

BOROUGH OF ROCKLEIGH

ORDINANCE #2023-8

AN ORDINANCE TO PROHIBIT THE SPILLING, DUMPING OR DISPOSAL OF MATERIALS OTHER THAN STORMWATER TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Mayor and Council of the Borough of Rockleigh, in the County of Bergen, and State of New Jersey as follows:

Section 1. Purpose.

This Ordinance is intended to prohibit the spilling, dumping or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) for the protection of the public health, safety and welfare and to prescribe penalties for the failure to comply.

Section 2. 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.

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

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.

Section 3. Prohibited Conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Rockleigh 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 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 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:
 1. Beach maintenance equipment immediately following their use for their intended purposes.
 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.
 3. 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 5. Enforcement.

This Ordinance shall be enforced by the Police Department providing police services to the Borough of Rockleigh or such other municipal officials as may be designated by the Mayor and Council.

Section 6. Penalties.

Any person who is convicted of violating any provision of this Ordinance shall be subject to such fine and general penalty as set forth in §1-5, General Penalty, of the Code of the Borough of Rockleigh, within the discretion of the Municipal Court Judge.

Section 7. Severability.

If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such subject shall be rendered.

Section 8. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 9. Effective Date.

This Ordinance shall take effect after publication thereof and final passage as required by law.

JAMES PONTONE, Mayor

**MARCELLA GIAMPICCOLO, RMC
Borough Clerk**

Introduced: March 6, 2023

Adopted:

Approved: