

ORDINANCE # 2024-06

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 296, WATER AND SEWERS, TO ESTABLISH ARTICLE XV, "IMPROPER DISPOSAL OF WASTE"

WHEREAS, on December 1, 2022, the New Jersey Department of Environmental Protection issued a Final Stormwater Discharge Master General Permit Renewal (Permit Number NJ0141852) in accordance with N.J.A.C. 7:14A; and as part of the above referenced permit renewal the Township of Allamuchy was reassigned to Tier A under N.J.A.C. 7:14a-25.3(a)1; and the requirements of the above referenced permit for municipalities assigned to Tier A includes a requirement to adopt certain community-wide ordinances; and the Township is required to adopt and enforce an ordinance prohibiting the improper spilling, dumping or disposal of material other than stormwater into the municipal separate storm sewer system (MS4), excluding those discharges as allowable under Part II.C.2.b of the permit; and the NJDEP has created a model Improper Disposal of Solid Waste ordinance for adoption by municipalities to comply with the permit requirements; and the Township Council seeks to adopt the model Improper Disposal of Waste Ordinance in order to satisfy the conditions of the NJDEP MS4 permit.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Allamuchy, Country of Warren, State of New Jersey as follows:

Section I

Chapter 296, Water and Sewers, of General Legislation is hereby amended by adding thereto a new Article XV entitled "Improper Disposal of Waste", to meet requirements of the NJPDES MS4 Permit.

§296-61 Purpose.

To prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by Allamuchy Township to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

§296-62 Definitions.

For this Article, the following terms, phrases, words, and their derivations, shall have the meanings stated herein unless their use in the text of this Code clearly demonstrates a different meaning. When consistent with the context, words used in the present tense includes 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 Allamuchy Township 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.

§296-63 Prohibited Conduct.

The spilling, dumping, or disposal of materials other than stormwater that causes the discharge of pollutants to the municipal separate storm sewer system operated by Allamuchy Township is prohibited.

§296-64 Exemptions.

- A. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly;

- 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; and industrial refrigerant condensate);
- D. Irrigation water (including landscape and lawn watering runoff);
- E. Flows from springs, riparian habitats, wetlands, water reservoir discharges and diverted stream flows;
- F. Residential car washing water and dechlorinated swimming pool discharges from single family residential homes;
- G. Sidewalk, driveway, and street wash water;
- H. Flows from firefighting activities including the washing of fire fighting vehicles;
- I. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;
- J. Rinsing of beach maintenance equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.
- K. Flows from clean water rinsing of equipment and vehicles used in the application of salt and deicing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and
- L. Rinsing of deicing equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§296-65 Enforcement.

This Article shall be enforced by the New Jersey State Police, Township Engineer, Health Official, Zoning Official, Superintendent/Supervisor of the Public Works Department for the Township of Allamuchy or designee.

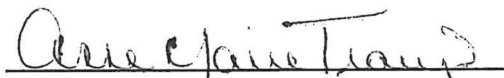
§296-66 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance, upon conviction, be liable to the general penalty in Chapter 1, Article II, General Penalty, of the Township Code.


Section II

1. All ordinances or part of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.
2. If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.
3. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

ATTEST:

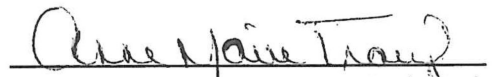

ANNE MARIE TRACY, Municipal Clerk

TOWNSHIP OF ALLAMUCHY


ROSEMARY TUOHY, Mayor

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Allamuchy Township Council held on March 27, 2024 and will be considered for final reading and adoption at the meeting of the Allamuchy Township Council to be held on April 24, 2024 at 6:30 p.m. at the Municipal Building, 292 Alphano Road, Allamuchy, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance.


ANNE MARIE TRACY, Municipal Clerk


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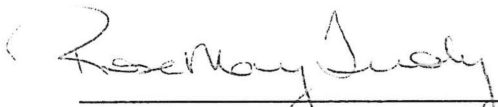
Take notice, the foregoing Ordinance was introduced and passed on first reading by the Township Council of the Township of Allamuchy on March 27, 2024 at a meeting of said Council held at Allamuchy Town Hall, Allamuchy, New Jersey and was given further consideration and finally passed at a meeting of the Allamuchy Township Council held April 24, 2024 at Allamuchy Town Hall, Allamuchy, N.J.

This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

ATTEST:



Anne Marie Tracy, Municipal Clerk



Rosemary Tuohy, Mayor