

ORDINANCE NO. RO-10-05

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON
REGARDING ILLICIT CONNECTIONS TO THE STORM SEWER
SYSTEM**

BE IT ORDAINED, by the Township Committee of the Township of Washington, in the County of Morris and State of New Jersey, as follows:

SECTION 1. Purpose. The purpose of this ordinance is to prohibit illicit connections to the municipal separate storm sewer system operated by the Township of Washington so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION 2. Definitions. For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

DOMESTIC SEWAGE - waste and wastewater from humans or household operations.

ILLICIT CONNECTION - any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

INDUSTRIAL WASTE - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township or other public body, and is designed and used for collecting and conveying stormwater.

NJPDES PERMIT - a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A

NON-CONTACT COOLING WATER - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

PROCESS WASTEWATER - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

STORMWATER – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

SECTION 3. Prohibited Conduct. No person or persons, firm, association or corporation shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

SECTION 4. Enforcement. All police officers of the Township, regular and special, the Department of Public Works Superintendent or his/her duly authorized designee, the Health Officer or his/her duly authorized designee, are hereby given full power and authority and are charged with the duty to enforce all provisions of this article.

SECTION 5. Penalties. Any person or persons, firm, association or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to any one or more of the following penalties: a fine not exceeding \$1,250, but in no event less than \$100, imprisonment for any term not exceeding 90 days, or a period of community service not exceeding 90 days.

SECTION 6. All Ordinances of the Township of Washington which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 8. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

TOWNSHIP OF WASHINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

Dianne S. Gallits, Clerk

By: _____
Kenneth W. Short, Mayor