

# SANDYSTON TOWNSHIP

2024-08

## ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO ADD A NEW CHAPTER ENTITLED “ILLICIT CONNECTIONS”

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Sandyston as follows:

The Code of the Township of Sandyston is hereby amended to add the following new Chapter entitled “Illicit Connections”, which shall read as follows:

### **Section I. Purpose.**

An Ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by Sandyston Township to protect the environment, 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 in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. **“Domestic Sewage”** means waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.
- B. **“Illicit Connection”** means, any physical or non-physical connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system):
  - 1. Domestic sewage;
  - 2. Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or
  - 3. Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.26(d)(2)(iv)(B)(1) or 122.34(b)(3)(iii).
  - 4. Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- C. **“Industrial waste”** means non-domestic waste, including, but not limited to, those pollutants, regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act.

- D. **“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 Sandyston Township or other public body, and is designed and used for collecting and conveying stormwater.
- E. **“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. &:14A.
- F. **“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 algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- G. **“Person”** means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- H. **“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, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- I. **“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 sewage or drainage facilities or is conveyed by snow removal equipment.

### **Section III. Regulated Activities.**

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

### **Section IV. Exemptions.**

None

### **Section V. Enforcement.**

The provisions of this Article shall be enforced by the Code Enforcement Official, or Township designee of Sandyston Township.

### **Section VI. Violations and Penalty.**

Any person(s) who is continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not less than \$100.00 and not to exceed \$2,000.00.

### **Section VII. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Sandyston inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

**VIII. Severability.**

If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to this section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

**IX. Effective date.**

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

**Roll Call Vote:** Ayes: Harper, Green, Hull (); Nays (); Absent (); Abstain ()

Introduced: March 19, 2024

Adopted: April 19, 2024

George B. Harper, Jr., Mayor

Attest:

Amanda F. Lobban, RMC

Municipal Clerk

**NOTICE OF ADOPTION**

**NOTICE** is hereby given that the aforementioned ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Township Committee of the Township of Sandyston, in the County of Sussex, State of New Jersey, held on Tuesday, March 19, 2024 at 7 pm. The same had benefit of second reading and public hearing at which time all interested and present were given the opportunity to be heard during a regular meeting on Tuesday, April 16, 2024 at 7 pm at the Sandyston Township Municipal Building, 133 Route 645, Sandyston, NJ at such time the Ordinance became law.

Amanda F. Lobban, RMC

Municipal Clerk