

## Chapter 192

### ILLICIT CONNECTION TO STORMWATER SYSTEM

§ 192-1. Purpose.

§ 192-2. Definitions.

§ 192-3. Prohibited conduct.

§ 192-4. Enforcement and penalties.

[HISTORY: Adopted by the Mayor and Council of the Borough of Butler 5-16-2006 by Ord. No. 2006-11. Amendments noted where applicable.]

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§ 192-1. Purpose.

The purpose of this chapter is to prohibit illicit connections to the municipal separate storm sewer system within the Borough of Butler, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 192-2. Definitions.

For the purpose of this Chapter, 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 nonphysical connection that discharges domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Borough of Butler, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

INDUSTRIAL WASTE — Nondomestic 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, man-made channels, or storm drains) that is owned or operated by Borough of Butler 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.

**NONCONTACT 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. Noncontact 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 noncontact 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.

**§ 192-3. Prohibited conduct.**

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system within the Borough of Butler any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater).

**§ 192-4. Enforcement and penalties.**

- A. This ordinance shall be enforced by the Police Department of Butler.
- B. Any person, firm or corporation who is found to be in violation of any of the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed \$1,000 or by imprisonment in the county jail for a period not to exceed 90 days, or by both such fine and imprisonment, and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.