

NOTICE OF PENDING ORDINANCE

This ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Oradell, in the County of Bergen and State of New Jersey, held on June 28, 2005. It will be further considered for final passage after public hearing thereon, at a regular Meeting of said Borough Council to be held in the Town Hall, on July 26, 2005, at 7:30 P.M. and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office in said Town Hall to the members of the general public who shall request the same.



IVANA MALEC
Borough Clerk

BOROUGH OF ORADELL

ORDINANCE NO. 05-13

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 240 OF THE CODE OF THE BOROUGH OF
ORADELL SO AS TO PROHIBIT ILLICIT CONNECTIONS TO
THE MUNICIPAL SEPARATE STORM SEWER SYSTEM
OPERATED BY THE BOROUGH OF ORADELL**

WHEREAS, the Borough of Oradell, has adopted §240 of the Code of the Borough of Oradell, entitled "Land Development"; and

WHEREAS, there is a need to amend and supplement said chapter so as to provide for and include a municipal storm water management plan, as required by applicable state regulations.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Oradell that ARTICLE XX of Chapter 240 of the Code of the Borough of Oradell is amended and supplemented so as to add the following additional provisions to the "Borough of Oradell – Municipal Stormwater Management Plan", as follows:

B. ILLICIT CONNECTIONS

SECTION I. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of Oradell so as to protect public health, safety and welfare and to prescribe penalties for the 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 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. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage – waste and wastewater from humans or household operations.
- b. Illicit connection - 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 storm sewer system operated by the Borough of Oradell, unless that discharge is authorized, under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJO141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- c. Industrial waste – non-domestic waste, 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)).
- d. 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 the Borough of Oradell or other public body, and is designed and used for collecting and conveying stormwater.
- e. NJPDES permit – 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 - 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 - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

h. Process wastewater - 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 - 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 III. Prohibited Conduct:

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

SECTION IV. Enforcement:

This ordinance shall be enforced by the Oradell Police Department and/or such other Borough Official as may be designated by the Governing Body of the Borough of Oradell.

SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not less than \$100 nor more than \$2,000 or imprisonment for a period not exceeding 30 days, or both.

SECTION VI. 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.

SECTION VII. 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.

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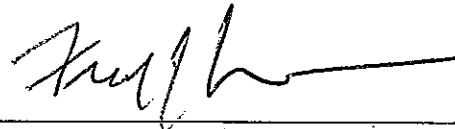
Introduced: June 28, 2005

Passed 1st Reading: June 28, 2005

Public Hearing: July 26, 2005

Adopted: July 26, 2005

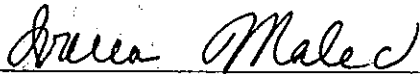
Approved: July 26, 2005



FREDERICK T. LaMONICA, MAYOR

ATTEST:

(SEAL)



IVANA MALEC
Borough Clerk

THIS IS TO CERTIFY that the foregoing ordinance was finally passed and adopted
at the Regular Public Meeting of the Borough Council of the Borough of Oradell, New
Jersey, on July 26, 2005.



IVANA MALEC, BOROUGH CLERK