

**BOROUGH OF LODI
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE NO. 606-24

AN ORDINANCE TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM(S) OPERATED BY THE BOROUGH OF LODI, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY.

BE IT ORDAINED by the Mayor and Council of the Borough of Lodi as follows:

SECTION I. 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 Ordinance 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.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. 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 Borough of Lodi, 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.
- c. 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)).
- d. 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 Lodi or other public body, and is designed and used for collecting and conveying stormwater.
- e. 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

- f. 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.
- g. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. 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.
- i. 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 II. Prohibited Conduct:

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

SECTION III. Enforcement:

The provisions of this ordinance shall be enforced by Police Department of the Borough of Lodi and such other persons as the Mayor and Council shall charge with enforcement authority.

SECTION IV. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not less than \$500 and not more than \$1,250 and/or such community service not to exceed 120 days as the Municipal Court Judge shall determine.

SECTION V. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall

not affect any other portion of this Ordinance.

SECTION VI. Effective date:

This Ordinance shall be in full force and effect 10 days from and after its adoption and any publication as may be required by law.

APR 17 2006

	AYE	NAY	ABSTAINED	ABSENT
J.C. PIPARO				✓
<i>S</i> B. McCASKEY	✓			
<i>M</i> M.N. SCHRIEKS	✓			
K. VISCANA	✓			
MAYOR PAPAROZZI	✓			

MAY 15 2006

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K. VISCANA	✓			
MAYOR PAPAROZZI	✓			