

ORDINANCE NO. 38 -2005

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF SPRING
LAKE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER
XIX, NEW SECTION 4, "PROHIBITING THE DISCHARGE OF
CERTAIN WATERS OR WASTES INTO THE SANITARY
SEWER SYSTEM OF THE BOROUGH OF SPRING LAKE."**

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, SECTION 4, PURPOSE

An Ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) 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.

SECTION 2. CHAPTER 19, SECTION 4.1 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 word "shall" is always mandatory and not merely directory.

a. 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 Borough of Spring

Lake or other public body, and is designed and used for collecting and conveying stormwater.

- b. Person** - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. 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, SECTION 4.2, PROHIBITED CONDUCT

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Spring Lake is prohibited. The spilling, dumping or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system if also prohibited.

SECTION 4 CHAPTER 19, SECTION 4.3, EXCEPTIONS TO PROHIBITION

- a. Waterline flushing and discharges from potable water sources**
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters).**
- c. Air conditioning condensate (excluding contact and non-contact cooling water).**
- d. Irrigation water (including landscape and lawn watering runoff)**
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.**

f. Residential car washing water, and residential swimming pool

discharges.

g. Sidewalk, driveway and street wash water.

h. Flows from fire fighting activities.

i. Flows from rinsing of the following equipment with clean water:

1. Beach maintenance equipment immediately following their use for their intended use.
2. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
3. Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

SECTION 5. CHAPTER 19, SECTION 4.4 ENFORCEMENT

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

SECTION 6. CHAPTER 19, SECTION 4.5 PENALTIES

Any person(s) who continues to be in violation of the provisions of the Ordinance, after being duly notified, shall be subject to a fine not to exceed \$300.00.

SECTION 7 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 affect any other portion of this Ordinance.

SECTION 8 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**