

**BOROUGH OF BERGENFIELD
PUBLIC NOTICE**

**ORDINANCE 21-2583 – AN ORDINANCE ENTITLED “WATER CONSERVATION”
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
BERGENFIELD**

was introduced at a Regular Meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, July 20, 2021 and will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Council Chambers, Bergenfield Municipal Center, 198 North Washington Avenue, Bergenfield, New Jersey on Tuesday, August 17, 2021 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement is to establish all regulations regarding Water Conservation within the Borough of Bergenfield as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey.

Marie Quinones, RMC
Borough Clerk

BOROUGH OF BERGENFIELD

Ordinance No. 21-2583

AN ORDINANCE ENTITLED "WATER CONSERVATION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BERGENFIELD.

BE IT ORDAINED, by the Mayor and Council of the Borough of Bergenfield, County of Bergen and State of New Jersey as follows:

WHEREAS, The Mayor and Council support water conservation in the Borough and desire to implement the following Water Irrigation Schedule and Water Emergencies code:

Chapter 1. Purpose.

The purpose of this article is to limit, restrict and regulate the use of water by residents and commercial institutions during periods of emergencies, as hereinafter defined, in order to ensure public health and safety.

Chapter 2. Definitions,

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

EMERGENCY

Any period of water shortage or imminent water shortage caused by drought, lack or failure of proper pumping equipment, shortage or other facilities: acts of God or public enemies: or excessive demand upon or use of water facilities or capacity.

CONVENTIONAL IRRIGATION SYSTEM OR DEVICE

Hose end irrigation systems and automatic irrigation devices.

DRIP/MICRO IRRIGATION

An irrigation method that saves water and fertilizer by allowing water to drip slowly to the roots of many different plants, either onto the soil surface or directly onto the root zone, through a network of valves, pipes, tubing, and emitters.

HAND HELD HOSE

A hose designed to be operated while being held in the hand and equipped with a nozzle that automatically shuts off when released.

IRRIGATION

The watering or sprinkling (including automatic sprinkling) of lawns, shrubs and gardens.

NJDEP

The New Jersey Department of Environmental Protection.

NJPDES

The New Jersey Pollution Discharge Elimination System

SMART CONTROLLER

A weather based irrigation controller or soil moisture based irrigation controller meeting criteria specified and labeled as being compliant under the United States Environmental Protection Agency Water Sense Program.

WATER

That water obtained, delivered and supplied by a public water supply to the Borough of Bergenfield or pumped from private wells for residential irrigation purposes.

Chapter 3 Declaration of Emergency

The Borough Administrator (or other official designated by the mayor and council)) is authorized to enforce the provisions of this article and, in his/her discretion, to determine and declare the existence and extent of an emergency with respect to the water supply. Notification of the water emergency shall be promulgated to all residents and commercial institutions in the most reasonably expeditious manner.

Chapter 4 Public Notice

(Enter whatever notice procedures are set for Bergenfield)

Chapter 5 Violations and Penalties

It shall be unlawful and a violation hereof for any person to use water during the emergency period in violation of this article. Any property owner (or occupant) found to be in violation of the provisions of this chapter shall be subject to a fine up to a maximum of \$2000 per violation, per individual block and lot location.

Chapter 6 Regulations

The following irrigation schedule and water emergency regulations are hereby adopted to become effective as set forth herein:

A. Irrigation schedule, effective year round:

The emergency stages shall be as follows:

- I. Pending/Critical Mandatory restriction for all properties 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.

- II. Critical Irrigation is prohibited at any time. Exceptions for irrigation using a hand held hose may be allowed under conditions prescribed by the Borough Administrator
- B. Stage I and Stage II emergency regulations shall become effective upon declaration of each stage by the Borough Administrator. The cleaning of cars, houses or property, filling of swimming pools or other outdoor water usage shall be prohibited during Stage I and Stage II.
- C. Exceptions to the water restrictions shall be determined by the Borough Administrator. The requests for an exception shall be submitted to the Borough Administrator in writing. Exceptions are subject to renewal annually and may be voided at any time due to an emergency. The exceptions may include the following:
1. Outdoor irrigation necessary for the establishment of newly sodded or seeded grass lawns or landscaping within the first 21 consecutive days of planting.
 2. Irrigation of lawns or plantings with Smart Controllers
 3. Outdoor water use from rain harvesting (rain barrels, etc.), gray water. Or reclaimed water. Use of gray or reclaimed water must have an approved NJPDES permit issued through NJDEP.
 4. 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.
 5. Other outdoor water usage.
- D. Irrigation shall not be conducted between 10 Am and 6 PM on any day. Irrigation using automatic systems may only be used between 3 AM and & 7 AM.
- E. All automatic irrigation systems shall be equipped with an operational automatic rain sensor device. Each rain sensor device shall be capable of and programmed to interrupt the automatic irrigation cycle when a 1/4 inch of rain has fallen.

Chapter 6. Enforcement

The enforcement of the provisions of this article shall be the responsibility of the Borough Code enforcement Officer and any other officer and or borough employee duly appointed by the Borough Administrator.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Borough of Bergenfield on the 20th day of July, 2021 and passed on first reading, and the same was

ordered for final passage at a meeting of the Council to be held at the Municipal Building in the Borough of Bergenfield, Bergen County, New Jersey, on the 17th day of August, 2021 at 8 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning such Ordinance.

Borough Clerk