

ORDINANCE #5.23.06d
ORDINANCE ON THE IMPROPER DISPOSAL OF WASTE
IN THE TOWNSHIP OF SHREWSBURY

SECTION I. Purpose:

An Ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Shrewsbury, 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.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,itches, manmade channels, or storm drains) that is owned or operated by the Borough of Eatontown or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. 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:

The spilling, dumping or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Shrewsbury is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

SECTION IV. Exceptions to Prohibition:

- a. Water line flushing and discharges from portable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact water)
- d. Irrigation water (including landscape and lawn watering runoff)

- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
- f. Residential car washing water and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from fire fighting activities including the washing of fire fighting vehicles
- i. Vehicle and equipment washwater from municipal operations pursuant to Part I, Section F.8.e of the Borough's Tier A Municipal Stormwater General Permit
- j. Flows from rinsing of the following equipment with clean water:
 - Beach maintenance equipment immediately following their use for their intended purposes; and
 - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

SECTION V. Enforcement:

The provisions of this Ordinance shall be enforced by the Special Code Enforcement Officer of the Township of Shrewsbury and/or the New Jersey State Police and any future Police Department that may either be established by Shrewsbury Township or shall enforce the laws of Shrewsbury Township through any Interlocal Agreement.

SECTION VI. Violations and Penalty:

Any person, firm or corporation violating any provision of this Ordinance shall, upon conviction, be subject to a fine not exceeding \$1,250.00, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days or any combination thereof.

SECTION VII. 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 be in full force and effect from and after its adoption and any publication as may be required by law.

Township Committee Person introduced the aforesaid Ordinance and

Seconded said Ordinance for introduction.

ROLL CALL

Affirmative: 3

Negative: 0

Abstain: 0

Absent: 0

Dated: 5/23 , 2006

Township Committee moved the aforesaid Ordinance for second reading for Public Hearing and upon closure of said Public Hearing move for its final reading and adoption, seconded by Ms. Lettice Township Committee Person.

ROLL CALL

Affirmative: 3

Negative: 0

Abstain: 0

Absent: 0

Dated: 7/11 , 2006 Ordinance Adopted


ALBERT KLOSE, Mayor

ATTEST:


JANET DELONARDO
CLERK