

BOROUGH OF HELMETTA
ORDINANCE NO. 2005 – 10

AN ORDINANCE TO AMEND CHAPTER 47 (SEWERS) TO
ADD ARTICLE III (STORM SEWERS) IN THE BOROUGH OF
HELMETTA, MIDDLESEX COUNTY, NEW JERSEY.

BE IT ORDAINED, by the Borough Council of the Borough of Helmetta in the
County of Middlesex and State of New Jersey, as follows:

Section 1. Article III (Storm Sewers) of Chapter 47 (Sewers) of the Code of the
Borough of Helmetta is added as follows:

Section 47-37. Definitions.

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 Borough, unless that discharge is authorized under a
NJDES permit other than the Tier A Municipal Stormwater General Permit
(NJDES 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.

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 by or operated by the Borough or other public body, and is designed and used for collecting and conveying stormwater.

NON-CONTACT COOLING WATER – water used to reduce the 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.

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.

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 47-38. Prohibited Conduct.

A. No person shall discharge or cause to be discharged through an illicit connection to the municipal storm sewer system operated by the Borough any domestic sewage, non-contact cooling water, process wastewater or other industrial wastewater, other than stormwater.

B. The spilling, dumping or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough 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; except as follows:

- (1) Water line flushing and discharges from potable water sources.
- (2) Uncontaminated groundwater (e.g., crawl space or basement sump pumps, foundation or footing drains).
- (3) Air conditioning condensate, excluding contact and non-contact cooling water.
- (4) Irrigation water, including landscape and lawn watering runoff.
- (5) Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
- (6) Residential car washing water and residential swimming pool discharges.
- (7) Sidewalk, driveway and street wash water.
- (8) Flows from fire fighting activities.
- (9) Flows from rinsing 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; recovered materials are to be returned to

storage for reuse or properly discarded. The rinsing of equipment is limited to exterior undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

Section 47-39. Enforcement.

This Article shall be enforced by the Borough Police Department, Code Enforcement Officer or Water Operator.

Section 47-40. Violations and penalties.

A. Any person found to be violating any provision of this Article shall be served by the Borough with a written notice, stating the nature of the violations and providing seven (7) days for the satisfactory correction thereof. The offender shall permanently cease all violations immediately upon receipt of written notice.

B. Any person who shall violate any provision of this Article shall be fined not more than one thousand dollars (\$1,000.00) or be imprisoned not more than thirty (30) days, or both. Each day that any violation of these provisions continues shall be deemed to be a separate offense for the purpose of applying the penalty provisions set forth herein.

C. Any person violating any of the provisions of this Article shall be liable to the Borough for any expense, loss or damage occasioned by the Borough by reason of such violation.

Section 2. If any part of parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 28A of the Code of the Borough of Helmetta not inconsistent herewith are ratified and confirmed.


Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2005-¹⁰ was introduced at a meeting of the Mayor and Council of the Borough of Middlesex in the County of Middlesex and State of New Jersey on the 14th day of September 28, 2005 and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall at 7:30 P.M. on the 28th day of September, 2005. At such time and place, or at any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.


SANDRA BOHINSKI, RMC
Municipal Clerk

APPROVED:


NANCY MARTIN
Mayor

First reading and introduction:

Passed on First Reading: *September 14, 2005*

Second Reading and Final Hearing: *September 28, 2005*

Approved: