

TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY

Ordinance #05-23

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO AMEND AN ORDINANCE ENTITLED REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, AND MORE SPECIFICALLY TO CREATE CHAPTER 17.46 ILLICIT CONNECTIONS

BE IT ORDAINED by the Mayor and Township Committee of the Township of Raritan as follows:

**Section I.**

Purpose: An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Raritan, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**Section II.**

*Section 17.46 Illicit Connections shall be created as follows:*

***17.46.010 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.

"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 Township of Raritan, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES 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 (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, manmade channels, or storm drains) that is owned or operated by the Township of Raritan or other public body, and is designed and used for collecting and conveying stormwater.

"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

"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 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 non-contact 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.

**17.46.020 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 Township of Raritan any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

**17.46.030 Enforcement**

This ordinance shall be enforced by the Board of Health or its designee.

**17.46.040 Penalties**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500.00 for each violation. Each day a particular violation continues shall constitute a separate offense.

**Section III**

If the provision of any article, subsection, paragraph, subdivision or clause of this Chapter shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and to this end, the provisions of this Ordinance are hereby declared to be severable.

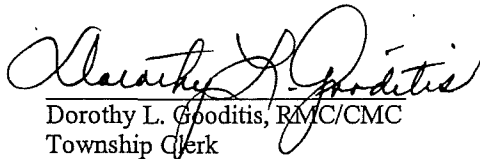
**Section IV**

All other provisions of the said ordinance shall remain in full force and effect

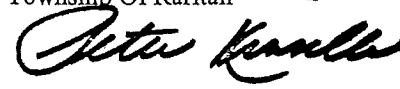
**Section V**

This ordinance shall take effect immediately upon (1) adoption; and (2) publication in accordance with the laws of the State of New Jersey

Attest

  
Dorothy L. Gooditis, RMC/CMC  
Township Clerk

Township Committee of  
The Township Of Raritan

  
Peter Kinsella  
Mayor

**NOTICE OF PENDING ORDINANCE**

Please take notice that the foregoing Ordinance was introduced by the Township Committee of the Township of Raritan at a meeting held on July 18, 2005, and the same was then ordered to be published according to law with a public hearing and final consideration scheduled for the meeting of August 1, 2005 beginning at 7:30 p.m. at the Municipal Building, One Municipal Drive, Raritan Township (Flemington), New Jersey at which time all interested persons will be heard.

Dorothy L. Gooditis, RMC/MMC/CPM  
Township Clerk

ORDINANCE # 05-23  
INTRODUCED 7/18/05  
FINALLY ADOPTED 8/1/05  
TABLED \_\_\_\_\_