

ORDINANCE NO. 2005-9

AN ORDINANCE OF THE CITY OF BEVERLY TO PROHIBIT ILLICIT CONNECTIONS TO MUNICIPAL SEPARATE STORM SEWER SYSTEM

SECTION I. An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the City of Beverly so as to protect public health, safety and welfare and to prescribe penalties for the 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. 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.

- A. Domestic sewage-waste and wastewater from humans or household operations.**
- B. Illicit connections-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 Beverly, 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 storms drains) that is owned or operated by the City of Beverly 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 algacides 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 III. Prohibited Conduct: No person shall discharge or cause to be discharge through an illicit connection to the municipal separate storm sewer system operated by the City of Beverly any domestic sewage, non-contact cooling water, process wastewater or other industrial waste (other than stormwater).

SECTION IV. Enforcement. This ordinance shall be enforced by the Beverly City Sewerage Authority and the Police Department of the City of Beverly.


SECTION V. Violations and Penalty. Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine for the first offense of \$50.00, for the second offense, \$100.0 and for third and subsequent offenses a sum not to exceed \$500.00 for each day that the violation continues.

SECTION VI. 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.

THE COMMON COUNCIL OF THE CITY OF BEVERLY ADOPTED THE ABOVE ORDINANCE ON FIRST READING AT A REGULAR MEETING HELD ON MARCH 8, 2005. A PUBLIC HEARING WILL BE HELD ON MARCH 22, 2005 AT 7:00PM IN COUNCIL CHAMBERS OF THE BEVERLY CITY MUNICIPAL BUILDING AT 446 BROAD STREET, BEVERLY NJ.

**BARBARA A. SHEIPE RMC
CLERK/ADMINISTRATOR**

I hereby certify that the foregoing
is a true copy of a Resolution/Ordinance
duly adopted by the Governing Body
of the City of Beverly, County of
Burlington, State of New Jersey, at
a meeting held 3/22/05



Signature of Official