



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. 07-21
 Date: April 18, 2007
 Page: 1 of 3
 Subject: Improper Disposal of Waste Into Storm Sewers
 Purpose: Establishment of Violations and Penalties
 Account No. _____
 Contract No. _____
 Dollar Amount: _____

Offered by: CALABRESE
 Seconded by: MCPHERSON
 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: [Signature]

Valerie Coniglio, Clerk, Board of Chosen Freeholders, Bergen County, New Jersey

AN ORDINANCE TO PROHIBIT THE IMPROPER DISPOSAL OF WASTE INTO STORM SEWERS

SECTION I: Purpose

The County of Bergen finds that it is in the public's best interest to enact an Ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the COUNTY OF BERGEN, AND STATE OF NEW JERSEY, 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.

- 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. 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.
- c. Person- any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to County jurisdiction.
- d. 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

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the County of Bergen 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 IV: Exceptions to Prohibition

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g.: infiltration, crawl space or basement sum 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:
 - Beach maintenance equipment immediately following their use of their intended purposes; and
 - 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, rinsing of equipment, as noted in the above

07-21/3

- situations, is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

SECTION V: Enforcement

The 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 VI: Violations and Penalties

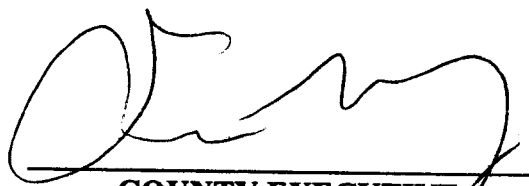
Any person(s) who continues to be in violation of the provisions of this Ordinance, after being duly notified, shall be subject to a fine not to exceed One Thousand Dollars (\$1,000.00).

SECTION VII: 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 VIII: 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**