

**BOROUGH OF WRIGHTSTOWN
COUNTY OF BURLINGTON**

ORDINANCE NO. 2024-19

**AN ORDINANCE OF THE BOROUGH COUNCIL AMENDING THE
BOROUGH OF WRIGHTSTOWN CODE OF ORDINANCES TO ADOPT AND
ESTABLISH NEW CHAPTER 97 “ILLICIT CONNECTIONS TO THE MUNICIPAL
STORM SEWER SYSTEMS” 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 Tier A MS4 NJPDES permit requires permittees to, at a minimum, adopt and enforce a community-wide ordinance to prevent illicit connections to the municipal separate storm sewer systems; 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 “Illicit Connections to The Municipal Storm Sewer Systems” 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 This ordinance shall be effective as of the date hereof and shall remain in force until modified, amended or rescinded by Borough of Wrightstown, Burlington County, New Jersey.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 regular meeting of the Borough Council of the Borough of Wrightstown, held on July 24, 2024. It will be further considered for final passage after a Public Hearing at the regular meeting to be

held on August 28, 2024, at 6:30 P.M. at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey.

FREDA H. GORMAN, RMC
Municipal Clerk

Introduction/First Reading July 24, 2024

Motion: Mrs. Knapp

Second: Mr. Lownds

Roll Call:

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

Nays: None

Absent: Mr. Bushnell

Abstain: None

Second Reading/Public Hearing August 28, 2024

Motion: Mr. Lownds

Second: Mrs. Knapp

Roll Call:

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

Nays: None

Absent: Mr. Bushnell, Mrs. Carroll

Abstain: None

DONALD COTTRELL
Mayor

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Borough Council of the Borough of Wrightstown on July 24, 2024, and adopted after a public hearing at a meeting of the Borough Council of the Borough of Wrightstown held on August 28, 2024.

FREDA H. GORMAN, RMC
Municipal Clerk

SCHEDULE “A”

NEW CHAPTER 97

ILLICIT CONNECTIONS TO THE MUNICIPAL STORM SEWER SYSTEMS

§97-1. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) 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. “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 the Borough of Wrightstown 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. 7:14A.
- 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 algaecides, 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, 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 sewerage or drainage facilities or is conveyed by snow removal equipment.

§97-3. Regulated Activities:

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

§97-4. Exemptions:

None.

§97-5. Enforcement:

This ordinance shall be enforced by the Borough Zoning Officer or Code Enforcement Officer during the course of ordinary enforcement duties.

§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 \$100.00 and no more than \$1,000.00 for each violation.

§97-7. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.