

ORDINANCE NO. 42-2005

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CREATING NEW SECTION 8, IN CHAPTER XIX, TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM OPERATED BY THE BOROUGH OF SPRING LAKE, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. CHAPTER 19, SUBSECTION 8, PURPOSE

An Ordinance to prohibit illicit connections to the Municipal Separate Storm Sewer System operated by the Borough of Spring Lake, so as to protect public health, safety and welfare.

SECTION 2. CHAPTER 19, SUBSECTION 8.1 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 chapter 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 work "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.

- a. Domestic sewage** - waste and wastewater from humans or household operations.
- b. 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 Borough of Spring Lake, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJDPEs Permit Number

NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

- c. Industrial waste** - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b) or (c) of Federal Clean Water Act (33 U.S.C 1317(a), (b) or (c).
- d. Municipal separate storm sewer system (MS4)**- a conveyance or 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 Borough of Spring Lake or other public body, and is designed and used for collecting and conveying stormwater.
- e. NJDES permit** - a permit issued by the New Jersey Department Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.
- f. 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.
- g. Person** - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. 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.
- i. 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 CHAPTER 19, SUBSECTION 8.2 PROHIBITED CONDUCT

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Borough of Spring Lake any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

SECTION 4 CHAPTER 19, SUBSECTION 8.3 ENFORCEMENT

This Ordinance shall be enforced by the Police Department and the Zoning Official of the Borough of Spring Lake.

SECTION 5 CHAPTER 19, SUBSECTION 8.4 PENALTIES

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500.00.

SECTION 6 SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason, shall not effect any other portion of this Ordinance.

SECTION 7 EFFECTIVE DATE

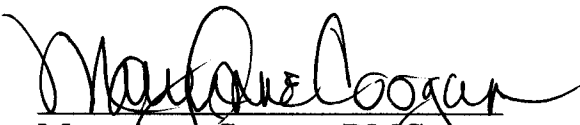
This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

INTRODUCED AND PASSED ON FIRST READING ON SEPTEMBER 20, 2005.

PASSED ON SECOND AND FINAL READING AND ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE ON OCTOBER 4, 2005.

APPROVED: 
THOMAS J. BYRNE, MAYOR

Attest:


Mary Anne Coogan, RMC
Borough Clerk