

Chapter 342

SEWERS

GENERAL REFERENCES

Plumbing — See Ch. 326.

Solid waste — See Ch. 358.

Property maintenance — See Ch. 330.

ARTICLE I

**Adoption of Regulations
[Adopted 12-10-1979 by Ord. No. 754]****§ 342-1. Compliance with regulations of County Authority.**

The use of all sanitary sewers of the Borough of River Edge shall be in compliance with the rules and regulations enacted by the Bergen County Utilities Authority.

§ 342-2. Adoption and implementation of user charge and industrial cost recovery systems; connection fees.

- A. The Borough of River Edge hereby adopts and enacts the user charge system and industrial cost recovery system contained in the rules and regulations of the Bergen County Utilities Authority, and authorizes their immediate implementation by the appropriate municipal official, to be designated by resolution of the governing body.
- B. The Borough of River Edge hereby adopts and enacts the charge for connection fees imposed on each individual or entity making a direct or indirect connection to the sanitary wastewater collection and treatment system of the Bergen County Utilities Authority as contained in the Rules and Regulations of the Bergen County Utilities Authority and as same may be amended. **[Added 9-17-2005 by Ord. No. 1509]**

§ 342-3. Copies of rules and regulations.

- A. That not fewer than three copies of the rules and regulations of the Bergen County Utilities Authority have been and are filed in the office of the Borough Clerk of the Borough of River Edge, and are available for public inspection during normal business hours.
- B. Copies of the rules and regulations of the Bergen County Utilities Authority can be obtained from the Bergen County Utilities Authority for the cost of publication.

§ 342-4. Signatory authorities for amendments to service agreement.

The Mayor and Clerk of the Borough of River Edge shall be and they are hereby authorized to act as signatories upon and to execute on behalf of the Borough of River Edge an amendment to the existing service agreement with the Bergen County Utilities Authority, which embodies the intent and purpose of this Article.

ARTICLE II
Regulation of Discharges
[Adopted 9-20-1993 by Ord. No. 1080]

§ 342-5. Types of discharge restricted.

No person shall discharge into any public sewer of the Borough of River Edge any waste, substance or water other than such kinds or types of water or water-carried waste for the conveyance of which the particular public sewer is intended or provided.

§ 342-6. Discharge of unpolluted waters into sanitary sewers prohibited.

No person shall discharge or cause to be discharged to any sanitary sewer any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, air-conditioning and refrigerating wastewaters or unpolluted industrial process waters.

§ 342-7. Discharge of unpolluted waters.

Stormwater and all other unpolluted drainage or uncontaminated process water in excessive quantities shall be discharged to storm sewers or to the natural outlet. Such water shall be discharged only after approval of any local, county or state regulatory agency having jurisdiction.

§ 342-8. Prohibited discharges into sewers.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sanitary sewers:

- A. Any gasoline, benzene, naphtha, alcohol, tar, fuel oil or other flammable or explosive liquid, solid, gas or vapor.
- B. Any garbage, except properly shredded garbage. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Public Works Manager or other authorized borough official.
- C. Any ashes, cinders, stones, sand, mud, straw, shavings or sawdust, metal, sticks, coarse rubbish, glass, rags, tar, feathers, plastics, waste rubber, animal guts or tissues, entrails, blood, hair, hides, wood, paunch manure or any other substance likely to damage, destroy or cause an obstruction to the flow in any sewer or which may interfere with the proper operation of the sewage works.
- D. Any waters or wastes containing a toxic, poisonous or radioactive substance in sufficient quantity to injure or interfere with any sewage treatment process or to constitute a hazard to humans, animals or marine life or create a hazard in the receiving waters.

- E. Any noxious, malodorous or taste-producing gas, vapor or substance, such as phenols, capable of creating a public or private nuisance or which may prove to be toxic to sewage treatment processes or which may exceed acceptable limits for discharge to receiving waters.
- F. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- G. Any substance prohibited by any federal, state, county or municipal regulatory agency or government body, including but not limited to the Federal Environmental Protection Agency, the New Jersey Department of Environmental Protection and Energy, the Bergen County Utility Authority or the Borough of River Edge, as set forth and determined by the rules, regulations or requirements of such regulatory agencies or bodies.

§ 342-9. Pretreatment requirements.

- A. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics which may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the borough may:
 - (1) Reject the wastes;
 - (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
 - (3) Require control over the quantities and rates of discharge;
 - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- B. If the borough permits the pretreatment of equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the borough and of any or all state regulatory agencies having jurisdiction, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

§ 342-10. Determination of exclusion of waste.

In determining whether any waste discharged or proposed to be discharged into any public sewer is to be excluded, consideration will be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer into which the waste is to be discharged, the probable quantity of sewage or other wastes

likely in said sewer and other pertinent facts. Minute quantities of waste which would be objectionable in larger quantity may be accepted if sufficiently diluted when and as discharged or if the quantity discharged is small as compared to the flow in the receiving sewer, but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by the borough.

§ 342-11. Pretreatment facilities.

- A. At all premises where wastes or substances specified to be excluded from public sewers by these regulations are present and liable to be discharged, directly or indirectly, into said sewers, suitable and sufficient piping layouts, oil, grease, sand and flammable waste traps or separators, screens, settling tanks, diluting devices, storage or regulating chambers, treatment, cooling or other equipment and devices shall be provided. These shall be maintained and properly operated by the owner of the premises or his agent, at his expense, to ensure that no waste or substance is discharged in violation of the requirements of these regulations.
- B. On premises where wastes or substances specified to be excluded from public sewers are present, the borough may require the owner to provide, operate and maintain, at his expense, a sampling well or wells, flow-measuring devices, manholes or other appurtenances, all readily accessible on the building sewer or drain from said premises near the point where said sewer or drain connects to the public sewer. By means of said sampling well or wells, flow measuring devices or other appurtenances, the borough or any public officer having legal jurisdiction may secure samples or examine the wastes being discharged into the public sewer for the purpose of determining compliance or noncompliance with the requirements of these regulations.
- C. The borough shall have the right to enter and inspect any part of the pretreatment facilities served by public sewers upon which there may be reason to believe that violations of the requirements of these regulations have occurred or are likely to occur, for the purpose of ascertaining the facts to such violations or suspended violation or of obtaining samples of wastes or of inspecting flow measuring devices or treatment facilities provided to prevent prohibited discharges.

§ 342-12. Excluded wastes prohibited in storm sewers.

Wastewaters or substances which are excluded from sanitary sewers shall not be discharged into any storm sewer.

§ 342-13. Violations and penalties.

- A. Any person found to be violating any provision of these regulations shall be served by the Borough of River Edge with a written notice, stating the nature of the violation and providing a reasonable time limit for the

satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

- B. For a violation of any provision of this Article, the maximum penalty, upon conviction thereof, shall be a fine not exceeding \$1,000, or imprisonment for up to 90 days, or a period of community service not exceeding 90 days, or any combination thereof. Each day that any violation of these regulations continues and each day that any person continues to discharge prohibited wastes or substances into any public sewer shall be deemed to be a separate offense for the purpose of applying the penalty provided in this section. **[Amended 12-16-1996 by Ord. No. 1172]**
- C. Any person violating any of the provisions of this Article shall be liable to the Borough of River Edge for any expense, loss or damage occasioned the municipality by reason of such violation.

§ 342-14. Maintenance and repair. [Added 4-21-1997 by Ord. No. 1181]

The owners or occupants of premises in the Borough of River Edge shall be responsible for the proper maintenance and repair of all sewer lines and connections between the premises and the main.

ARTICLE III

**Private Storm Drain Inlet Retrofitting
[Adopted 4-19-2010 by Ord. No. 1699]****§ 342-15. Purpose.**

An article requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) 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.

§ 342-16. Definitions; word usage.

For the purpose of this article, 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.

MUNICIPAL SEPARATE STORM SEWER (MS4) — A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made 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 collecting and conveying stormwater.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

STORM DRAIN INLET — An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

WATERS OF THE STATE — The ocean and its estuaries, all springs, streams and bodies of surface water or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 342-17. Prohibited conduct.

No person in control of private property (except a residential lot with one single-family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- A. Already meets the design standard below to control passage of solid and floatable materials; or
- B. Is retrofitted or replaced to meet the standard in § 342-18 below prior to the completion of the project.

§ 342-18. Design standard.

Storm drain inlets identified in § 342-17 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this section, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard, see § 342-18C below.

A. Grates.

- (1) Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - (a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Planning and Design Guidelines (April 1996); or
 - (b) A different grate, if each individual clear space in that grate has an area of no more than 7.0 square inches, or is no greater than 0.5 inch across the smallest dimension.
 - (2) Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
- B. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than 7.0 square inches, or be no greater than 2.0 inches across the smallest dimension.
- C. This standard does not apply:
- (1) Where the Municipal Engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - (2) Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin

hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following;

- (a) A rectangular space 4 5/8 inches long and 1 1/2 inches wide (This option does not apply for outfall netting facilities.); or
 - (b) A bar screen having a bar spacing of 0.5 inch.
- (3) Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars; or
 - (4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register-listed historic property.

§ 342-19. Enforcement.

This article shall be enforced by the Borough Stormwater Program Coordinator and/or the Superintendent of Public Works.

§ 342-20. Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$1,000 for each storm drain inlet that is not retrofitted to meet the design standard.

ARTICLE IV

**Refuse Containers and Dumpsters
[Adopted 4-19-2010 by Ord. No. 1698]****§ 342-21. Purpose.**

An article requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semiliquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of River Edge and/or the waters of the state so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 342-22. Definitions; word usage.

For the purpose of this article, 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.

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PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

REFUSE CONTAINER — Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

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.

WATERS OF THE STATE — The ocean and its estuaries, all springs, streams and bodies of surface water or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 342-23. Prohibited conduct.

- A. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is

covered at all times and shall prevent refuse from spilling out or overflowing.

- B. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semiliquids or solids to the municipal separate storm sewer system operated by the Borough of River Edge.

§ 342-24. Exceptions to prohibition.

- A. Permitted temporary demolition containers.
- B. Litter receptacles (other than dumpsters or other bulk containers).
- C. Individual homeowner trash and recycling containers.
- D. Refuse containers at facilities authorized to discharge stormwater under a valid New Jersey Pollutant Discharge Elimination System (NJPDES) permit.
- E. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

§ 342-25. Enforcement.

This article shall be enforced by the Borough Stormwater Program Coordinator and/or the Superintendent of Public Works.

§ 342-26. Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$1,000.