

Borough of Glen Rock
ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 225 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK 1971, ENTITLED “WATER”, TO REPLACE SECTIONS 225-2, 5, 6 & 7, “DEFINITIONS”, “REGULATIONS”, “UNLAWFUL ACTS; MINIMUM FINE”, AND “VIOLATIONS AND PENALTIES”, WITH NEW REGULATIONS REGARDING OUTDOOR LANDSCAPE WATER IRRIGATION CONSERVATION MEASURES.

WHEREAS, the water supplies within the Glen Rock municipality should be protected to afford the greatest beneficial use to Glen Rock citizens and businesses, which depend on adequate water supplies for their livelihood, health, welfare, and economic production; and

WHEREAS, the water resources associated with the Glen Rock municipality have been threatened in the past due to drought conditions; and

WHEREAS, there exists a need to ensure water is available for uses essential to the health, welfare and safety of the Glen Rock municipality and for averting or lessening the impact of any water shortage; and

WHEREAS, taking steps to ensure clean, wholesome, and adequate water supplies is a high priority in protecting the health, safety, and welfare of Glen Rock citizens;

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Glen Rock municipality has the power to adopt ordinances necessary and proper for the protection of persons and property, and the preservation of the public health, safety and welfare;

BE IT ORDAINED by the Borough Council of the Borough of Glen Rock, County of Bergen, State of New Jersey, as follows:

Section 225-2. The Revised General Ordinances of the Borough of Glen Rock 1971, Section 225-2, entitled “Definitions” is hereby amended as follows:

WATER

That water obtained, delivered and/or supplied to any persons by the Department of Water Supply of the Borough of Ridgewood, and from private wells, lakes, streams, or ponds.

Section 225-5. The Revised General Ordinances of the Borough of Glen Rock 1971, Sections 225-5, 6 & 7, entitled “Regulations”, “Unlawful Acts”, and “Violations and Penalties” is hereby amended by being replaced in its entirety with the following:

I. Water Use Restrictions

This subsection supercedes any user restriction of Stage I and II imposed by the Village of Ridgewood Water Department. For restrictions beyond Stages I and II see subsection II below, titled Water Emergency. Restrictions on outdoor landscape water use apply to all properties in Glen Rock including government, residential, commercial, and religious properties at all times.

A. Irrigation of lawns and landscapes by conventional irrigation systems or devices (not equipped with a SMART controller). These include hose-end irrigation systems or conventional automatic irrigation systems.

1. May only be done two days per week: Tuesday and Saturday (odd numbered addresses) or Wednesday and Sunday (even numbered addresses);
2. Watering shall only be conducted before 10 AM or after 5 PM on the permissible days;
3. The watering of any single area shall not exceed 30 minutes per day (hose-end sprinklers), 15 minutes (spray/mist heads) or 50 minutes (rotary heads);
4. No watering shall be permitted when it is raining;
5. Conventional automatic irrigation systems shall be equipped with an operational automatic rain sensor device, which disables the system when 1/2 inch or more of rain has fallen in a single rainfall event.

B. Irrigation of lawns and landscapes with automatic irrigation system equipped with a SMART controller. A SMART controller is defined as a weather-based irrigation controller or soil moisture-based irrigation controller meeting specified criteria and labeled as being compliant under the United States Environmental Protection Agency (EPA) WaterSense program. Such a controller is capable of estimating or measuring depletion of available plant soil moisture and operating the irrigation system as needed while minimizing excess water use.

1. The SMART controller shall be installed and programmed by a contractor who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to N.J.S.A. 45:5AA-3. The following exceptions shall apply:
 - a. Certification shall not be required for public employees performing work on property of the public entity, for vendors of landscape irrigation components, materials or equipment delivering, rendering advice or assistance or performing normal warranty service for such equipment, for contractors installing or performing work on irrigation equipment to be used solely for agricultural purposes or for licensed plumbing contractors.
 - b. Certification shall not be required for homeowners performing work on landscape irrigation systems on their own properties.
2. The SMART controller shall be programmed to irrigate before 10 AM or after 5 PM. Irrigation may occur on any day of the week, in accordance with the programmed profile. The rain sensor shall discontinue watering when 1/2 inch or more of rain has fallen in a single rainfall event.
 - a. Proper sprinkler head data and accurate soil/plant/irrigation information shall be entered by the installer;

- b. A copy of the controller programming data in printed form shall be retained by the system owner, for later use if needed;
 - c. The installer shall ensure that the system is correctly installed and programmed to achieve the desired irrigation profile;
 - 3. The SMART controller must be listed by the U.S. EPA as an approved irrigation controller displaying the “WaterSense” symbol on the product label or nameplate, and listed in the EPA database of approved controller manufacturers and model numbers.
 - 4. The property owner shall register the SMART controller with the Glen Rock Building department at a one-time fee of \$30 with an application to include the manufacturer and model number.
 - a. The municipality will issue a yard placard which the owner must display signifying that the property is irrigated with a SMART controller.
- C. All new residential irrigation systems must be in compliance with either subsection A, above, or with subsection B, above, and also must be in compliance with Glen Rock building code requirements.
- D. All systems shall be maintained to remain in compliance with the requirements of this subsection and to minimize the use of water and avoid wastage, including water puddling, system leakage, and runoff.

II. Water Emergency:

When water restriction Stages III or IV is imposed by the Village of Ridgewood Water Department, the following applies:

- A. Stage III, Pending/Critical: Mandatory restriction of irrigation to the use of a hand-held hose on Tuesdays and Saturdays for properties with odd-numbered addresses and Wednesdays and Sundays for properties with even-numbered addresses. No irrigation of any kind shall be allowed on Mondays, Thursdays, or Fridays.
- B. Stage IV, Critical: Irrigation is prohibited at any time. Exceptions for irrigation using a hand held hose may be allowed under conditions prescribed by the Village Manager or the Village of Ridgewood.
- C. Exception to the user restrictions shall be determined by the Village Manager of the Village of Ridgewood

III. Violations

- A. Violations include knowingly or recklessly watering or irrigating or permitting irrigation of lawn or landscape on owned, leased, or managed property that results in the following:
 - 1. Watering using hose-end sprinklers during any form of precipitation;
 - 2. Watering using automatic sprinklers or SMART systems after ½ of rainfall has fallen;

3. Irrigating on days or hours not permitted in this section;
4. Water leaking from any irrigation equipment;
5. Water puddling on landscape or impervious surfaces;
6. Water run-off from irrigated property;

B. Violations include any use of water contrary to the requirements of Stages III or IV during periods that such stages are in effect upon declaration of the Village Manager of the Village of Ridgewood. Any exceptions to Stage III or IV restrictions, such as for irrigation of new lawns or shrubs, cleaning cars or houses, filling swimming pools or other outdoor water usage, shall be determined by the Village Manager of the Village of Ridgewood.

C. Violators of these guidelines and requirements are subject to fines and penalties described in subsection V, Penalties. In the event the violation occurs on leased property, the violation will be issued to the tenant.

IV. Enforcement of Water Conservation Guidelines

The water use restrictions and automatic rain sensor requirements imposed pursuant to this section shall be enforced by the local authorized official. Whenever a local authorized official shall find a violation of the water use restrictions, regardless of the source of the water, such authorized official shall issue a written warning and explain the penalties for additional offenses, as provided in subsection V, Penalties.

V. Penalties

After a warning for a first offense in accordance with subsection III above, any person or business that thereafter violates the water use restrictions imposed pursuant to this section shall be subject to a warning, followed by a fine of \$100 for a second offense within the same calendar year, and \$250 for additional violations within the same calendar year. For the first year following enactment of this ordinance, the police department will issue warnings when violations occur. Fines will take effect starting April 1, 2017. However, penalties for violation of Stage III or Stage IV restrictions remain in full effect at all times.

VI. Exemptions

The following exemptions B through G do not apply during periods that Stages III or IV are in effect. During other periods, restrictions in subsection I above do not apply to the following:

- A. Outdoor water use from rain water harvesting (rain barrels etc.), gray water, or reclaimed water. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP
- B. Irrigation using a handheld hose or drip or micro irrigation equipped with an automatic shut-off nozzle.
- C. Watering of gardens established for growing vegetables.
- D. Outdoor water use for commercial nurseries.

- E. Outdoor irrigation necessary for one day only where treatment with an application of chemicals require immediate watering to preserve an existing landscape or to establish a new landscape.
- F. Outdoor irrigation necessary for the establishment of newly seeded or sodded lawns or landscaping within the first 21 consecutive days of planting.
- G. Government properties will follow the automatic sprinkler restrictions (2 days/week after 5pm and before 10am, 30minutes duration per zone), but the 2 days will be during the work week.

VII. Best Management Design Practices

For further information see the Best Management Practices for Irrigating Landscapes located on the Glen Rock Borough website.