

**BOROUGH OF RIVER EDGE**

**ORDINANCE # 21-11**

**AN ORDINANCE OF THE BOROUGH OF RIVER EDGE AMENDING AND SUPPLEMENTING CHAPTER 342 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE PROHIBITING ILLICIT CONNECTIONS TO THE MUNICIPAL STORM WATER SEWER SYSTEM**

**BE IT ORDAINED** by the Mayor and Council of the Borough of River Edge in the County of Bergen and State of New Jersey as follows:

**Section 1.** Chapter 342 entitled “Sewers” shall be amended by the following:

**Add:**

**Article V – Prohibition of Illicit Connections to the Municipal Separate Storm Sewer System**

**§ 342-27. Purpose:**

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of River Edge so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply,

**§ 342-28. 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 permanent or non-permanent 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 River Edge, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number

NJ0141852). Non-permanent 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 River Edge or other public body, and is designed and used for collection 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 colling. 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.

**§ 342-28. 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 River Edge any

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

**§ 342-29. Enforcement:**

This ordinance shall be enforced by the Police Department, the Code Enforcement Officer and the Department of Public Works of the Borough of River Edge.

**§ 342-30. 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 five hundred (\$500.00) dollars for each separate offense.

**Section 2.** Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 4.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

Introduced: March 8, 2021

Adopted: March 22, 2021