

Chapter 283. Stormwater Management

Article I. Illicit Connections to Storm Sewer System

[Adopted 12-14-2005 by Ord. No. 26-2005]

§ 283-1. Purpose.

The purpose of this article is to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of Eatontown, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 283-2. 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. 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.

DOMESTIC SEWAGE

Waste and wastewater from humans or household operations.

ILLICIT CONNECTION

Any physical or nonphysical 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 Eatontown, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows or overflows into the municipal separate storm sewer system.

INDUSTRIAL WASTE

Nondomestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b) or (c) of the Federal Clean Water Act [3 U.S.C. 1317(a), (b) or (c)].

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.

NJDES PERMIT

A permit issued by the New Jersey Department of Environmental Protection to implement the

New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

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.

PERSON

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

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.

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.

§ 283-3. 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 Eatontown any domestic sewage, non-contact cooling water, process wastewater or other industrial waste (other than stormwater).

§ 283-4. Enforcement.

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

§ 283-5. 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.