



2007

BERGEN COUNTY BOARD OF CHOSEN FREEHOLDERS ORDINANCE (Second Reading)

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CALABRESE	✓			
CARROLL	✓			
GANZ	✓			
MC PHERSON	✓			
O'BRIEN	✓			
WAGNER	✓			
PADILLA CHAIRWOMAN	✓			
TOTALS	7	—	—	—

Ordinance No. 07-20
 Date: April 18, 2007
 Page: 1 of 3
 Subject: Prohibit Illicit Connections to Storm Sewers
 Purpose: Establishment of Violations and Penalties
 Account No. _____
 Contract No. _____
 Dollar Amount: _____

Offered by: O'BRIEN
 Seconded by: MC PHERSON
 Approved by: [Signature]

Certified as a true copy of an Ordinance finally adopted by the Board of Chosen Freeholders on above date at a Regular Meeting by: Valerie Coniglio
Valerie Coniglio, Clerk, Board of Chosen Freeholders, Bergen County, New Jersey

AN ORDINANCE TO PROHIBIT ILLICIT CONNECTIONS TO THE STORMWATER SEWER SYSTEM

SECTION I: Purpose

The County of Bergen finds that it is in the public's best interest to enact an Ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the COUNTY OF BERGEN, so as to protect public health, safety and welfare, and to prescribe penalties for 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. 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.

07-20/2

- a. **County Highway** – any highway or other thoroughfare operated by the County of Bergen (including a maintenance facility or rest area for such a thoroughfare). For purposes of this policy and procedure, a “highway or other thoroughfare” does not include:
 1. Any thoroughfare confined to the grounds of one or more buildings; or
 2. Any thoroughfare confined to a park or recreational area operated by the County of Bergen.
- b. **Domestic Sewage** – waste and wastewater from humans or household operations.
- c. **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 County of Bergen, unless that discharge is authorized under a NJPDES permit other than the Highway Agency Stormwater General Permit (NJPDES Permit Numbers: NJG0155535/Bergen County Department of Public Works; NJG0155543/Bergen Regional Medical Center; NJG0155551/One Bergen County Plaza, Hackensack, New Jersey; and, NJG0155527/Bergen County Jail Annex). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- d. **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 (33 U.S.C. S1317(a) (b), or (c)).
- e. **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 County of Bergen or other public body, and is designed and used for collecting and conveying stormwater. (NOTE: For combined sewer systems – 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).
- f. **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.
- g. **Non-Contact 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. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- h. **Person**- any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to County jurisdiction.

- i. 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 non-contact cooling water.
- j. 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:

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

SECTION IV: Enforcement

The provisions of this Ordinance shall be enforced by the Bergen County Police Department, along with any State or local police officer, and/or any other County Officials as may be deemed necessary.

SECTION V: Violations and Penalties


Any person(s) who is found to be in violation of the provisions of this Ordinance, after being duly notified, shall be subject to a fine not to exceed One Thousand Dollars (\$1,000.00).

SECTION VI: Severability

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence or paragraph of this Ordinance, or the application thereof to any person, establishment or circumstances shall be held invalid, unconstitutional, void, or ineffective for any cause or reason, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION VII: Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.



COUNTY EXECUTIVE

_____ **APPROVED**

_____ **REJECTED**