

ORDINANCE NO. 05-34

AN ORDINANCE AMENDING SECTIONS OF CHAPTER XV, SEWER AND WATER, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY TO PROHIBIT ILLICIT CONNECTIONS TO THE SEWER SYSTEM

WHEREAS, pursuant to *N.J.A.C. 7:8-4.1*, et seq., a municipality shall adopt a storm water management plan and storm water control ordinances consistent with the state regulations; and

WHEREAS, the State regulations address several areas of concern, including illicit connections to the municipal separate storm sewer system so as to protect public health, safety and welfare; and

WHEREAS, the Council of the Township of Rockaway desires to adopt an ordinance to amend and supplement sections of the existing Code to address illicit connections.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Township of Rockaway, County of Morris, State of New Jersey, as follows:

SECTION ONE. Subsection 15-1, Definitions, of Article I, General Provisions of Sewer Systems, of Chapter XV, Sewer and Water, of the Revised General Ordinances of the Township of Rockaway, shall be supplemented or amended to add or revise the following definitions to be inserted alphabetically:

Domestic sewage means waste and wastewater from humans or household operations.

Illicit connection means any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate sewer system operated by the Township of Rockaway,

unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, overflows, cesspools, privy vaults, garage floor drains, or pit drains into the municipal separate storm sewer system.

Industrial waste means a liquid waste resulting from the processes employed in industrial establishments, including, but not limited to, those pollutants regulated under Section 307 (a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).

Municipal separate storm sewer system (MS4) means 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 Township of Rockaway or other public body, and is designed and used for collection and conveying stormwater.

NJPDES permit means 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 means 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 algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

Person means any individual, corporation, company, partnership, firm, associations, or political subdivision of this State subject to municipal jurisdiction.

Process wastewater means 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 means 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 TWO. Subsection 15-19, Prohibited Discharges, of Article IV, Discharges, of Chapter XV, Sewer and Water, of the Revised General Ordinances of the Township of Rockaway, shall be renamed Illicit Connections.

SECTION THREE. Subsection 15-19a, Illicit Connections, of Article IV, Discharges, of Chapter XV, Sewer and Water, of the Revised General Ordinances of the Township of Rockaway, amended to read as follows:

- a. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Rockaway any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater.)

SECTION FOUR. Subsection 15-25, Powers and Authority of Inspection; Authorized Personnel, of Article V, Miscellaneous Provisions of Sewer System, of Chapter XV, Sewer and Water, of the Revised General Ordinances of the Township of Rockaway, amended to read as follows:

The Department of Engineering, Planning and Construction, the Department of Public Works and Utilities and other duly authorized employees of the Township bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling, testing, and enforcement in accordance with the provisions of this Chapter.

SECTION FIVE. Subsection 15-26, Violations and Penalties, of Article V, Miscellaneous Provisions of Sewer System, of Chapter XV, Sewer and Water, of the Revised General Ordinances of the Township of Rockaway, amended to read as follows:

Any person who shall violate the provisions of this chapter shall, upon conviction thereof, be punished in accordance with Section 1-5. A separate offense shall be deemed committed on each day during or on which a violations occurs or continues

SECTION SIX. All Ordinances of the Township of Rockaway that are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION SEVEN. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION EIGHT. This Ordinance shall take effect as provided by law.

CERTIFICATION

I, Mary C. Cilurso, Township Clerk, Township of Rockaway County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title, and passed on first reading at a regular meeting of the Rockaway Township Council held on October 5, 2005 and adopted by the Governing Body at a ~~regular~~ meeting of the Township held on October 25, 2005.

Mary C. Cilurso
Mary C. Cilurso, Township Clerk

Approved By:

Louis S. Sceusi

Louis S. Sceusi
Mayor