

ORDINANCE 2005:06

AN ORDINANCE CREATING CHAPTER 8.41 "IMPROPER DISPOSAL OF WASTE"

WHEREAS, the Governing Body desires for the betterment of the community and the general health and welfare of its citizens to create to the Borough Code Chapter 8.41 entitled "Improper Disposal of Waste"; and

BE IT ORDAINED by Mayor and Council of the Borough of Stratford, County of Camden, State of New Jersey, as follows:

SECTION 01. 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 Stratford, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION 02. 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 Stratford or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person is any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater is 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 03. Prohibited Conduct:

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Stratford 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 systems is also cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

SECTION 04. Exceptions to Prohibition:

- a. Water line flushing and discharge 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:
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.

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.

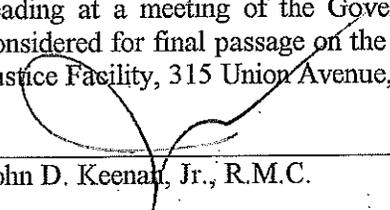
SECTION 05. All ordinances and provisions thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 06. If any article, section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision or invalidity shall not affect the remaining portions or provisions of this ordinance.

SECTION 07. This ordinance shall take effect immediately after final passage and publication in accordance with the laws of the State of New Jersey.

PUBLIC NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on the first reading at a meeting of the Governing Body held on the 8th day of March, 2005 and will be considered for final passage on the 12th day of April, 2005 at a meeting to be held at the Stratford Justice Facility, 315 Union Avenue, Stratford, NJ.



John D. Keenan, Jr., R.M.C.