

**BOROUGH OF FANWOOD
ORDINANCE NO. 17-07-R**

**AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF
UNION, AND STATE OF NEW JERSEY, AMENDING CHAPTER 214 OF
THE FANWOOD BOROUGH CODE REGARDING PIPELINES**

BE IT ORDAINED by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey, that Chapter 214 entitled Pipelines, of the Code of the Borough of Fanwood, County of Union is hereby amended as follows:

Section 1. Section 214-1 Definitions, is hereby amended and supplemented as follows:

§§214-1 Definitions.

A. Critical Land Use

- 8) Senior and residential care facilities;
- 9) Institutional uses, including public and private schools, day-care facilities, and public or public buildings;
- 10) Land traversing sole source aquifers.

B. Essential Public Facilities. Those public facilities which provide basic health and safety services to residents and visitors of the Borough of Fanwood including, without limitation, water sanitation plants, water treatment plants, sewer treatment plants, water storage facilities, municipal telecommunication towers, police stations, fire stations, jails, courthouses, public health facilities, and emergency operations centers.

C. Development and Construction of Oil and Hazardous Substance Pipelines

1. Application and approvals.

f. Diagrams and descriptions of all pipeline monitoring facilities and shut off/flow control valves proposed to be located in or closest to the municipality.

2. Required Setbacks.

3. Required Setbacks.

g. Wellhead Protection or Sole Source Aquifer Areas. Except as otherwise set forth in this section or as approved by the Borough of Fanwood Engineer as part of the pipeline permit and approval process where adequate mitigation measures have been demonstrated by the applicant,

the Oil and Hazardous Substance Pipeline shall not be located within a sole source aquifer or in the vicinity of a wellhead protection area (“WPA”), as is defined in the Borough of Fanwood Code and shall not be located closer than 2,500 feet in a Tier 1 WPA, 1,000 feet in a Tier 2 WPA, and 500 feet in a Tier 3 WPA.

J. Repair. Following any repair(s) of an Oil and Hazardous Substance Pipeline, any areas disturbed by such repair(s) shall be revegetated and restored in accordance with the applicable provisions of the Borough of Fanwood Code at the Pipeline Owner’s and Pipeline Operator’s sole cost and expense.

Section 2. All other provisions of Chapter 241 shall remain in full force and effect.

Section 3. If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section 4. This Ordinance shall take effect as provided by law.

Introduced: March 21, 2017

Adopted: April 17, 2107

Colleen Mahr, Mayor

Attest: _____
Eleanor McGovern, Borough Clerk