

7641-21

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT AMEND CHAPTER 394 OF THE CODE OF THE CITY OF CLIFTON, ENTITLED "STORMWATER CONTROL"; MORE PARTICULARLY SECTION 394-4 THEREOF, ENTITLED "STORMWATER MANAGEMENT REQUIREMENTS FOR MAJOR DEVELOPMENT" MORE PARTICULARLY PARAGRAPHS M AND N THEREOF; AND SECTION 394-9 THEREOF, ENTITLED "REQUIREMENTS FOR A SITE DEVELOPMENT STORMWATER PLAN", MORE PARTICULARLY PARAGRAPH A, SUBPARAGRAPH 3 THEREOF; (THREE MINOR AMENDMENTS TO IDENTIFY THE PASSAIC COUNTY CLERK AND NUMBER OF COPIES REQUIRED)**

**BE IT ORDAINED**, by the Municipal Council of the City of Clifton, as follows:

1. Chapter 394 of the Code of the City of Clifton entitled "Stormwater Control", more particularly Section 4 thereof, entitled "Stormwater Management Requirements for Major Development", more particularly Paragraph M thereof, is hereby amended to read as follows:

M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Passaic County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 394-4(O)(P)(Q) and (R) and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 394-10(B)(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

2. Chapter 394 of the Code of the City of Clifton entitled "Stormwater Control", more particularly Section 4 thereof, entitled "Stormwater Management Requirements for Major Development", more particularly Paragraph N thereof, is hereby amended to read as follows:

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 394-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Passaic County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with subsection (M) above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with subsection (M) above.

3. Chapter 394 of the Code of the City of Clifton entitled "Stormwater Control", more particularly Section 9 thereof, entitled "Requirements for a Site Development Stormwater Plan", more particularly Paragraph A, Subparagraph 3 thereof, is hereby amended to read as follows:

The applicant shall submit three (3) copies (all signed and sealed where applicable) of the materials listed in the checklist for site development stormwater plans in accordance with § 394-9C of this ordinance.

4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

5. This ordinance shall take effect after final passage and publication as provided by law.

Adopted: 4-21-21

**James Anzaldi**  
James Anzaldi, Mayor

*Nancy Ferrigno*  
Nancy Ferrigno, City Clerk

CERTIFIED TO BE A TRUE COPY

*Nancy Ferrigno*  
Nancy Ferrigno, City Clerk