

**BOROUGH OF WRIGHTSTOWN
COUNTY OF BURLINGTON**

ORDINANCE NO. 2024-04

**AN ORDINANCE OF THE BOROUGH COUNCIL AMENDING THE BOROUGH
OF WRIGHTSTOWN CODE OF ORDINANCES TO ADOPT AND ESTABLISH
NEW CHAPTER 97 “IMPROPER DISPOSAL OF WASTE”
IN THE CODE OF THE BOROUGH OF WRIGHTSTOWN**

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Borough’s 2023 Tier A MS4 NJPDES permit renewal requires permittees to, at a minimum, adopt and enforce a community-wide ordinance to regulate the improper disposal of waste; and

WHEREAS, the Borough Council of the Borough of Wrightstown finds that it is in the best interests of the Borough to adopt the required ordinances to promote the public health, safety, and general welfare of its citizenry.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WRIGHTSTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY AS FOLLOWS:

Section 1. New Chapter 97 entitled “Improper Disposal of Waste” is hereby created as attached hereto as Schedule “A” and made a part hereof.

Section 2. All other provisions of the Code currently in effect, are hereby saved from revision, and shall remain in full force and effect;

Section 3. If any provision of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

Section 4. This ordinance shall be effective as of the date hereof and shall remain in force until modified, amended or rescinded by Borough of Wrightstown, Burlington County, New Jersey.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Wrightstown held on March 27, 2024. It will be further considered for final passage after a public hearing at the regular meeting to be held on

April 24, 2024, at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey at 6:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

FREDA H. GORMAN, RMC
Municipal Clerk

Introduction/First Reading March 27, 2024

Motion: Mrs. Carroll

Second: Mrs. Knapp

Roll Call Vote:

Ayes: Mr. Bird, Mr. Bushnell, Mrs. Carroll, Mr. Craig, Mrs. Knapp, Mr. Lownds

Nays: None

Absent: None

Abstain: None

Second Reading/Public Hearing April 24, 2024

Motion: Mr. Bushnell

Second: Mr. Lownds

Roll Call Vote:

Ayes: Mr. Bird, Mr. Bushnell, Mrs. Carroll, Mr. Craig, Mrs. Knapp, Mr. Lownds

Nays: None

Absent: None

Abstain: None

DONALD COTTRELL
Mayor

CERTIFICATION

The aforementioned Ordinance Number 2024-04 was finally adopted by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey, after Second Reading and Public Hearing at their Regular Meeting held on April 24, 2024.

FREDA H. GORMAN, RMC
Municipal Clerk

Dated: April 24, 2024

Ord24-04 ImproperWasteDisposalChapter97Stormwater

SCHEDULE “A”
NEW CHAPTER 97
IMPROPER DISPOSAL OF WASTE

§97-1. Purpose:

An ordinance 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 Wrightstown to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

§97-2. 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 consistent 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.

- A. “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 Borough of Wrightstown or other public body, and is designed and used for collecting and conveying stormwater.

NOTE: In municipalities with combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”

- B. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- C. “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.

§97-3. Regulated Activities:

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 the Borough of Wrightstown is prohibited.

§97-4. 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.

§97-5. Enforcement:

This ordinance shall be enforced by the Borough Zoning Officer or Code Enforcement Officer.

§97-6. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine no less than \$100 and not to exceed \$500 for each incident.