

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 18th day of October, 2023. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on 8th day of November, 2023, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey or via a virtual meeting of the governing body held on such date at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE #2023-17

AN ORDINANCE OF THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING CHAPTER 22, ENVIRONMENTAL REGULATIONS, OF THE TOWNSHIP CODE TO ESTABLISH NJDEP-MANDATED REGULATIONS FOR IMPROPER DISPOSAL OF WASTE

WHEREAS, as part of the MS4 Tier A permit stormwater requirements, the New Jersey Department of Environmental Protection (NJDEP) requires municipalities to adopt NJDEP-mandated regulations prohibiting improper disposal of waste; and

WHEREAS, the Township Engineer and Township Attorney have reviewed the model ordinance provided by NJDEP and recommend adoption; and

WHEREAS, the Township Committee desires to adopt the NJDEP model ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, as follows:

SECTION 1. Chapter 22, Environmental Regulations, of the Township Code is hereby amended to establish § 22-6, Improper Disposal of Waste, to read as follows:

§ 22-6 Improper Disposal of Waste.

§ 22-6.1 Purpose.

To prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Union, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 22-6.2 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. 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 Township of Union or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. 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.

§ 22-6.3 Prohibited Conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Union 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.

§ 22-6.4 Exceptions to Prohibition.

- 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 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:

1. Beach maintenance equipment immediately following its use for its intended purposes; and
2. 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 situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§ 22-6.5 Enforcement.

This ordinance shall be enforced by the Department of Roads & Facilities and Code Enforcement of the Township of Union.

§ 22-6.6 Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine of \$100 for the first offense, and a fine of \$500 for a second and each subsequent offense.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect upon its final passage, approval, and publication, as required by law.

Ella Ruta, Municipal Clerk

David DeGiralamo, Mayor