

**ORDINANCE NO.: 07-2023**

**AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND/OR SUPPLEMENTING THE PROVISIONS OF TOWNSHIP CODE CHAPTER 91 – HAZARDOUS SUBSTANCES**

WHEREAS, due to amendments to the Township Code, Chapter 26 – Fire Department (the “Fire Code”), the Mayor and Township Council has determined that Township Code, Chapter 91 – Hazardous Substances must be supplemented and amended to reflect the amendments to the Fire Code and to better provide for the health, safety and welfare of the citizens of the Township of East Hanover.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of East Hanover, in the County of Morris, State of New Jersey, as follows:

**Section 1.** Chapter 91, HAZARDOUS SUBSTANCES of the Code of the Township of East Hanover shall be amended and supplemented to add the following underlined text and delete the following text in ~~strikeout~~:

**§ 91-1. Definitions.**

The following words shall have the following meanings in this chapter:

**AUTHORIZED REPRESENTATIVE**

This shall mean and include representing oneself as authorized to carry out inspection of life hazard uses on behalf of the Commissioner, issuing orders pursuant to the Act, and assessing or imposing any of the penalties provided for by the Act.

**CHIEF OF THE BUREAU OF FIRE PREVENTION “BUREAU CHIEF”**

The Chief of the Bureau of Fire Prevention, also known as “Fire Marshal,” shall be certified by the Commissioner of the Department of Community Affairs (DCA) and appointed or designated to direct the enforcement of the Code and the State Fire Prevention Code by the appointing authority of the Mayor of the Township of East Hanover as set forth in § 26-39, pursuant to 5:71-3.3(a), hereof serving as the chief administrator of the local enforcing agency (LEA) and has been and carries out duties as pursuant to 5:71-3.3. This term “Fire Official,” where the said person is the Bureau Chief.

**ASSISTANT FIRE OFFICIAL**

A person appointed by the Fire Director to assist the Bureau Chief and designated to direct the enforcement of the New Jersey (N.J.) Uniform Fire Code by the appointing authority of the local enforcing agency jurisdiction; an authorized representative of the Bureau Chief, who is certified per N.J.A.C. 5:71-4.3.

**DISCHARGE**

Any intentional or unintentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of hazardous substance into the waters of the

township or unto lands from which it might flow or drain into said waters, except discharges pursuant to and in compliance with the conditions of a valid federal or state permit.

### **EXPENDABLE ITEMS**

Any items used to extinguish any fire or stop or contain any leak or spill involving any hazardous material which cannot be reused or cannot be replenished without cost after that particular fire, leak or spill. These include but are not restricted to fire-fighting foam, chemical extinguishing agents, absorbent material, sand, recovery drums and specialized protective equipment, to include but not be restricted to acid suite, acid gloves, goggles and protective clothing.

### **FIRE OFFICIAL**

~~The Fire Official of the Township of East Hanover.~~

### **FIRE CHIEF**

Under the supervisory authority of the Fire Director, has charge of the fire department. Manages all fire department operations to ensure their timely, thorough, and cost-effective preparation and conduct; have command and control for the extinguishing of fires and supervises and oversee all personnel comprising the East Hanover Volunteer Fire Department, all apparatus and equipment used by said Department at all fire and emergency scenes.

### **FIRE DIRECTOR**

The Director of the East Hanover Fire Department (EHFD), the supervisory authority of the FD, inclusive of the Bureau of Fire Prevention.

### **FIRE INSPECTOR**

A person working under the direction of the Bureau Chief who is certified by the Commissioner of the DCA and appointed or designated to enforce the Code by the appointing authority of a local enforcing agency; an authorized representative(s) of the Fire Marshal/Bureau Chief, also known as Fire Official.

### **FIRE MARSHALL**

A person certified by the Commissioner of the DCA and appointed or designated to direct the enforcement of the N.J. Uniform Fire Code by the appointing authority of the local enforcing agency jurisdiction. This term shall also include "Fire Official," where the Fire Official has been appointed, pursuant to 5:71-3.3(a), and carries out duties as pursuant to 5:71-3.3; said person is the Bureau Chief.

### **HAZARDOUS SUBSTANCE and/or HARZARDOUS MATERIAL**

Any substance defined by the New Jersey Department of Environmental Protection in DEQ-094, including the following guides: National Fire Protection Association Guide of Hazardous Materials and Emergency Response Guidebook, Materials Transportation Bureau, United States Department of Transportation.

### **INCIDENT COMMANDER (IC)**

The individual in overall command or control of the fire service personnel and associated emergency equipment and emergency vehicles at the site of an emergency incident; a person

certified by the Commissioner to hold a supervisory position at an emergency scene.

### **OWNER**

A person who owns, purports to own, manages, rents, leases, or exercises control over a building, structure, premises, or use, or a portion thereof; the owner or owners in fee of the property or a lesser estate therein, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, lessee or any other person, firm or corporation, directly or indirectly in control of a building, structure or real property and shall include any subdivision thereof of the State.

### **UNSTABLE REACTIVE CHEMICALS**

Unstable reactive chemicals as defined in the Fire Prevention Code and which are assigned a reactivity index of 3 or 4 according to National Fire Protection Association standards.

### **VEHICLE**

Any motorized equipment, registered or unregistered, including but not limited to passenger cars, motorcycles, trucks, tractor-trailers, construction equipment and farm machinery.

### **VESSEL**

Any container, drum, box, cylinder or tank used to hold or contain or carry or store any hazardous material.

### **WATERS OF THE TOWNSHIP OF EAST HANOVER**

The rivers, springs, streams and bodies of surface or ground water, whether natural or artificial, within or forming the boundaries of the Township of East Hanover.

### **§ 91-2. Information to be provided.**

- A. The owner(s) or lessee(s) of any property where hazardous substances are manufactured, processed, handled, used or stored shall provide the following to the ~~Fire Official~~ Bureau Chief on or before April 1 of each year:
- (1) A list of any and all hazardous substances manufactured, processed, handled, used or stored on the premises, the quantity of the same and the type of container in which such is regularly stored. Submission of the Right to Know Survey DEQ-094 shall satisfy this requirement.
  - (2) A plot plan or floor plan of the premises showing the storage location of all hazardous substances and the location where any manufactured or processing takes place.
  - (3) The name, address and telephone number of the owner or lessee or his representative who can be contacted in the event of a hazardous substance accidental discharge or other emergency.
- B. If any owner(s) or lessee(s) of any property is currently required by state or federal law applicable regulations to compile and report the identity and location of the substances regulated by this chapter, then providing of this same

information to the ~~Fire Official~~ Bureau Chief shall be deemed to be satisfactory compliance with the terms and conditions of this chapter as to reporting requirements herein.

**§ 91-3. Permit required; application; fee.**

- A. Any owner(s) or lessee(s) who manufactures, processes, handles, uses or stores any hazardous substances on any property shall obtain a hazardous substances permit from the ~~Fire Official~~ Bureau Chief. Any owner(s) or lessee(s) who is currently engaged in such activity shall obtain such a permit on or before April 1 of the calendar year following the year in which this chapter is adopted. Any owner(s) or lessee(s) who is not currently engaged in such activity shall, prior to engaging in such activity, obtain a permit from the ~~Fire Official~~ Bureau Chief. Any permit issued by the ~~Fire Official~~ Bureau Chief shall expire on March 30 of each year. Any owner(s) or lessee(s) who is engaged in the manufacture, processing, handling, use or storage of hazardous substances or who allows same to occur on his property, and who has not obtained a permit for such activity from the ~~Fire Official~~ Bureau Chief, is in violation of this chapter.
- B. The ~~Fire Official~~ Bureau Chief shall make available to the public application forms to obtain permits under this chapter for listing all hazardous substances on the premises on forms designated by the Department of Environmental Protection, DEQ-094.
- C. Prior to being issued a permit under this chapter, each applicant for a permit shall submit to the ~~Fire Official~~ Bureau Chief a fee in the amount set forth in Schedule I attached to this chapter and made a part hereof.

**§ 91-4. Notification of additional substances.**

Any owner(s) or lessee(s) who has obtained a permit under this chapter shall have a continuing obligation to inform the ~~Fire Official~~ Bureau Chief of any additional hazardous substances that are brought onto the premises by completion of a DEQ-094 form set forth above. This obligation is satisfied by written communication to the ~~Fire Official~~ Bureau Chief. There is no obligation to amend a previous submission or to pay any additional fees.

**§ 91-5. Construal of provisions.**

This chapter is in addition and intended to supplement existing federal and NJDEP regulations, Codes of the Construction Officials and Code Administrators (BOCA), National Fire Protection Association (NFPA), Uniform Construction Code (UCC) and all other codes, ordinances, regulations and statutes which have been or may be promulgated by the Township of East Hanover, the State of New Jersey or the United States of America. This chapter shall not be construed to restrict or reduce existing regulations of hazardous substances in any manner whatsoever, and requirements of all applicable state or federal laws or regulations shall control in the event of any conflict with this chapter.

**§ 91-6. Unstable reactive chemicals.**

- A. The manufacture as a final end product of unstable reactive chemicals as stated in the State Fire Prevention Code is prohibited within the confines of the Township of East Hanover.
- B. Use or storage of unstable reactive chemicals as stated in the Fire Prevention Code and which have a National Fire Protection Association Reactivity Index of 3 or 4 will be permitted in the confines of the Township of East Hanover, only in the event that all applicable federal, state or local codes are complied with and upon notice of quantity and location to the ~~Fire Official~~ Bureau Chief. Any owner(s) or lessee(s) who uses or stores such chemicals shall comply with all other sections of this chapter.

**§ 91-7. Trade secrets.**

The ~~Fire Official~~ Bureau Chief shall use all reasonable means to see that information clearly designated by an applicant or permit holder as a trade secret is maintained as such. Such information shall be used by the ~~Fire Official~~ Bureau Chief and such experts as are utilized by the township on a need-to-know basis in order to perform their duties. Such information shall not be made available to other persons unless clearly required by an emergency situation. The ~~Fire Official~~ Bureau Chief shall follow the procedures set up by the Department of Environmental Protection when dealing with trade secrets.

**§ 91-8. Discharge into waters prohibited.**

Allowing a discharge as defined in § 91-1 of this chapter of a hazardous substance into the waters of the Township of East Hanover or to remain upon the ground so that it could enter into the waters of the Township of East Hanover is prohibited.

**§ 91-9. Reports of discharges.**

~~Any discharge as defined in § 91-1 of this chapter of a hazardous substance in reportable quantities as defined in applicable federal or state laws or regulations onto private or public property shall be reported by the owner, operator or person in charge of any facility or vehicle from which the discharge occurs, in compliance with regulations set forth in 40 CFR 302 and said notice to include the Township of East Hanover Municipal Board of Health, Police Department, Fire Official and Fire Chief immediately upon its occurrence by telephone. Within 24 hours of the telephone report, the owner, operator or person in charge shall submit to the East Hanover Board of Health and Fire Prevention Bureau a written report setting forth the time, place, date, persons present with addresses and details of the discharge of the hazardous substance. These reports shall set forth the amount of the discharge and a thorough description of the hazardous substance, the proposed method of abatement and the estimated cost of the removal of the hazardous substance. A report of all steps being taken to clean up the discharge shall be filed every 72 hours thereafter until the discharge is correctly abated to the requirements of the state Department of Environmental Protection and the Fire Official, Health Officer and Fire Chief. The requirement for follow up reports may be waived, in writing, by the Health Officer, Fire Official or the Chief of the East~~

~~Hanover Fire Department. This section shall not relieve the owner, operator or person in charge from reporting any discharge of a hazardous substance to the New Jersey Department of Environmental Protection, which may be required under state laws or regulations.~~

- A. Any discharge as defined in § 91-1 of this chapter of a hazardous substance in reportable quantities as defined in applicable federal or state laws or regulations onto private or public property shall be reported by the owner, operator or person in charge of any facility or vehicle from which the discharge occurs, in compliance with regulations set forth in 40 CFR 302 and said notice to the East Hanover Police Department and /or 9-1-1 immediately upon its occurrence and notify the East Hanover Fire Department. The Incident Commander (IC) shall then notify the East Hanover Board of Health representative.
- B. Within 24 hours of the telephone report, the owner, operator or person in charge shall submit to the East Hanover Board of Health and Fire Prevention Bureau a written report setting forth the time, place, date, persons present with addresses and details of the discharge of the hazardous substance. These reports shall set forth the amount of the discharge and a thorough description of the hazardous substance, the proposed method of abatement and the estimated cost of the removal of the hazardous substance.
- C. A report of all steps being taken to clean up the discharge shall be filed every 72 hours thereafter until the discharge is correctly abated to the requirements of the state Department of Environmental Protection and the Bureau Chief, Health Officer and Fire Chief. The requirement for follow-up reports may be waived, in writing, by the Health Officer, Bureau Chief or the Fire Chief.
- D. This section shall not relieve the owner, operator or person in charge from reporting any discharge of a hazardous substance to the New Jersey Department of Environmental Protection, which may be required under state laws or regulations.

#### **§ 91-10. Access to facilities and records.**

The owner, operator or person in charge of the facility or vehicle wherein a discharge of a hazardous substance occurs shall provide access to the area and records involving the discharge and the hazardous substance discharged to the Board of Health, Fire Department and ~~Fire Official~~ Bureau Chief and Emergency Management Coordinator for the purpose of taking samples, photographs, photocopies of documents and statements from witnesses as to the discharge or hazardous substance discharged and subject to the provisions of § 91-7 and further subject to simultaneous providing of samples, photographs and statements to the owner, operator or person in charge of the facility.

#### **§ 91-11. Containing or mitigating discharges.**

The owner, operator or person in charge of the facility or vehicle from which the New Jersey Department of Environmental Protection reportable discharge of a hazardous substance occurs shall take all steps necessary to contain and mitigate the discharge in order to minimize the

possibility of it reaching the public water supply or polluting any stream of water.

**§ 91-12. Review of site plans.**

The ~~Fire Official~~ Bureau Chief or the Fire Chief of the ~~East Hanover Fire Department~~ may, as part of the site plan process of the Planning Board or Board of Adjustment of the Township of East Hanover, review all site plans with the intent to encourage design aspects which would reduce the potential of the discharge of hazardous substances, which design aspects are recognized by the BOCA Codes and Subcodes. The report of the ~~Fire Official~~ Bureau Chief or Fire Chief of the East Hanover Fire Department to said Boards shall be guided by the following criteria.

**§ 91-13. Design criteria for facilities.**

- A. All portions of an area or structure in which hazardous substances are stored, processed, manufactured or transferred shall be designed so that the possibility of discharges of hazardous substance will be minimized from flowing, draining or leaching into waters of the Township of East Hanover, all as more particularly set forth in relevant BOCA Codes and Subcodes.
- B. Where, by reason of quantity of hazardous substances stored or the nature of the hazardous substance, such substances pose a concern for the public safety, the site should include features such as secondary containment and/or diversionary structures, as more particularly set forth in relevant BOCA Codes and Subcodes.

**§ 91-14. Applicability.**

The foregoing criteria shall be applicable to all hazardous substance storage facilities within the Township of East Hanover.

**§ 91-15. Containers; maintenance; safety equipment; inspections.**

- A. Hazardous substances shall be kept in containers suitable for their storage or processing at all times except when being transferred between containers. Containers shall be compatible with the substances stored therein and resistant to chemical attack by substances. Hazardous substances shall be kept protected from the elements and stored as to prevent discharges.
- B. Tanks, pipes, valves, glands, drums or other equipment detected to be leaking a hazardous substance shall be immediately repaired, replaced or taken out of use following detection of a leak, unless provision is made to capture and contain leaking hazardous substances in a drip pan or other appropriate containment device. If such provision is made, the leaking item shall be repaired, replaced or taken out of use within a reasonable period of time, or as designated by the ~~Fire Official~~ Bureau Chief or Health Officer.
- C. Discharges of hazardous substances that may seep, flow, leach, drain or be washed, blown or carried onto waters of the township, including groundwater,

shall be promptly contained and removed.

- D. Hazardous substances shall not be allowed to remain on grounds, floors, walls or equipment or on other places within the facility where they may seep, flow, leach, drain or be washed, blown or carried into waters of the township.
- E. All facilities shall have, in a convenient location, adequate quantities of sorbent materials, chemical neutralizing agents and/or other materials as needed, sufficient to contain and clean up such small discharges as may be expected to occur in the ordinary operation of the facility.
- F. All facilities shall have an adequate supply of protective safety equipment, such as rubberized coveralls, boots, air packs, etc., in convenient locations for use by any personnel who are required to clean up spilled hazardous substances. Where such equipment is required by a regulation of the Federal Occupational Safety and Health Administration (OSHA), compliance with such regulations shall be deemed to fulfill the requirements of this subsection.
- G. Secondary containment systems shall be maintained in good repair, free of cracks through which hazardous substances could escape. Such systems shall be inspected by the owner at regular intervals, at least once a year.
- H. Flexible hose lines which are used to transfer hazardous substances shall be visually inspected prior to each use. Visibly damaged, deteriorated or discharged hoses shall be immediately taken out of service and removed from the work area.
- I. The owner or operator of a facility shall carry out a regular program of inspections designed to detect possible spills. Such a program shall include all tests specifically required by any applicable section of this chapter. Records of inspections and tests which are made under the inspection program shall be maintained by the owner or operator for a period of three years and shall be available to the Health Officer, Fire Official or the Chief of the East Hanover Fire Department during regular business hours.

**§ 91-16. Aboveground bulk storage tanks.**

- A. Aboveground bulk storage tank installation for hazardous substances shall be provided with an adequate means of secondary containment, designed by a licensed professional engineer and built in accordance with good engineering practice, capable of effectively holding the entire contents of the largest single tank contained and having sufficient additional capacity to accommodate accumulated precipitation and to provide a reasonable margin of safety in the event of a tank failure.
- B. The areas beneath the aboveground storage tanks shall be made of or surfaced with a material resistant to passage and/or chemical attack by the stored hazardous substances under the conditions of storage prevailing within the tank.

- C. Pipes leading to and from aboveground tanks, which enter the tank below the liquid level, shall be equipped with valves sufficiently close to the tank so that they can prevent the contents of the tank from escaping outside the secondary containment area in the event of a pipe rupture outside the containment area.
- D. Aboveground tanks shall, at the expense of the owner, be subjected to periodic integrity testing, using a nationally recognized method, on a specified time schedule as more particularly required under prevailing Environmental Protection Agency and New Jersey Department of Environmental Protection regulations.

**§ 91-17. Storage and transfer areas.**

- A. Whenever hazardous materials are present in vehicles or aboveground tanks or other containers, adequate drainage diking shall be provided. Satisfactory provisions for the prevention, control and countermeasures for leakage or spills of hazardous chemicals, including a written plan, shall be provided, all as required by applicable state and federal codes and local regulations.
- B. All storage areas for drums, carboys, barrels, bags, cylinders and all other types of containers shall comply with the appropriate provisions of the New Jersey Uniform Construction Code, the Fire Prevention Code and nationally recognized standards.
- C. Each storage tank and storage area shall be clearly marked as required by existing state and federal regulations.

**§ 91-18. Loading, unloading and transfer of chemicals.**

- A. All loading, unloading or transfer of hazardous chemicals shall take place entirely on a permit holder's premises and under the supervision of a qualified person.
- B. Liquid or bulk solid hazardous chemicals shall be transferred from a vehicle to a storage tank and not directly to cylinders, portable tanks or similar containers except in an emergency.
- C. All vehicles carrying hazardous chemicals shall stand or be parked only in a secure area where they are under the care, custody and control of a permit holder, while servicing the premises of a permit holder.
- D. All employees or agents of the permit holder who loads or unloads hazardous chemicals shall comply with applicable federal laws and regulations.

**§ 91-19. Tank car and tank truck loading and unloading areas.**

- A. All tank cars and tank trucks loading and unloading on the permit holder's property employed in the transfer of hazardous substances shall be designed such

that the possibility of a spill entering any groundwater, surface water body, sanitary sewer or storm drain, other than a drain which leads to an approved industrial wastewater treatment plant or other facility, will be minimized.

- B. All tank car and truck loading and unloading areas employed in the transfer of hazardous substances shall be equipped in the area of transfer with a secondary containment system of sufficient capacity to contain or divert the volume of the largest single compartment of any tank car or tank truck loaded or unloaded in the area if required by applicable state or federal code or Department of Transportation regulations. Such a secondary containment system shall include any or all of the requirements of applicable BOCA Codes, which may include:
  - (1) Containment curbing.
  - (2) Trenching system and catchment basin.
  - (3) Drainage to a separator or approved industrial wastewater treatment facility.
- C. All tank car and tank truck loading and unloading areas employed in the transfer of hazardous substances shall be paved or surfaced in the area of transfer with resistant materials.
- D. Prior to the filling or departure of any tank car or tank truck, the driver shall check the lowermost drain and all outlets of such vehicles shall be closely examined for leakage and, if necessary, tightened, adjusted, repaired or replaced so as to prevent liquid leakage in transit. All manifolds on tank cars or tank trucks shall be flanged or capped and valves secured prior to leaving transfer areas and the permit holder's property.
- E. Tank cars in the process of being loaded or unloaded should be attended at reasonable intervals during the procedure and should be attended during topping-off. Tank trucks in the process of being loaded or unloaded shall be attended at all times during the procedure.

#### **§ 91-20. Drum storage areas.**

Drum storage areas, including docks where drums containing hazardous substances are stored, shall be served by adequate secondary containment systems as may be required by applicable state or federal codes or regulations.

#### **§ 91-21. Process, blending and mixing areas.**

Process, blending or mixing wastewater and cooling water pipes, plant drains and similar installations which drain into sewers, storm drains, public wastewater treatment plants, watercourses or other routes which drain to waters of the township shall be designed and constructed to be in compliance with local, state and federal regulations.

**§ 91-22. Security.**

All portions of areas of facilities within which hazardous substances are stored, processed, transferred or used shall be secured by locks and fencing or other means so as to prevent theft or vandalism.

**§ 91-23. Flood hazard areas.**

Hazardous substances stored in areas subject to flooding or within the one-hundred-year flood area of any watercourse shall be provided with containment measures which will minimize the possibility of discharge into floodwaters.

**§ 91-24. Exclusions.**

Provisions §§ 91-2, 91-3, 91-4, 91-5, 91-6, 91-7 and 91-8 of this chapter shall not apply to any of the following:

- A. Laboratories.
- B. Gasoline stations.
- C. Automotive repair shops.
- D. Liquor stores or taverns.
- E. Retail dry cleaning facilities.
- F. Residential dwellings, provided that no commercial activity, enterprise or business utilizing the manufacture, processing, handling, use or storage of hazardous substances is conducted within such dwelling.

**§ 91-25. Responsibility for fires, leaks and spills.**

Parties responsible for reimbursement to the township for expendable items shall be as follows:

- A. The owner or operator of any vehicle responsible for any fire, leak or spill of hazardous material.
- B. The owner or operator of a vehicle responsible for any vessel containing hazardous materials involved in any fire, leak or spill on public or private property, whether stationary or in transit, whether accidental or through negligence.
- C. The owner or person responsible for any property from which any leak or spill of hazardous material emanates, whether accidental or through negligence.

- D. Any person responsible for any fire, leak or spill of hazardous materials on public or private property, whether accidental or through negligence.

**§ 91-26. Reimbursement for services.**

Any person or company responsible for any fire, leak or spill involving a hazardous material must provide reimbursement for any expendable items defined herein and extraordinary services rendered by any recovery company, towing company or other technical assistance called for by the Fire Department to handle such incident. No township employee will render any direct service for the purpose of cleanup of any hazardous material, spill or cleanup.

**§ 91-27. Time limit for payment.**

Any person, owner or company responsible for any fire, leak or spill of hazardous materials shall reimburse the Township of East Hanover for the unrecoverable loss of any expendable items used by the township agencies to extinguish such a fire, stop or contain such a leak or control such a spill within a period of 45 days after receipt of a bill for such items from the Township of East Hanover or its agencies.

**§ 91-28. Violations and penalties.**

Violations of this chapter shall be punished by a fine not to exceed ~~\$500~~ \$2,000.00 or by imprisonment ~~in the county jail~~ for not more than 90 days, or both. Each day of violation shall be considered a separate and distinct offense.

**§ 91-29. Severability.**

If any section or subsection of this chapter shall be found or declared to be invalid, illegal or unconstitutional, that shall not affect the remainder thereof, which shall remain in full force and effect.

**§ 91-30. Repealer.**

Municipal Ordinance §§ 91-1 to 91-19 entitled "Hazardous Substances, Storage of," shall be specifically repealed upon adoption of this chapter.

**§ 91-31. When effective.**

This ordinance shall take effect in accordance with law.

**Section 2.** If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**Section 3.** All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** Any section of Chapter 91 – Hazardous Substances of the Township Code not expressly repealed, replaced, amended or supplemented by this ordinance remains in full force and effect.

**Section 5.** This Ordinance shall take effect upon final publication as provided by law.

Introduced:

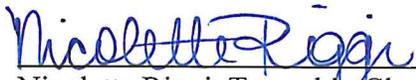
Adopted:

Introduced: August 7, 2023

Adopted: September 5, 2023

**ATTEST:**

**TOWNSHIP OF EAST HANOVER**

  
Nicolette Riggi, Township Clerk

  
Joseph Pannullo, Mayor

**I HEREBY CERTIFY** this to be a true and exact copy of an Ordinance passed and adopted by the Mayor and Council of the Township of East Hanover at a regular meeting held on September 5, 2023.

  
Nicolette Riggi, Township Clerk