

# Chapter 283. Stormwater Management

## Article II. Improper Disposal of Waste

[Adopted 12-14-2005 by Ord. No. 28-2005]

### § 283-6. Purpose.

The purpose of this article is 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 Eatontown, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

### § 283-7. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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.

#### **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 of Eatontown or other public body, and is designed and used for collecting and conveying stormwater.

#### **PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

#### **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.

### § 283-8. Prohibited conduct.

The spilling, dumping or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Eatontown 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.

## § 283-9. Exceptions.

The following are exceptions to the prohibitions listed in § 283-8:

- A. Water line flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air conditioning condensate (excluding contact and non-contact 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, including the washing of fire-fighting vehicles.
- I. Vehicle and equipment wash water from municipal operations pursuant to Part I, Section F.8.e, of the Borough's Tier A Municipal Stormwater General Permit.
- J. Flows from rinsing of the following equipment with clean water: beach maintenance equipment immediately following its use for its intended purposes; and equipment used in the application of salt and deicing materials immediately following salt and deicing material applications. Prior to rinsing with clean water, all residual salt and deicing 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.

## § 283-10. Enforcement.

The provisions of this article shall be enforced by the Eatontown Police Department and/or the Eatontown Special Code Enforcement Officer.

## § 283-11. Violations and penalties.

Any person, firm or corporation violating any provision of this article shall, upon conviction, be subject to a fine not exceeding \$1,250, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.