

SUMMARY
ORDINANCE #12-2005
BOROUGH OF NORTH HALEDON

**AN ORDINANCE AMENDING CHAPTER 141 OF THE CODE
OF THE BOROUGH OF NORTH HALEDON ENTITLED "SEWERS" PROHIBITING ILLICIT
CONNECTIONS INTO THE BOROUGH OF NORTH HALEDON SEWER SYSTEM**

This ordinance prohibits illicit connections to the municipal separate storm sewer system(s) operated by the Borough of North Haledon, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on September 29, 2005, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on October 19, 2005 at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 7:30 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at the Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on October 27, 2005, at the Municipal Building, 103 Overlook Avenue, North Haledon, N.J., and is hereby declared a passed ordinance in accordance with law.



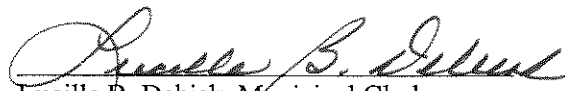
Randy George, Mayor

Passed first reading on
September 29, 2005

Passed second and final reading on
October 27, 2005



Lucille B. Debiak, Municipal Clerk



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Be it ordained by the Governing Body of the Borough of North Haledon as follows:

SECTION I. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of North Haledon, 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. 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 as 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 North Haledon, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ01418520. 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 Borough of North Haledon 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."
- 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 algaecides, 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 North Haledon 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 Police Department and/or property maintenance officer and/or Board of Health of the Borough of North Haledon.

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 to exceed \$1,250 and/or imprisonment not to exceed ninety (90) days or both. Each and every day in which a violation of this ordinance exist constitute a separate violation.

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 VIII. Effective date:

This ordinance shall become effective upon passage and publication, as provided by law.