

**ORDINANCE NO. 21 – 10
HARMONY TOWNSHIP
WARREN COUNTY, NEW JERSEY**

ORDINANCE OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND CHAPTER 142 “STORMWATER MANAGEMENT” TO REFLECT WARREN COUNTY PLANNING DEPARTMENT COMMENTS.

WHEREAS, the Township of Harmony has a Stormwater Management Ordinance pursuant to the requirements in N.J.A.C. 7:8, and its Municipal Stormwater Permit; and

WHEREAS, the Stormwater Management Ordinance is subject to change when the State amends N.J.A.C. 7:8; and

WHEREAS, the State of New Jersey amended its Stormwater Management Rules at N.J.A.C. 7:8 on March 2, 2020; and

WHEREAS, the municipalities in the State of New Jersey are required to amend their Stormwater Control Ordinances to align with the updated Stormwater Management Rules at N.J.A.C. 7:8 on or before March 2, 2021; and

WHEREAS, on March 2, 2021 the Township Committee adopted revisions to Chapter 142 Stormwater Management (Ordinance 21-2) pursuant to the aforementioned New Jersey Department of Environmental Protection rules; and

WHEREAS, the Warren County Planning Department reviewed the recently adopted Stormwater Management Ordinance and issued an April 12, 2021 letter to the Township Clerk recommending modifications to the Stormwater Management Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMITTEE OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY, THAT CHAPTER 142 STORMWATER MANAGEMENT OF THE CODE OF THE TOWNSHIP OF HARMONY SHALL BE AMENDED, REVISED AND SUPPLEMENTED AS FOLLOWS:

Section One - Chapter 142 of the Code of the Township of Harmony entitled “Stormwater Management” is amended as follows:

Amend Section 142-2 Definitions as follows:

“**County review agency**” means an agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

Amend Section 142-4.D.4 as follows:

Revise the reference to IV.D.3 to 142-4.D.3

Amend Section 142-8.C.3.ii as follows:

Revise the reference to VIII.E. to 8.E.

Amend Section 142-10.B.7.iii as follows:

Revise the reference to 142-10s.B.6 to 142-10.B.6.

Replace Section 142-11.A with the following:

142-11.A. The municipal review agency may grant variances from the design and performance standards in §142-4.O, P, Q and R as set forth in this stormwater control ordinance provided that the mitigation standards provided in the Township’s Stormwater Management Plan and the following conditions are met.

Section Two

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section Three

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

ATTEST:

Township of Harmony

Katrina L. Campbell,
Township Attorney

By: _____
Brian Tipton, Mayor

DATED:

I hereby certify that the above is a true copy of the Resolution adopted by the Harmony Township Committee at its meeting on XX, 2021.

Kelley Smith, Administrator/Clerk