

ORDINANCE OF THE CITY OF GLOUCESTER CITY
COUNTY OF CAMDEN, STATE OF NEW JERSEY

#009-2005

**AN ORDINANCE AMENDING §71 OF THE CODE OF GLOUCESTER CITY
ENTITLED 'SEWERS', ESTABLISHING ARTICLE III ENTITLED
'STORMWATER REGULATIONS'**

WHEREAS, to comply with new State of New Jersey standards and regulations, Gloucester City is required to adopt various local regulations pertinent and relative to stormwater runoff.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Gloucester City that §71 of the Code of Gloucester City, entitled 'Sewers', be amended to include the following article:

ARTICLE III
Stormwater Regulations

§71-10. Purpose.

The purpose of this article is to provide for the proper disposition of yard waste as well as the prohibition of various acts that may lead to the contamination of stormwater runoff.

§71-11. 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 may be the same as or are based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. **Containerized** – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. **Domestic sewage** – waste and wastewater from humans or household operations.
- c. **Feed** – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- 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. §1317(a), (b), or (c)].

- e. **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 City of Gloucester City, 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.
- f. **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 City of Gloucester City 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.
- 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 algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- h. **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.
- i. **Person** – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- j. **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.
- k. **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.
- l. **Street** – means any street, avenue, boulevard, road, parkway, viaduct, drive or other way, which is an existing State, county or municipal roadway, and may comprise of pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- m. **Wildlife** – all animals that are neither human nor domesticated.
- n. **Yard Waste** – means leaves and grass clippings.

§71-11. Pet waste.

Requirements for the proper disposal of pet solid waste for the protection of the public health, safety and welfare may be found at §43-17 through §43-18.3, "Sanitary Requirements".

§71-12. Litter control.

Requirements to control littering in the City of Gloucester City so as to protect the public health, safety and welfare, may be found at §59A1-9, "Littering".

§71-13. Improper disposal of waste and prohibited conduct; exceptions.

A. The spilling, dumping or disposal of material other than stormwater to the municipal separate storm sewer system (MS4) operated by the City of Gloucester City 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.

B. The following are exceptions to the above prohibitions:

- 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 run-off).
- 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 the following equipment with clean water:
 - I. Beach maintenance equipment immediately following their use for their intended purpose; and
 - II. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing 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.

§71-14. Prohibition of feeding wildlife.

No person shall feed, in any public park or on any other property owned or operated by the City of Gloucester City, any wildlife, excluding confined wildlife (e.g., wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers). Any person found in violation of this section shall be ordered to cease the feeding immediately.

§71-15. Requirement to containerize yard waste; prohibited conduct.

All yard waste must be containerized and placed adjacent to the curb for municipal pick-up. The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow, or otherwise place yard waste in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this section.

§71-16. Municipal Yard Waste Collection Program.

The requirements of §71-15 shall be suspended during certain announced days of the autumn of the year (or as otherwise announced) as part of the municipal yard waste collection program. Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only permitted during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than ten (10) feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§71-17. Unlawful connection.

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

§71-18. Enforcement.

The sections of this article and ordinance shall be enforced by the Gloucester City Police Department.

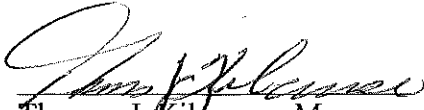
§71-19. Penalties.

Any person(s) who is found in violation of the provisions of this ordinance shall be subject to a fine of \$100.00 for the first offense and not less than \$100.00 or more than \$1,000.00 for each subsequent offense.

BE IT FURTHER ORDAINED that all prior ordinances inconsistent with this ordinance are repealed only to the extent of such inconsistency.

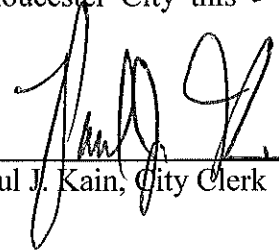
BE IT FURTHER ORDAINED that if any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

BE IT FURTHER ORDAINED this Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.


Thomas J. Kilcourse, Mayor

Passed on First Reading: 2-22-2005

Adopted by the Mayor and Common Council of Gloucester City this 21st day of March, 2005.


Paul J. Kain, City Clerk