

## Chapter 193

### IMPROPER DISPOSAL OF WASTE IN MUNICIPAL STORM SEWER SYSTEM

§ 193-1. Purpose.

§ 193-2. Definitions.

§ 193-3. Prohibited conduct.

§ 193-4. Exceptions to prohibition.

§ 193-5. 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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§ 193-1. Purpose.

The purpose of this chapter is to prohibit the spilling, dumping, or disposal of materials other than stormwater 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.

§ 193-2. 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.

**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.

**PERSON** — Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**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.

§ 193-3. Prohibited conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system within Borough of Butler 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.

**§ 193-4. 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 noncontact 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. Deicing materials properly applied to sidewalks, streets, roadways etc.
- J. Flows from rinsing of the following equipment with clean water:
  - (1) Beach maintenance equipment immediately following their use for their intended purposes; and
  - (2) 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.
- K. Discharges authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852).

**§ 193-5. 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.