

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 15 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED "ZONING," SECTION 5, ENTITLED "GENERAL REGULATIONS," SO AS TO CREATE A NEW SUBSECTION 23, ENTITLED "ILLICIT CONNECTION"

BE IT ORDAINED by the Township Committee of the Township of Plumsted, County of Ocean and State of New Jersey, as follows:

SECTION 1. Chapter 15 of the General Ordinances of the Township of Plumsted entitled "Zoning," Section 5, entitled "General Regulations," shall be amended and supplemented so as to create a new Subsection 23, entitled "Illicit Connection," which shall read in its entirety as follows:

§ 15-5.22. Illicit Connection.

- a. Purpose. An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Plumsted, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- b. 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.

DOMESTIC SEWAGE – waste and wastewater from humans or household operations.

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 Township of Plumsted, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

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)).

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 Township of Plumsted or other public body, and is designed and used for collecting and conveying stormwater. 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.

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.

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.

PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

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.

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.

- c. 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 Township of Plumsted any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).
- d. Enforcement. This ordinance shall be enforced by the Police Department or the Construction Code Official or the Code Enforcement Officer of the Township of Plumsted.
- e. Penalties. Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine of not less than one hundred (\$100) dollars nor more than one thousand (\$1000) dollars per day.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a Court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. Since this ordinance is legislative in nature, there shall be the codification of same in the General Ordinance Book of the Township of Plumsted.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NAME	CALABRESE	CUOZZO	GRILLETTO	MARINARI	BOWEN
AYES	11/3/22	11/3/22 12/1/22	11/3/22 12/1/22	11/3/22 12/1/22	11/3/22 12/1/22
ABSTAIN					
NAYS					
ABSENT	12/1/22				

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the **3rd** day of **November, 2022** and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the **1st** day of **December, 2022** at 7:00 PM, at the Municipal Building, 121 Evergreen Road, New Egypt, NJ 08533, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to prohibit illicit connections to the municipal separate storm sewer system operated by the Township of Plumsted, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk’s Office, 121 Evergreen Road, New Egypt, New Jersey.



JENNIFER WITHAM, RMC, CMR
MUNICIPAL CLERK