Date development of program completed: \_\_\_

Have you begun the initial physical inspection of all outfall pipes using the Department's Illicit Connection Inspection Report form? Y (  ) N (  )

Number of outfalls physically inspected since May 2<sup>nd</sup> of previous year: 0

Number of outfalls found to have dry weather flows during that period: 0

Number of outfalls found to have an illicit connection during that period: 0

Number of illicit connections found during that period: 0

Number of illicit connections eliminated during that period: 0

(For any outfalls found to have dry weather flows, a copy of the inspection report shall be submitted with this Annual Report and Certification.)

**Provide the following information for each outfall found to have an illicit connection since May 2nd of previous year.**

Outfall Identifier	Source of Illicit Connection	Date Eliminated

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PI ID #: 202083

Team Member: Victor Silvestrov / Public Works Coordinator

Date: April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Street Sweeping Program

Have you developed a Street Sweeping Program? Y () N ()

Were all required streets swept? Y () N ()

Did you sweep more than the required streets? Y () N ()

What was the total number of miles swept? 0 miles.

Please list the total amount of materials collected for each month since May 2nd of previous year:

May

June

July

August

September

October

November

December

January

February

March

April

If street sweeping was not completed for any of these months, please explain: There are no streets required for sweeping by NJDEP standards. Sweeping is conducted as part of a prudent management policy for the Township's roadway systems as a matter of economic necessity.



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	NJPDES # : <u>NJG 0150622</u> PI ID #: <u>202083</u>
	Team Member: <u>Victor Silvestrov / Public Works Coordinator</u>
	Date: <u>April 1, 2004</u> Effective Date of Permit Authorization (EDPA): <u>April 1, 2004</u>

## Storm Drain Inlet Retrofitting

Were all storm drain inlets in direct contact with repaving, repairing, reconstruction or alterations retrofitted or replaced to meet the standard? Y (  ) N (  )

Attach a sheet indicating areas where there were repaving, repairing, reconstruction, or alteration projects. Old Washington Crossing-Pennington Road, Fairway Drive, Tyburn Lane, E. Welling Ave., Curlis Ave., Oak Street, Bull Run Road

Attach a list of storm drain inlets that were exempted as a part of these projects.

## Outfall Pipe Stream Scouring Remediation

Have you developed an Outfall Pipe Stream Scouring Remediation Program? Y (  ) N (  )  
Date development of program completed: Program of ongoing-repairs developed many years ago as standard operating practice with repairs made as observed. Records kept regarding PW Crew efforts but not recorded with identifier or by specific outfall. MS4 mapping shall create unique inlet identifiers that will be used for this effort. Until that point in time

### Program Status

Location of Outfall Pipe (including alphanumeric identifier)	Repair Start Date	Repair Complete Date

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## Annual Report and Certification

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<b>Municipality Information</b>	Municipality: <u>Hopewell Township</u> County: <u>Mercer County</u> NJPDES #: <u>NJG 0150622</u> PI ID #: <u>202083</u> Team Member: <u>Victor Silvestrov / Public Works Coordinator</u> Date: <u>April 1, 2004</u> Effective Date of Permit Authorization (EDPA): <u>April 1, 2004</u>
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### Stormwater Facility Maintenance

Have you developed a Stormwater Facility Maintenance Program? Y (  ) N (  )  
Date development of program completed: July 2006

**Catch Basins:**  
Total number of catch basins that you operate: 1500±  
Were all catch basins inspected and/or cleaned? Y (  ) N (  )  
Total number of catch basins cleaned: 1500±  
Amount of materials removed from catch basins, if available:      SELECT UNIT

**Other Stormwater Facilities:**  
Were all stormwater facilities (e.g., detention basins, filter strips, riparian buffers, infiltration trenches, sand filters, constructed wetlands, wet basins, bioretention systems, low flow bypasses, and stormwater conveyances) that you operate inspected? Y (  ) N (  )  
Were any found to be in need of cleaning or repair in order to function properly? Y (  ) N (  )  
Was the cleaning performed? Y (  ) N (  ) Were repairs made? Y (  ) N (  )  
Describe repair(s) or schedule for repair(s). Attach additional pages as necessary. Erosion areas stabilized, grates and orifices cleaned as necessary.

### Road Erosion Control Maintenance

Have you developed a Roadside Erosion Control Program? Y (  ) N (  )  
Date development of program completed: Program of road erosion control maintenance developed many years ago as standard operating practice with repairs made as observed.  
Were any areas of road erosion identified? Y (  ) N (  )  
Attach a sheet identifying the locations of road erosion and whether repairs have been made.

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Team Member: Victor Silvestrov / Public Works Coordinator

Date: April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## De-icing Material and Sand Storage

Are you currently using an existing permanent structure for de-icing material storage?

Y (  ) N (  ) N/A (  )

If a permanent structure is not yet built, is seasonal tarping being used? Y (  ) N (  ) N/A (  )

If you answered N/A to the above questions, please explain:

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? Y (  ) N (  ) N/A (  )

## Fueling Operations

Are you implementing Standard Operating Procedures for vehicle fueling and receiving of bulk fuel deliveries at maintenance yard operations? Y (  ) N (  ) Date SOP in effect:

## Vehicle Maintenance

Are you implementing Standard Operating Procedures for vehicle maintenance and repair activities at maintenance yard operations? Y (  ) N (  ) Date SOP in effect:

## Good Housekeeping Practices

Are you 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)? Y (  ) N (  ) Date practices are in effect:

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PI ID #: 202083

Team Member: Annette Bielawski/Stormwater Permit Coordinator

Date: April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Sharing of Responsibilities

For each of the following, indicate if you are relying on another entity to satisfy all or part of any permit requirements. For those you checked "yes," please give additional information on or with the appropriate Annual Report and Certification form (attach sheet if needed).

Statewide Basic Requirement	Relying on another entity?	
	"yes"	"no"
Public Notice	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ensure compliance with RSIS for stormwater management	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal stormwater management plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal stormwater control ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Long term operation and maintenance of BMPs (post-construction)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storm drain inlet design standard (post-construction)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Local Public Education Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Storm Drain Inlet Labeling Program	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pet waste ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Litter ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Improper disposal of waste ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wildlife feeding ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Yard waste collection program (including ordinance)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outfall pipe mapping	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Illicit connection ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Illicit connection elimination program	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Street sweeping	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storm drain inlet retrofitting	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintenance of municipally operated stormwater facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Road erosion control	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outfall pipe stream scouring	<input type="checkbox"/>	<input checked="" type="checkbox"/>
De-icing and sand storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fueling operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle maintenance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Good housekeeping	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Employee Training	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Team Member: Victor Silvestrov / Public Works Coordinator

Date: April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Incidents of Noncompliance

For any incidents of noncompliance, identify the steps being taken to remedy the noncompliance and to prevent such incidents from recurring.

**Post Construction Stormwater Management in New Development and Redevelopment** – Non compliance with regard to transmitting copies of approved stormwater management plan to the County Soil Conservation District and State Soil Conservation Committee within 30 days of adoption. This certification document, which includes the subject plan and related ordinances were mailed in July 2006.

**Public Education Program** – There is no written program. Hopewell Township has embarked upon a formal notification process using NJDEP publications and is coordinating with the Stony Brook Millstone Watershed Association for public education and awareness. The Township has not yet determined an official annual date for such educational activities to occur and as such has not reduced such information to writing. The date for 2006 was the date of the groundbreaking ceremony for the Veteran's Memorial located within Hopewell Township that was well publicized.

**Storm Drain Inlet Labeling Program** – Storm drain labeling has been on a volunteer basis only. Efforts are being made to identify a specific schedule for this task which involves traffic safety units and volunteers.

**Illicit Connection Program** – The development of this program and staffing resources to implement this program is being created. The program will be memorialized in writing on or before May 2007.

**Street Sweeping Program, Outfall Pipe Stream Scouring Remediation Program, Stormwater Facility Maintenance Program, and Road Erosion Control Program** – All of these programs have been informally undertaken for years as part of a prudent management policy for the Township's roadway and drainage systems as a matter of economic necessity. These programs have never been reduced to writing for public inspection purposes. These programs will be reduced to writing on or before May 2007.

Incidents of Noncompliance  
(continued)

*Annual Certification Authorization – The Hopewell Township Committee annually assigns responsibility to certain individuals to perform certain responsible functions. Improvements in recordkeeping to create and immediately accessible data base that can be used to meet the May submission deadlines for this certification is being undertaken and was a primary factor in the delay in this 2006 certification.*

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Municipality: Hopewell Township

County Mercer County

NJPDES # : NJG 0150622

PI ID #: 202083

Team Member: Annette Bielawski / Stormwater Program Coordinator

Date April 1, 2004 Effective Date of Permit Authorization (EDPA): April 1, 2004

## Annual Certification

"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. NJ0141852 except for any incidents of noncompliance which are identified herein. For any incidents of noncompliance, the Annual Report identifies the steps being taken to remedy the noncompliance 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."

Signature \_\_\_\_\_

Date July 11, 2006

Print or Type Name Paul E. Pogorzelski, P.E.

Print or Type Title Township Engineer

## WHO MUST SIGN?

Either a principal executive officer or a ranking elected official; or duly authorized representative.

A principal executive officer or ranking elected official of the municipality may assign his or her signatory authority for this Certification to a duly authorized representative, which is a named individual or a title of a position having overall responsibility for the operation of municipal stormwater facilities or municipal environmental matters, by submitting a letter to the Bureau of Permit Management stating said authority and naming the individual or position. The duly authorized representative is the Municipal Stormwater Program Coordinator only if the Coordinator has overall responsibility for the operation of municipal stormwater facilities or municipal environmental matters.

## 2005 CATCH BASINS CLEANED TO DATE

### Catch Basins:

Total number of catch basins that you operate: 1,500 ±

Were all your catch basins inspected and/or cleaned? Yes 16

Total number of catch basins cleaned: 16

<u>DATE</u>	<u>STREET</u>
7/18/05	19 Benjamin Trail
7/19/05	19 Benjamin Trail
7/20/05	Princeton Farms – 100 Howard Way
7/21/05	Princeton Farms – 100 Howard Way
7/22/05	Princeton Farms
7/26/05	201 Hopewell Amwell Road
7/27/05	201 Hopewell Amwell Road
7/28/05	286 Westcott Blvd
7/29/05	286 Westcott Blvd
8/01/05	278 Westcott Blvd
8/02/05	278 Westcott Blvd
8/03/05	118 Howard Way
8/04/05	118 Howard Way
8/05/05	103 Bradford Lane
8/10/05	103 Bradford Lane and 102 Bradford Lane
8/11/05	102 Bradford Lane
8/15/05	111 Weldon Way
8/16/05	111 Weldon Way
8/17/05	109 Weldon Way



8/18/05	109 Weldon Way
8/22/05	211 Penn View Drive
8/23/05	211 Penn View Drive
8/24/05	211 Penn View Drive and 28 West Shore Drive
8/29/05	28 West Shore
8/30/05	3 East Acres Drive
8/31/05	3 East Acres Drive and 5 East Acres Drive
9/01/05	5 East Acres Drive
9/29/05	9 Harrison Avenue
9/30/05	9 Harrison Avenue
10/03/05	9 Harrison Avenue
5/23/06	<i>Rosedale way</i>

## 2005 STREET SWEEPING PROGRAM

The Township of Hopewell has not conducted any street sweeping since March 2005.

**2005 YARD WASTE/ORDINANCE/COLLECTION PROGRAM**

The Township of Hopewell conducts monthly collection of leaves during the fall and spring. The months of collection are October, November, December and April.

Brush is collected ten (10)<sup>8</sup> months out of the year, (excluding months of July and August). *November, December*

Brush collection takes one week to collect per zone. The collection schedule is based on dividing the Township into three (3) zones and is as follows:

- Zone 1      First full week in month
- Zone 2      Second week of month
- Zone 3      Third week of month

Leaf collection can be one to two weeks per zone.

The residents are mailed a calendar every year which lists the specifics, a website is available, CATV channel is available, and a Public Service Announcement is placed in the local newspaper.

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8  
9  
10

# TOWNSHIP of HOPEWELL

MERCER COUNTY

201 WASHINGTON CROSSING – PENNINGTON ROAD  
TITUSVILLE, NEW JERSEY 08560-1410

PHONE: 609-737-0605  
Fax: 609-737-1022

*Spornwader*

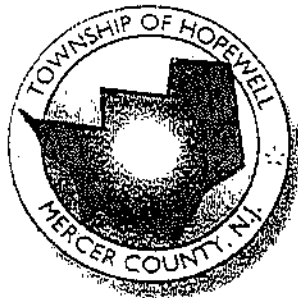
Ariene A. Kemp  
Mayor

Mark Iorio  
Deputy Mayor

Judy Niederer  
Committee Member

David Sandahi  
Committee Member

Vanessa Sandom  
Committee Member



OFFICE OF THE MUNICIPAL CLERK

ANNETTE C. BIELAWSKI, RMC  
Municipal Clerk

September 19, 2005

Nicholas Angarone, Secretary  
Mercer County Planning Board  
Administration Building  
P. O. Box 8068  
Trenton, New Jersey 08650-0068

**FILE COPY**

Dear Mr. Angarone:

Pursuant to N.J.S.A. 40:55D-16, find certified copy of the following Township of Hopewell Ordinance entitled:

ORDINANCE NO. 05-1352

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVII, "LAND USE AND DEVELOPMENT," ARTICLE VI, "DESIGN STANDARDS," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

The ordinance, adopted at the September 12, 2005 Hopewell Township Committee meeting, is hereby filed with the Mercer County Planning Board.

Very truly yours,

Annette C. Bielawski, RMC  
Township Clerk

ACB:abm  
Enclosure  
Certified Mail/RRR

TOWNSHIP OF HOPEWELL  
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 05-1352

AN ORDINANCE TO AMEND AND SUPPLEMENT  
CHAPTER XVII, "LAND USE AND DEVELOPMENT,"  
ARTICLE VI, "DESIGN STANDARDS," OF THE REVISED  
GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

EXPLANATION: Words in brackets [...] to be deleted  
Words underlined \_\_\_\_\_ to be added

WHEREAS, The U.S. Environmental Protection Agency (EPA) published the regulation entitled "National Pollutant Discharge Elimination System - Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (*Federal Register*, Volume 64, Number 235, pages 68722-68852) on December 8, 1999 as required by Section 402(p) of the Clean Water Act (CWA); and

WHEREAS, in February 2004 the New Jersey Department of Environmental Protection adopted new Stormwater Management Rules (N.J.A.C. 7:8) in fulfillment of its obligations under the USEPA Regulations; and

WHEREAS, Hopewell Township is designated as a Tier A Municipality under 7:8 and is obligated to implement certain ordinances required by the Tier A NJPDES Municipal Stormwater General Permit (NJ0141852) on or before October 2005; and

WHEREAS, the Hopewell Township Committee desires to meet its obligations under 7:8.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Article 6, Design Standards, in Chapter XVII, Land Use and Development, be revised as follows:

17-76 APARTMENTS AND TOWNHOUSES.

- a. Each overall development shall have a compatible architectural and landscaping theme with variations in design to provide attractiveness to the development. Each project shall specify how each of the following considerations has been incorporated in the overall plans: landscaping techniques; building orientation to the site and to other structures; topography; natural features such as wooded areas, drainage courses, soil conditions, and topographic relief; and building design features such as varying unit widths, staggering unit setbacks, providing different exterior materials, changing roof lines and roof designs, altering building heights, and changing types of windows, shutters, doors, porches, colors and vertical or horizontal orientation of the facades, singly or in combination and stormwater management.
7. Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner and shall use indigenous species to the maximum extent practicable.

17-77 BIKEWAYS.

Bikeways shall be required at the planning board's discretion in any new development depending on the development's location in relation to schools, recreation areas, shopping facilities and other populated areas, or its location with respect to any overall bike route plan adopted by the planning board. Bicycle traffic shall be separated from motor vehicle and pedestrian traffic as much as possible. Bikeways shall comply with the design criteria of the American with Disabilities Act and New Jersey Department of Transportation [generally not exceed a grade of three percent, except for short distances, ] and shall be a minimum of six feet wide. Bikeways shall have a minimum four inch base of crushed stone and a two inch [FABC-2] compacted thickness surface course. Permeable paving materials shall be used where appropriate and stormwater management and related drainage controls shall comply with section 17-82.a.16 [all

bikeways shall] Where bike paths located outside street rights-of-way intersect a street, the curbing shall be ramped for bicycle access to the street grade.

17-82 DRAINAGE, DETENTION, AND STORMWATER MANAGEMENT.

a. Drainage.

1. All off-street traffic facilities, parking facilities, loading areas, passageways, driveways, walks, roofs, and other similar impervious surfaces, as well as all lands which have been so changed in contour or permeability as to alter or quicken the natural flow of surface waters, shall be so drained as to prevent damage or hazard to the site or to abutting properties or public streets. The design of all drainage facilities shall address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.
  
16. Stormwater [Design Computations] Management. All hydraulic and hydrologic computations for all site development, subdivisions and site disturbances shall be in accordance with N.J.A.C. 7:8-5 and N.J.A.C. 5:21. [submitted in report-form, signed, and sealed by the appropriate professional. The preferred computational forms are shown in the site improvement standards. All calculations should be developed using the following standards:]

[(a) through (k)] deleted in entirety

b. *Detention and Stormwater Management.*

1. Shall be in accordance with N.J.A.C. 7:8-5 and N.J.A.C. 5:21.  
[Purpose. It is hereby determined that the lakes and waterways within the Township of Hopewell are at times subjected to flooding; that such flooding is a danger to the lives and property of the public; that such flooding is also a danger to the natural resources of the Township of Hopewell, County of Mercer and State of New Jersey; that development tends to accentuate such flooding by increasing stormwater runoff, due to alteration of the hydrologic response of the watershed in changing from the undeveloped to the developed condition; that such increased flooding produced by the development of real property contributes increased quantities of water-borne pollutants, and tends to increase channel erosion; that such increased flooding, increased erosion, and increased pollution constitutes deterioration of the water resources of the Township of Hopewell, the County of Mercer and the State of New Jersey; and that such increased flooding, increased erosion and increased pollution can be controlled to some extent by the regulation of stormwater runoff from such development. It is, therefore, determined that it is in the public interest to regulate the development of real property and to establish standards to regulate the additional discharge of stormwater runoff from such developments as provided in this paragraph.]

[2. through 8(f)] Deleted in entirety.

- [(g)] 2. Detention basins shall be appropriately landscaped. All detention basin landscaping shall be designed by a New Jersey licensed landscape architect. Floor and side slope areas within the basin and subject to submergence shall be planted with low maintenance, water-tolerant ground cover. Nursery stock and multileader trees shall be used along the perimeter of the basin and side slopes not subjected to submergence. Shade tree planting along any portions of a berm shall not be permitted.
- [(h)] 3. Point discharges onto private property shall require a maintenance easement to a hydraulically stable condition as determined by section 17-82b,5(a) above. Minimum width shall be as determined by the township engineer based on type of access and maintenance required. The minimum length shall be measured to the point of calculated stability or 100 feet minimum as measured from the termination point of the outlet pipe headwall or flared end section.

[9.] 4. Submissions. All data required by this paragraph shall be provided in form and content, in accordance with the stormwater management checklist items for preliminary major subdivisions in the Land Use and Development Ordinance, section 17-125.

[10.] 5. Maintenance and Repair. Responsibility for operation and maintenance of detention facilities, including periodic removal and disposal of accumulated particulate material and debris, shall remain with a homeowners' association, with permanent arrangements that it shall pass to any successive association, unless dedicated to the township along with a contribution to the township of sufficient funds to provide for the maintenance of such property for a period of 25 years from the date of planning board approval in accordance with the formula set forth hereafter. These arrangements shall designate for each project, the property owner, governmental agency, or other legally established entity to be permanently responsible for maintenance, hereinafter in this section referred to as the "responsible person."

[EXHIBIT D-1] Deleted in entirety.

#### 17-83 DRIVEWAYS.

g. Driveways shall be designed to use lawn areas to disconnect impervious surfaces and to use permeable paving materials where appropriate.

#### 17-87 FLOOD PLAINS.

4. Subdivision Proposals. All subdivision proposals shall be consistent with the need to minimize flood damage. All public utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed to minimize flood damage. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage, [and] shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.

#### 17-89 LANDSCAPING.

e. A landscaped buffer shall be provided which will effectively screen all parking and loading areas which are used for industrial or commercial purposes from adjoining residences, and from adjoining vacant property located in a residential district (whether the adjoining property is located in the township or in another municipality), and from all streets. When the proposed location of the parking and loading areas is at the same elevation as the proposed buffer and the adjoining residence or property, the buffer shall be at least 25 feet wide, except that when the parking and loading areas are along a street, the landscaped area shall be at least ten feet wide. All buffers along residential property lines shall be five feet high when planted, and buffers along streets shall be three feet high. The landscaping shall consist of evergreen trees with the lowest branches not more than one foot above the ground, planted in a zigzag pattern not more than six feet apart, on center. Existing evergreen trees may be utilized as appropriate. Deciduous trees and shrubs may also be provided. All buffers shall produce a screen at the time of planting which will eliminate the glare of vehicle headlights at all seasons of the year. If the location of the buffer and the area to be screened and the adjoining residence or property or street are not at the same elevation so the plantings would not provide an effective screen, the plantings shall be high enough to provide a screen equivalent to that provided above where all land is at the same elevation. No screening is necessary if the ground is high enough to conceal headlights completely between the area to be screened and the property line. Berms with trees, which are stabilized by grass or other plantings, may be used to reduce the required screening height, if the planning board determines that they are appropriate in a particular case. Buffers shall incorporate the use of native vegetation.

**17-91 LOTS.**

**h.** Lots shall be designed to implement "low impact development" techniques for stormwater management.

**17-93 MODIFICATION OF LOT AREAS AND OTHER RESTRICTIONS.**

In reviewing subdivisions, the planning board shall encourage the use of cluster designs and planned developments (sections 17-79 and 17-98) to enable greater variety and flexibility in lot designs, promote groundwater recharge and water quality, promote economy, protect environmental factors and increase the availability of open space, without increasing overall population density or intensity of land use.

**17-95 OFF-STREET PARKING AND LOADING.**

**g.** All parking facilities and loading areas which, either singly or in combination, contain more than 9,000 square feet shall have curbed, landscaped islands located within the perimeters of the surfaced area except as waived in lower income housing developments as permitted in section 17-92. Where stormwater management strategies require the provision of other equivalent methods of controlling drainage and defining the edge of paving, protecting the edge of paving from chipping, and preventing vehicles from encroaching on parking/loading areas can be demonstrated to the satisfaction of the planning board with the advice of its engineer, curbing may be waived in whole or in part.

**h.** Except as may be waived and modified in lower income housing developments under section 17-92, off-street parking areas containing ten or more spaces and all off-street loading areas shall have concrete or Belgium block curbing around the perimeter of the parking and loading areas and along major interior driveways, with appropriate ramps for wheelchairs and bicycles. Where stormwater management strategies require the provision of other equivalent methods of controlling drainage, [and defining the edge of paving, protecting the edge of paving from chipping, and preventing vehicles from encroaching on nonparking/loading areas can be demonstrated to the satisfaction of the planning board with the advice of its engineer, [concrete] curbing may be waived in whole or in part. Concrete wheel blocks shall be installed where necessary to protect adjoining walls, trees, shrubs, sidewalks and other facilities.

**k.** Drainage. All parking and loading areas shall have drainage facilities installed in accordance with good engineering practice and in accordance with the "drainage" provisions of section 17-82. The design of all drainage for parking facilities shall address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable. All parking and loading areas shall be designed to minimize impervious surfaces by use of permeable materials where appropriate, and use of multi-level parking where appropriate. Where sub-base conditions are wet, springy, or of such nature that surfacing would be inadvisable without first treating the sub-base, these areas shall be excavated to a depth of at least 12 inches below the proposed sub-grade and filled with a suitable sub-base material. Where required, a system of porous concrete pipe, sub-surface drains shall be constructed beneath the surface of the paving and connected to a suitable drain. After the sub-base material has been properly placed and compacted, the parking area surfacing material shall be applied.

**17-96 OFF-TRACT IMPROVEMENTS.**

**1.** Streets: Including street widening, alignment, corrections, channelization of intersections, construction of barriers, new or improved traffic signalization, signs, curbs and gutters, sidewalks, trees, streets lights, and related drainage and utility improvements not covered elsewhere, the construction of new streets and other similar street or traffic improvements: The applicant's proportionate cost factor shall be the ratio of the estimated future peak-hour traffic generated by the proposed development to the total estimated future peak-hour traffic on the route or at the location under consideration. The product of this ratio times the sum of the design, acquisition, legal and construction costs shall be the applicant's pro rata share for the improvement. Ten percent of the total cost shall be added thereto and paid to the township to help defray legal, engineering and other professional review and administrative costs. For design purposes a level of service "B" shall be used for estimating future peak hour traffic.



**17-98 PLANNED DEVELOPMENTS.**

c. The physical design of the proposed development in relation to public facilities and services, safe and convenient vehicular and pedestrian traffic circulation, the amenities of light and air, recreation and open space uses, and an overall design sensitive to contours, wetlands, flood hazard areas, and similar natural features shall be prepared so as to comply with appropriate portions of this chapter and the master plan. Any planned development shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.

**17-101 RECREATION AREAS.**

10. Recreation areas shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.

**17-102 SERVICE STATIONS.**

e. Service Stations shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.

**17-104 SIDEWALKS.**

Sidewalks shall be installed in locations determined by the planning board to be in the interest of public safety and proper pedestrian circulation considering the probable volume of pedestrian traffic, the adjoining street classification where sidewalks, parallel streets, school bus stops, recreation areas, schools, and the general type of improvement intended. Where required, sidewalks shall be at least four feet wide and may be constructed of concrete, brick or bituminous material. All sidewalks shall have a four inch granular base. If constructed of concrete, sidewalks shall be four inches thick, except at points of vehicular crossing where they shall be at least six inches thick, of Class B concrete having a 28 day compressive strength of 4,500 p.s.i., and shall be air-entrained. If constructed of bituminous materials, where permitted by the planning board, they shall adhere to the bikeway standards. Where sidewalks cross curbs curb ramps shall be provided. Preformed expansion joint material shall be placed on concrete sidewalks at 20 foot intervals and where sidewalks abut curbing or a structure.

Sidewalks shall be designed to comply with the design criteria of the American with Disabilities Act and New Jersey Department of Transportation. Permeable paving materials shall be used where appropriate and stormwater management and related drainage controls shall comply with section 17-82.a.16


**17-108 STREETS.**

4. Streets shall be designed to comply with the design criteria of the American Association of State Highway and Transportation Officials and the New Jersey Department of Transportation. Stormwater management and related drainage controls shall comply with section 17-82.a.16

Date Introduced: August 8, 2005  
Date Advertised: August 25, 2005  
Date Adopted: September 12, 2005

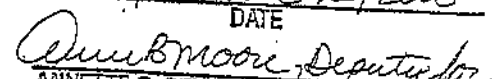
Attest:

  
Annette C. Bielawski  
Municipal Clerk

  
Arlene A. Kemp  
Mayor

**CERTIFICATION**  
I HEREBY CERTIFY THE FOREGOING TO BE  
A TRUE COPY OF AN ORDINANCE ADOPTED  
BY THE HOPEWELL TOWNSHIP COMMITTEE  
AT A MEETING HELD

September 12, 2005  
DATE

5   
ANNETTE C. BIELAWSKI, MUNICIPAL CLERK

TOWNSHIP OF HOPEWELL  
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 05-1353

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF  
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF  
HOPEWELL TO ESTABLISH REGULATIONS CONCERNING  
ILLICIT CONNECTIONS TO MUNICIPAL STORMWATER SYSTEMS

WHEREAS, The U.S. Environmental Protection Agency (EPA) published the regulation entitled "National Pollutant Discharge Elimination System - Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (*Federal Register*, Volume 64, Number 235, pages 68722-68852) on December 8, 1999 as required by Section 402(p) of the Clean Water Act (CWA); and

WHEREAS, in February 2004 the New Jersey Department of Environmental Protection adopted new Stormwater Management Rules (N.J.A.C. 7:8) in fulfillment of its obligations under the USEPA Regulations; and

WHEREAS, Hopewell Township is designated as a Tier A Municipality under 7:8 and is obligated to implement certain ordinances required by the Tier A NJPDES Municipal Stormwater General Permit (NJ0141852) on or before October 2005; and

WHEREAS, the Hopewell Township Committee desires to meet its obligations under 7:8.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that a new Section 21, Chapter 3 of the Revised General Ordinances, entitled "Illicit Connection Ordinance" be created as follows:

3-21.1 Purpose. An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Hopewell so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

3-21.2 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 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 corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. 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 [insert name of municipality], 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.
- c. 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)).
- d. 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 [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.
- e. 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.
- f. 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.
- g. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. 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, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

- i. 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.

3-21.3 **Prohibited Conduct.** No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Hopewell any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

3-21.4 **Penalties.** Any person found to be in violation of the provisions of this ordinance shall be subject to the penalty provisions set forth at Section 3-1 of this Chapter.

3-21.5 **Severability.** Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**BE IT FURTHER ORDAINED** that this section shall take effect upon final adoption and publication in accordance with law.

Date Introduced: August 8, 2005  
Date Advertised: August 25, 2005  
Date Adopted: September 26, 2005



Arlene A. Kemp  
Mayor

Attest:



Annette C. Bielawski  
Municipal Clerk

**CERTIFICATION**  
I HEREBY CERTIFY THE FOREGOING TO BE  
A TRUE COPY OF AN ORDINANCE ADOPTED  
BY THE HOPEWELL TOWNSHIP COMMITTEE  
AT A MEETING HELD

September 26, 2005  
DATE

Annette C. Bielawski  
ANNETTE C. BIELAWSKI, MUNICIPAL CLERK

TOWNSHIP OF HOPEWELL  
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 05-1354

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF  
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF  
HOPEWELL TO ESTABLISH REGULATIONS CONCERNING  
WILDLIFE FEEDING ON PUBLIC PROPERTY

WHEREAS, The U.S. Environmental Protection Agency (EPA) published the regulation entitled "National Pollutant Discharge Elimination System - Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (*Federal Register*, Volume 64, Number 235, pages 68722-68852) on December 8, 1999 as required by Section 402(p) of the Clean Water Act (CWA); and

WHEREAS, in February 2004 the New Jersey Department of Environmental Protection adopted new Stormwater Management Rules (N.J.A.C. 7:8) in fulfillment of its obligations under the USEPA Regulations; and

WHEREAS, Hopewell Township is designated as a Tier A Municipality under 7:8 and is obligated to implement certain ordinances required by the Tier A NJPDES Municipal Stormwater General Permit (NJ0141852) on or before October 2005; and

WHEREAS, the Hopewell Township Committee desires to meet its obligations under 7:8.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that a new Section 22, Chapter 3 of the Revised General Ordinances, entitled "Wildlife Feeding" be created as follows:

3-22.1 Purpose. An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Hopewell, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

3-22.2 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 not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. 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.
- b. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife - all animals that are neither human nor domesticated.


3-22.3 Prohibited Conduct. No person shall feed, in any public park or on any other property owned or operated by Township of Hopewell any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

3-22.5 Violations and Penalties. Any person found to be in violation of the provisions of this ordinance shall be subject to the penalty provisions set forth at Section 3-1 of this Chapter, except that no person found to be in violation of the provisions of this ordinance shall be subject to imprisonment.

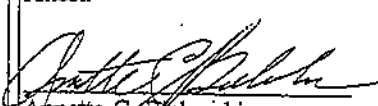
3-22.6 Severability. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

BE IT FURTHER ORDAINED that this section shall take effect upon final adoption and publication in accordance with law.

Date Introduced: August 8, 2005  
Date Advertised: August 25, 2005  
Date Adopted: September 26, 2005

  
Arlene A. Kemp  
Mayor

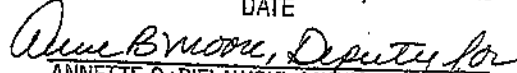
Attest:

  
Annette C. Bielawski  
Municipal Clerk

CERTIFICATION

I HEREBY CERTIFY THE FOREGOING TO BE  
A TRUE COPY OF AN ORDINANCE ADOPTED  
BY THE HOPEWELL TOWNSHIP COMMITTEE  
AT A MEETING HELD

September 26, 2005  
DATE

  
ANNETTE C. BIELAWSKI, MUNICIPAL CLERK

TOWNSHIP OF HOPEWELL  
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 05-1356

AN ORDINANCE AMENDING AND SUPPLEMENTING  
SECTION 18, "BRUSH AND LANDSCAPE DEBRIS", OF  
CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF  
THE REVISED GENERAL ORDINANCES OF  
THE TOWNSHIP OF HOPEWELL

EXPLANATION: Words in brackets [...] to be deleted  
Words underlined \_\_\_\_\_ to be added

WHEREAS, The U.S. Environmental Protection Agency (EPA) published the regulation entitled "National Pollutant Discharge Elimination System - Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (*Federal Register*, Volume 64, Number 235, pages 68722-68852) on December 8, 1999 as required by Section 402(p) of the Clean Water Act (CWA); and

WHEREAS, in February 2004 the New Jersey Department of Environmental Protection adopted new Stormwater Management Rules (N.J.A.C. 7:8) in fulfillment of its obligations under the USEPA Regulations; and

WHEREAS, Hopewell Township is designated as a Tier A Municipality under 7:8 and is obligated to implement certain ordinances required by the Tier A NJPDES Municipal Stormwater General Permit (NJ0141852) on or before October 2005; and

WHEREAS, the Hopewell Township Committee desires to meet its obligations under 7:8.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

Section 3-18, entitled "Brush and Landscape Debris," of Chapter III of the Revised General Ordinances of the Township of Hopewell, be deleted in its entirety and replaced with new Section 3-18 entitled "Yard Waste Collection" as follows:

3-18.1 Purpose. An ordinance to establish a yard waste collection and disposal program in the Township of Hopewell, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

3-18.2 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 not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Containerized - means the placement of yard waste in a trash can, bucket, biodegradable bag or by any other method of containment, so as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater runoff.

b. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Street - means 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.

d. Yard Waste - shall mean leaves and brush/landscape debris. Brush/landscape debris shall be more particularly defined by Subsection 3-18.3.3. Grass clippings are a separate waste product that is not collected by Hopewell Township.

3-18.3 Yard Waste Collection

3-18.3.1 Routine collection of yard waste shall be limited to the period between September 1 and June 31 of each year or as deemed necessary.

3-18.3.2 Sweeping, raking, blowing or otherwise placing yard waste, is only permitted during a scheduled and announced collection and during the seven (7) calendar day period prior to the scheduled and announced collection. Yard waste may not be placed closer than 10 feet from any storm drain inlet and may not be placed within the street on or any street pavement. Placement of yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

3-18.3.3 In order to allow for safe and efficient collection of brush and landscape debris, the following regulations must be followed:


- a. Collection shall be limited to brush and tree prunings.
- b. Tree trunks and limbs in excess of six inches in diameter shall not be collected.
- c. Limbs shall be no longer than five (5) feet in length.
- d. All limbs and brush shall be placed in an orderly manner with all butts (6" maximum) facing the roadside. The size of the pile may not be larger than four feet high by 15 feet wide and is limited to one pile per property.
- e. Small brush must be tied with twine in bundles not to exceed six inches in diameter.
- f. Forsythia, willow vines, firethorns, and briars must be tied in bundles not to exceed six inches in diameter.
- g. Apple, pin oak branches, and small branches must be stripped from main branch.
- h. Small twigs must be bagged.
- i. No wire, nails or metal should be left in materials to be chipped.
- j. Diseased material and firewood will not be collected or disposed of by Hopewell Township.

3-18.4 Violations and Penalties. Any person found to be in violation of the provisions of this ordinance shall be subject to the penalty provisions set forth at Section 3-1 of this Chapter, except that no person found to be in violation of the provisions of this ordinance shall be subject to imprisonment.

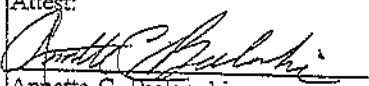
3-18.5 Severability. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

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

Date Introduced: September 26, 2005  
Date Advertised: September 29, 2005  
Date Adopted: October 11, 2005

  
Arlene A. Kemp  
Mayor

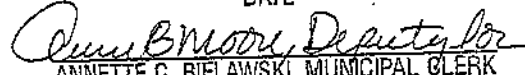
Attest:

  
Annette C. Bielawski  
Municipal Clerk

**CERTIFICATION**

I HEREBY CERTIFY THE FOREGOING TO BE  
A TRUE COPY OF AN ORDINANCE ADOPTED  
BY THE HOPEWELL TOWNSHIP COMMITTEE  
AT A MEETING HELD

October 11, 2005  
DATE

  
ANNETTE C. BIELAWSKI, MUNICIPAL CLERK



TOWNSHIP OF HOPEWELL  
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 05-1357

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF  
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF  
HOPEWELL TO ESTABLISH REQUIREMENTS FOR THE  
PROPER HANDLING OF YARD WASTE

WHEREAS, The U.S. Environmental Protection Agency (EPA) published the regulation entitled "National Pollutant Discharge Elimination System - Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (*Federal Register*, Volume 64, Number 235, pages 68722-68852) on December 8, 1999 as required by Section 402(p) of the Clean Water Act (CWA); and

WHEREAS, in February 2004 the New Jersey Department of Environmental Protection adopted new Stormwater Management Rules (N.J.A.C. 7:8) in fulfillment of its obligations under the USEPA Regulations; and

WHEREAS, Hopewell Township is designated as a Tier A Municipality under 7:8 and is obligated to implement certain ordinances required by the Tier A NJPDES Municipal Stormwater General Permit (NJ0141852) on or before October 2005; and

WHEREAS, the Hopewell Township Committee desires to meet its obligations under 7:8.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that a new Section 20 of Chapter III of the Revised General Ordinances, entitled "Containerized Yard Waste" be created as follows:

3-20.1 Purpose. The purpose of this section shall be to establish requirements for the proper handling of yard waste and grass clippings in the Township of Hopewell so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

3-20.2 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 not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized - means the placement of yard waste and grass clippings in a trash can, bucket, biodegradable bag or by any other method of containment, so as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater runoff.
- b. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street - means 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.
- d. Yard Waste - shall mean leaves, brush, and landscape debris.

**3-20.3 Prohibited Conduct.** 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 yard waste in the street unless the yard waste is placed in accordance with the Yard Waste Collection Ordinance. If yard waste is not containerized and placed in the street in a manner inconsistent with the Yard Waste Collection Ordinance, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

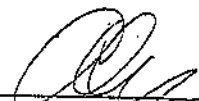
The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place grass clippings in the street. If grass clippings are not containerized and placed in the street, the party responsible for placement of grass clippings must remove the grass clippings from the street or said party shall be deemed in violation of this ordinance.


**3-20.4 Violations and Penalties.** Any person found to be in violation of the provisions of this ordinance shall be subject to the penalty provisions set forth at Section 3-1 of this Chapter, except that no person found to be in violation of the provisions of this ordinance shall be subject to imprisonment.

**3-20.5 Severability.** Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

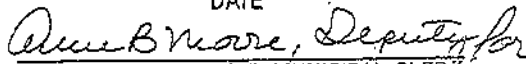
This section shall take effect upon final adoption and publication in accordance with law.

Date Introduced: September 26, 2005  
Date Advertised: September 29, 2005  
Date Adopted: October 11, 2005

  
\_\_\_\_\_  
Arlette A. Kemp  
Mayor

Attest:  
  
\_\_\_\_\_  
Annette C. Bielawski  
Municipal Clerk

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