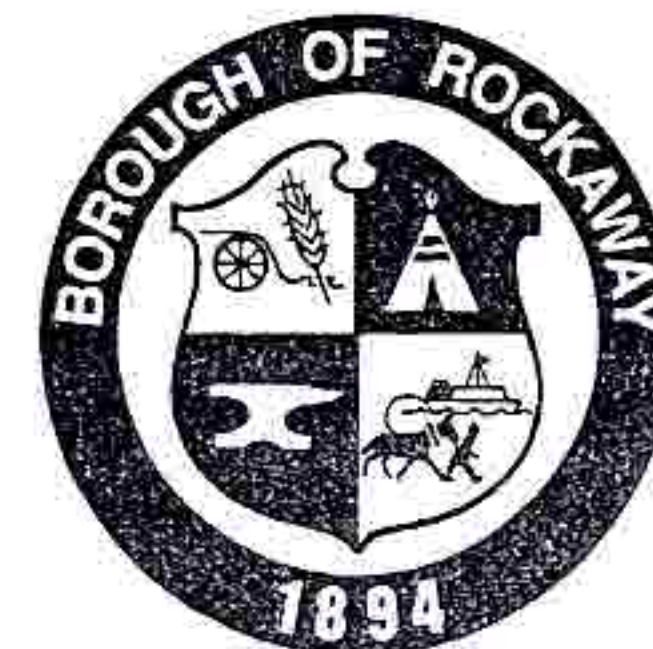


Borough of Rockaway



MUNICIPAL BUILDING • 1 EAST MAIN STREET • ROCKAWAY, NEW JERSEY 07866

APPLICATION FOR SEWER SERVICE

DATE: _____

The undersigned hereby requests the Borough of Rockaway to supply sewer service to premises located on _____, known as Block _____, Lot _____, in the Borough of Rockaway, County of Morris, subject to regulations now or hereafter to be adopted concerning the supply and use of sewer service in the Borough, and do hereby agree to pay therefore; without demand, the rates established by the Borough for tapping into the sewer main. New homes will also require a separate water connection application and payment of appropriate tapping and connection fees.

Abandonment of a septic system or well is covered by the local Health Dept. Call 973-989-7050 at least 24 hours before the system is pumped out and filled in or the well is sealed by a licensed well driller.

You **MUST** obtain a plumbing permit from the Building Department before final connection is made.

You **MUST** attach the following:

- a copy of your approved permit from the Rockaway Valley Regional Sewerage Authority;
- a sketch showing the relative position of the sewer, the property and the proposed work;
- a check for the sewer service fee of \$1,000.00;
- a separate check for the performance bond of \$200.00;
- a certificate of insurance designating the specific project and guaranteeing notification to the Borough of Rockaway in the event of cancellation with the following coverages: comprehensive general liability policy at least \$1,000,000 each occurrence and \$2,000,000 general aggregate; workers compensation limits shall be \$1,000,000 each accident, \$1,000,000 disease-policy limit, \$1,000,000 disease - each employee; and commercial automobile policy limit shall be a minimum of \$1,000,000 each accident. All liability insurance shall include the Borough of Rockaway, its departments, agencies, boards, commissions, officers, officials, agents, servants, administrators, and employees as additional insureds, on a primary and non-contributory basis.
- Pursuant to Chapter 173, Licenses and Permits, if the applicant is the owner of the aforementioned property, the applicant must provide proof from the Borough of Rockaway Tax Collector that taxes and assessments have been paid through the current quarter prior to the issuance of this permit.

Contractor/Address _____

Work to be Performed _____

In applying for sewer service, I have been given a copy of and read Chapter 213 and the applicable section of Chapter A263, Fees, and agree to fully comply with all its provisions.

Owner _____ Address/Telephone _____

(FOR OFFICE USE ONLY)

Service Fee \$1,000.00 Check No. _____ Perf. Bond \$200.00 Check No. _____ Date: _____

Supt., Public Works Approved Denied _____ Date: _____

Borough Engineer Approved Denied _____ Date: _____

Borough Permit No. _____ Issue Date _____

Copies to: Applicant Engineer Clerk Building Dept. Health Dept. Public Works Dept. Water Clerk

CHAPTER A263, FEES

[HISTORY: Adopted by the Mayor and Council of the Borough of Rockaway 11-14-1991 by Ord. No. 23-91. Amendments noted where applicable.]

§ A263-1. Fees established.

The following fees are hereby established:

J. Chapter 213, Sewers. [Amended 4-10-2003 by Ord. No. 03-03; 12-17-2007 by Ord. No. 24-07]

- (1) The fee to obtain permission to make a four-inch sanitary sewer connection from the sewer main to the curb shall be \$1,000.
 - (a) The applicant shall notify the Public Works Department of the intended date and time when such connection is to be made so that the Public Works Department may inspect such connection and approve of same before any backfilling of any excavation shall commence.
 - (b) At the time the applicant receives the permit to make such connection, the applicant shall provide the Borough Clerk with a certificate of insurance evidencing that the applicant has obtained a Comprehensive General Liability policy, a Workmen's Compensation and Employer's Liability policy and a Commercial Automobile policy guaranteeing notification to the Borough of Rockaway in the event of cancellation thereof. All of the policies shall be subject to the approval of the Borough Attorney and shall name the Borough of Rockaway as an additional named insured by endorsement designating the specific project. The Comprehensive General Liability policy shall have limits of at least \$1,000,000 Each Occurrence and \$2,000,000 General Aggregate. The Workers Compensation limits shall be \$1,000,000 Each Accident, \$1,000,000 Disease-Policy Limit, \$1,000,000 Disease - Each Employee. The commercial automobile policy limit shall be a minimum of \$1,000,000 each accident.
 - (c) The applicant shall post a performance bond with the Borough of Rockaway in an amount of \$200 to be retained by the Borough to assure that any repairs to public facilities such as road pavement, curbs, sidewalks and utilities shall be maintained in accordance with the requirements of the Borough Engineer for one year following the completion of such improvements.
 - (d) One year after any improvements are made to pavement, curbing and/or sidewalks or other public utilities or improvements, the applicants shall make an application for the performance bond to be released. The application shall be made to the Public Works Department and upon certification to the Borough Treasurer by the Director of Public Works that the improvements and restoration are in satisfactory condition, the performance bond may be released. Should the applicant fail to properly maintain the improvements, the Borough shall give the applicant notice of such deficiency, and should the applicant fail to correct such deficiency(ies) within 45 days of such notice, the Borough may proceed to have the deficiency(ies) corrected utilizing the performance bond posted with the Borough.
- (2) The fee to obtain a dye test to determine if a building is connected to the Borough's sanitary sewer shall be \$50 per test and shall be payable at the time the application for a dye test is submitted. [Added 3-25-2010 by Ord. No. 07-10]

Chapter 213

SEWERS

ARTICLE I Regulations

- § 213-1. Definitions.
- § 213-2. Connection required.
- § 213-3. Existing buildings altered for human occupancy.
- § 213-4. Applications for service.
- § 213-5. Permit not to modify application; revocation of permit.
- § 213-6. Connection expenses; maintenance and repair; fees.
- § 213-7. Payment of fees.
- § 213-8. Connection specifications.
- § 213-9. Failure to comply; work done by Borough.
- § 213-10. Inspections; illegal hookups; violations and penalties.
- § 213-11. Local Sewer Service Rules.
- § 213-12. Prohibited conduct.

- § 213-13. Violations and penalties.
- § 213-14. Enforcement.

ARTICLE II Improper Disposal of Waste

- § 213-15. Definitions.
- § 213-16. Prohibited conduct.
- § 213-17. Exceptions to prohibition.
- § 213-18. Violations and penalties.
- § 213-19. Enforcement.

ARTICLE III Private Storm Drain Inlet Retrofitting

- § 213-20. Purpose.
- § 213-21. Definitions.
- § 213-22. Prohibited conduct.
- § 213-23. Design standard.
- § 213-24. Enforcement.
- § 213-25. Violations and penalties.

[HISTORY: Adopted by the Mayor and Council of the Borough of Rockaway as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Uniform construction codes — See Ch. 115.
Housing — See Ch. 159.
Land development — See Chs. 169 through 172.
Streets and sidewalks — See Ch. 217.

Swimming pools — See Ch. 221.
Water — See Ch. 247.
Health and sanitation — See Ch. 261.
Fees — See Ch. A263.

ARTICLE I Regulations

[Adopted 11-14-1991 by Ord. No. 30-91]

§ 213-1. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

BUILDING — Includes any building or structure constructed, designed or used for dwelling purposes or for any other use or occupancy by human beings, either temporarily or permanently.

BUILDING LOCATED ON ANY STREET — Includes a building located on any parcel of land contiguous to a street in which a sewer has been or is hereafter constructed.

CONNECTION — Includes the lateral pipe connecting the system of piping or plumbing installed within a building for the purpose of collecting and conveying therefrom sewage and other household wastes with the sanitary sewer installed in a public street.

DOMESTIC SEWAGE — Waste and wastewater from humans or household operations.
[Added 10-13-2005 by Ord. No. 19-05]

ILLICIT CONNECTION — Any physical or nonphysical connection that discharges domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Borough of Rockaway, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system. **[Added 10-13-2005 by Ord. No. 19-05]**

INDUSTRIAL WASTE — Nondomestic 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)]. **[Added 10-13-2005 by Ord. No. 19-05]**

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — 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 Borough of Rockaway or other public body, and is designed and used for collecting and conveying stormwater. **[Added 10-13-2005 by Ord. No. 19-05]**

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. **[Added 10-13-2005 by Ord. No. 19-05]**

NONCONTACT 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. Noncontact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors. **[Added 10-13-2005 by Ord. No. 19-05]**

PERSON — Any individual, partnership, corporation, owner, tenant, lessee, occupant, association, organization or other legal entity residing, owning or operating, managing, leasing or occupying any premises or commercial or industrial business within the Borough of Rockaway and serviced by the sanitary sewer system or the municipal separate storm sewer system. **[Added 10-13-2005 by Ord. No. 19-05]**

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 noncontact cooling water. **[Added 10-13-2005 by Ord. No. 19-05]**

SEWER — Any sewer or sewer main designed or used for the collection or disposal of sanitary sewage and located in any public street in the Borough.

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. **[Added 10-13-2005 by Ord. No. 19-05]**

§ 213-2. Connection required.

- A. Where any building is located upon any street in the Borough of Rockaway in which a sanitary sewer has heretofore been constructed and is in operation, said building shall be connected with said sanitary sewer within 90 days after this chapter shall take effect.
- B. Where any sanitary sewer shall hereafter be constructed in any street in the Borough of Rockaway, the buildings located upon such street shall be connected with said sanitary sewer within 90 days after the completion of said sewer. Such completion shall be certified to the Council of the Borough of Rockaway by the Borough Engineer.
- C. When any building shall hereafter be constructed on any street in the Borough of Rockaway in which a sanitary sewer exists and is in operation at the time of such construction, said building shall be connected with said sanitary sewer during the course of construction, and no use or occupancy of such building shall be permitted until said sewer connection has been made, inspected and approved.

§ 213-3. Existing buildings altered for human occupancy.

When any existing building on any street in the Borough of Rockaway wherein a sanitary sewer exists and is in operation is altered for use and occupancy by human beings, either temporarily or permanently, said building or structure shall be connected with the sanitary sewer during the course of alteration thereof, and no use or occupancy of such building shall be permitted until such sewer connection has been made, inspected and approved.

§ 213-4. Applications for service.

- A. Applications for permission to connect with the Borough sanitary sewage system must be made, in writing, to the Borough Clerk by the owner of the property.
- B. Such application shall give the precise location of the property, the name and address of the owner and the name and address of the plumber, contractor or person engaged to do the work, shall state what work is to be performed and shall be accompanied by a sketch showing the relative position of the sewer, the property and the proposed work.
- C. Applications shall be made on forms furnished by the Borough.

§ 213-5. Permit not to modify application; revocation of permit.

No permit shall be deemed to authorize anything not stated in the application, and for any misrepresentation in such application, the permit may be revoked.

§ 213-6. Connection expenses; maintenance and repair; fees.

- A. Whenever any of the work herein provided for is done, it shall be at the expense of the owner or owners of the land in front or upon which the same is done.
- B. Such owner or owners shall also be responsible for the maintenance, repair and replacement of any lateral installed upon premises owned by him or them or other work done in connection therewith.
- C. Such owner shall also pay the connection fees applicable to such building as established from time to time by ordinance duly adopted by the Mayor and Council.
- D. The fee to permit the applicant to obtain permission for a four-inch sanitary sewer connection from the sewer main to the curblin (not to exceed 30 feet) shall be as provided in Chapter A263, Fees, and when it is necessary to break up permanent pavement to make said connection, there shall be an additional charge as provided in Chapter A263, Fees. The method of computation shall be as follows: **[Amended 8-11-2005 by Ord. No. 12-05]**
- (1) Any dwelling house providing family accommodations for more than one family shall pay therefor a fee equal to the number of such families times the rate established.
 - (2) Any store premises erected to provide for more than one store or place of business shall pay therefor a fee equal to the number of stores plus the number of private family dwellings times the rate established.
 - (3) Any combined store and dwelling premises shall pay therefor a fee equal to the number of stores plus the number of private family dwellings times the rate established.
 - (4) Where an existing structure is remodeled or enlarged to provide for additional tenants, the owner or owners shall pay therefor a sewer connection fee equal to the number of additional tenants times the rate established.
- E. In the case of an industrial plant or in any other case where the connection charge is not specifically provided for in this chapter, the Mayor and Council may, by resolution, fix and determine the fee to be charged for any such connection.
- F. The fee to be paid by an applicant at the time of requesting a dye test to determine if a building is connected to the Borough's sanitary sewer shall be as provided in Chapter A263, Fees. **[Added 3-25-2010 by Ord. No. 07-10]**

§ 213-7. Payment of fees.

All fees provided for in this chapter shall be paid to the Borough Clerk at the time the application is made for permission to connect with the Borough sewerage system.

§ 213-8. Connection specifications.

Every connection required by this chapter shall be made with bell-and-spigot soil pipe of cast iron, caulked and leaded, extending from inside the building foundation to the sewer. All such connections shall be made and installed in accordance with the Plumbing Code of the Board of Health of Rockaway and shall be inspected and approved in accordance with the Health

Regulations of the Borough of Rockaway and the State of New Jersey prior to any use thereof.

§ 213-9. Failure to comply; work done by Borough.

If the owner of any property in the Borough shall fail to make any connection or installation required by this chapter within the time required herein, the Borough may proceed to make such connection or installation or cause the same to be made and charge and assess the cost thereof against such property pursuant to the authority of N.J.S.A. 40:63-54 et seq.¹

§ 213-10. Inspections; illegal hookups; violations and penalties.

- A. The owner of a building in the Borough of Rockaway, which building is connected to the Borough sewerage system by virtue of a permit issued to said owner by the Borough of Rockaway or Jersey City, shall allow the Sanitary Inspector or a designated agent, as a condition to the holding of said permit, to inspect said premises no less than semiannually. Any permit heretofore issued or hereafter issued to an owner of any building in the Borough of Rockaway shall be deemed to imply consent to said inspection as a term and condition of the issuance and continuance of said permit. The Sanitary Inspector or a duly authorized agent shall present proper credentials to the owner, and the inspection made shall be limited to the purposes hereinafter stated.
- B. In the event that the Sanitary Inspector or a duly authorized agent shall determine, upon making said inspection, that the owner of said building has connected to the sanitary sewer line a sump pump or pumping device which directly or indirectly injects water without sewerage into the sanitary sewerage system, the Sanitary Inspector shall cause to be served upon said property owner a notice of the violation and shall give said owner a reasonable time within which to disconnect said illegal hookup or prevent the injection of water as aforementioned. The notice shall contain a date upon which a reinspection shall be made to determine compliance with the terms herewith. Thereafter, the owner shall, at the owner's expense, immediately disconnect said connection and/or provide for diversion of said waters to some other area or pipeline which will not cause said water to be injected into the sanitary sewerage system.
- C. Any person violating any of the terms of this section shall, upon conviction thereof by the Municipal Judge, be subject to a fine of not less than \$100 nor more than \$2,000 and/or imprisonment of not more than 90 days or 90 days' community service, all in the discretion of the Court. For each day after the owner shall have been required to correct the hookup which shall be deemed a violation of this section, it shall be considered a separate violation of this section, and the owner shall be subject to said fine and/or imprisonment as aforesaid. [Amended 8-24-2006 by Ord. No. 15-06]

1. Editor's Note: N.J.S.A. 40:63-54 was repealed by Chapter 53, Laws of 1991.

§ 213-11. Local Sewer Service Rules.

- A. There is hereby adopted by the Borough of Rockaway in the County of Morris, for the purpose of establishing rules and regulations affecting the installation, maintenance, repair and control of pumping and drainage of buildings and the connection thereof with an outside sewer, the Local Sewer Service Rules Governing the Use of the Rockaway Valley Regional Sewerage Authority Treatment System, February 1982. Pursuant to the provisions of N.J.S.A. 40:49-5.1, a copy of said rules is annexed to this chapter, and three copies of the same have been and are now filed in the office of the Clerk of Rockaway Borough and will remain on file there for the use and examination of the public.
- B. Wherever the word "municipality" appears in the text of the Local Sewer Service Rules, it shall be understood to mean the Borough of Rockaway.
- C. The office of the Construction Official of the municipality shall be empowered to enforce the provisions of the Local Sewer Service Rules in the manner provided by Article VII of said rules.
- D. Any person who shall violate any provisions of the Local Sewer Service Rules or shall fail to comply with any of the requirements thereof shall, upon conviction, be punished by a fine of not less than \$100 nor more than \$2,000 and/or imprisonment in the county jail for a term not exceeding 90 days or 90 days' community service, all in the discretion of the Court. Each violation of said rules and each and every day the same is violated shall be deemed to be a separate and distinct offense. Said fine and penalty shall be in addition to and not in lieu of any other remedy or penalty provided by law. **[Amended 8-24-2006 by Ord. No. 15-06]**

§ 213-12. Prohibited conduct. [Added 10-13-2005 by Ord. No. 19-05]

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 Rockaway any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater).

§ 213-13. Violations and penalties. [Added 10-13-2005 by Ord. No. 19-05; amended 8-24-2006 by Ord. No. 15-06]

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be punishable by one or more of the following: by a fine of not less than \$100 nor more than \$2,000; by imprisonment not exceeding 90 days; or by a period of community service not exceeding 90 days, all in the discretion of the Court.

§ 213-14. Enforcement. [Added 10-13-2005 by Ord. No. 19-05]

The provisions of this article shall be enforced by the Superintendent of Public Works or the Sanitary Inspector or the Borough Engineer or the office of the Construction Official.

ARTICLE II
Improper Disposal of Waste
[Added 10-13-2005 by Ord. No. 19-05]

§ 213-15. Definitions.

As used herein, the following terms shall have the meanings indicated:

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — 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 Rockaway 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.

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.

§ 213-16. Prohibited conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Rockaway is prohibited. 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.

§ 213-17. Exceptions to prohibition.

- A. Waterline flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air conditioning condensate (excluding contact and noncontact 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. Flows from rinsing of the following equipment with clean water:
 - (1) Beach maintenance equipment immediately following its use for its intended purposes; and

- (2) Equipment used in the application of salt and deicing materials immediately following salt and deicing material applications. Prior to rinsing with clean water, all residual salt and deicing materials must be removed from equipment by shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded. 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.

§ 213-18. Violations and penalties. [Amended 8-24-2006 by Ord. No. 15-06]

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be punishable by one or more of the following: by a fine of not less than \$100 nor more than \$2,000; by imprisonment not exceeding 90 days; or by a period of community service not exceeding 90 days, all in the discretion of the Court.

§ 213-19. Enforcement.

The provisions of this article shall be enforced by the Superintendent of Public Works or the Sanitary Inspector or a member of the Police Department.

ARTICLE III

Private Storm Drain Inlet Retrofitting
[Adopted 9-24-2009 by Ord. No. 10-09]

§ 213-20. Purpose.

It is the purpose of this article to require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Rockaway so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 213-21. Definitions.

As used in 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.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — 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 Rockaway 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.

STORM DRAIN INLET — An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

WATERS OF THE STATE — The ocean and its estuaries, all springs, streams and bodies of surface- or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 213-22. Prohibited conduct.

No person in control of private property (except a residential lot with one single-family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- A. Already meets the design standard below to control passage of solid and floatable materials; or
- B. Is retrofitted or replaced to meet the standard in § 213-23 below prior to the completion of the project.

§ 213-23. Design standard.

Storm drain inlets identified in § 213-22 above 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 § 213-23E below.

- A. Design engineers shall use either 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 (April 1996); or
 - (2) A different grate, if each individual clear space in that grate has an area of no more than seven square inches, or is no greater than 0.5 inch across the smallest dimension.
- B. 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.

- C. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
- D. Whenever design engineers use a curb-opening inlet, 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 (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
- E. This standard does not apply:
- (1) Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - (2) Where flows 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 5/8 inches long and 1 1/2 inches wide (This option does not apply for outfall netting facilities); or
 - (b) A bar screen having a bar spacing of 0.5 inch.
 - (3) Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars; or
 - (4) 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.

§ 213-24. Enforcement.

The provisions of this article shall be enforced by the Superintendent of Public Works or a member of the Police Department or the Rockaway Borough Health Department or the Borough Engineer.

§ 213-25. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be punishable by one or more of the following: by a fine of not less than \$100 nor more than \$2,000; by imprisonment not exceeding 90 days; or by a period of community service not exceeding 90 days, all in the discretion of the Court.