

**TOWNSHIP OF DOWNE  
COUNTY OF CUMBERLAND, STATE OF NEW JERSEY**

**ORDINANCE NO. 2023-8**

**AN ORDINANCE PROHIBITING ILLICIT CONNECTIONS TO MUNICIPAL STORMWATER  
SYSTEM OPERATED BY THE TOWNSHIP OF DOWNE**

**SECTION I. Purpose:**

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Downe, 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. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDDES) 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 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 [insert name of municipality], unless that discharge is authorized under a NJPDDES permit other than the Tier A Municipal Stormwater General Permit (NJPDDES Permit Number NJ0141852). 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 [insert name of municipality] 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. NJPDDES permit - a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDDES) 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 Township of Downe 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 New Jersey State Police Port Norris Barricks and appointed Municipal Officials of the Township of Downe.

**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 \$1,000.00.

**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 VII. Effective date:**

This Ordinance shall take effect immediately after final adoption and publication as required by law.

ATTEST:

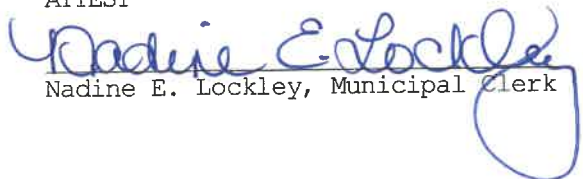
  
 Nadine E. Lockley, Municipal Clerk

  
 Michael L. Rothman, Mayor

STATE OF NEW JERSEY :  
 : ss  
 COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted after a Public Hearing at a meeting of the Downe Township Committee on the 11th day of December, 2023 at the Downe Township Municipal Building in Newport, New Jersey.

ATTEST

  
 Nadine E. Lockley, Municipal Clerk



**TOWNSHIP OF DOWNE  
CUMBERLAND COUNTY, NEW JERSEY  
RECORD FOR ORDINANCE # 2023-8**

**Introduce Ordinance on First Reading**

**Motion: CAMPBELL**

**Second: BYRNE**

Introduce Ordinance / First Reading Date: November 13, 2023  
 Ordinance Published: November 17, 2023  
 Ordinance Posted: November 13, 2023  
 Public Hearing / Second Reading Date: December 11, 2023

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Jordan, L.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.				X
Campbell, R.	X			

**Adoption of Ordinance**

**Motion: CAMPBELL**

**Second: BYRNE**

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Jordan, L.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.	X			
Campbell, R.	X			

Final Adoption Date: December 11, 2023  
 Notice of Final Passage Published: December 19, 2023  
 Notice of Final Passage Posted: December 11, 2023

December 11, 2023  
 Date

Nadine E. Lockley  
 Nadine E. Lockley, Municipal Clerk