

TOWNSHIP OF DOWNE
COUNTY OF CUMBERLAND, STATE OF NEW JERSEY

ORDINANCE NO. 2023-10

AN ORDINANCE TO PROHIBIT DISPOSAL OF WASTE IN THE
TOWNSHIP OF DOWNE MUNICIPAL STORM SEWER SYSTEM

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 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.

- a. 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."
- 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 Downe 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 potable 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 cooling 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
- i. 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.
 - Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

SECTION V. Enforcement:

This ordinance shall be enforced by the New Jersey State Police Port Norris Barricks and other Municipal Officials of the Township of Downe.

SECTION VI. 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 not to exceed \$1,000.00.


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 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 # 2023-10**

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

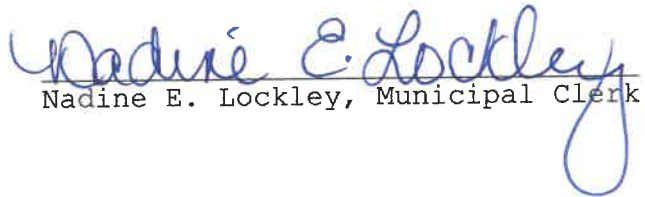
| ROLL CALL | YES | NO | ABSTAIN | ABSENT |
|--------------|-----|----|---------|--------|
| Jordan, L. | X | | | |
| Byrne, S. | X | | | |
| Rothman, M. | X | | | |
| Bart, E. | X | | | |
| Campbell, R. | X | | | |

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, Municipal Clerk