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Borough of Pompton Lakes, N.J.



Currently:
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ORDINANCE NO. 06-10

AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES AMENDING CHAPTER 139-5 OF THE BOROUGH CODE, ENTITLED "DEPOSITING REFUSE IN OR POLLUTING WATERS"

WHEREAS, the Mayor and Council of the Borough of Pompton Lakes desire to amend Ordinance 139-5, regarding the disposal of materials other than stormwater to the municipal storm water system, in order to comply with recent legislation which formalizes the manner in which municipalities must deal with stormwater issues.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Chapter 139-5 of the Borough Code is amended as follows:

139-5. Improper Disposal of Waster.

SECTION I. 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 Pompton Lakes, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. 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, man made channels, or storm drains) that is owned or operated by the Borough 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 III. Prohibited conduct:

1. The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm water system operated by the Borough 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 is also prohibited.

SECTION IV. Exceptions to Prohibition:

a. Water line flushing and discharges from potable water sources.

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- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground water)
- 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:

Beach maintenance equipment immediately following their use for their intended purposes; and

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 V. Enforcement

This ordinance shall be enforced by the Pompton Lakes Police Department.

SECTION VI. 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 \$100.

SECTION VII.

If any Article of this Ordinance or its application to any person or circumstances shall be adjudged invalid, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

This Ordinance is not meant to repeal any provisions of the Revised code of the Borough of Pompton Lakes other than those designated herein, but to add to its requirements, and all Ordinances or parts thereof inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency only.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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