

## Chapter 403. Stormwater Management

### Article I. Illegal Dumping Into MS4

[Adopted 2-20-2007 by Ord. No. 1767]

#### § 403-1. Purpose.

[Amended 2-1-2010 by Ord. No. 1873]

The purpose of this article is to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Borough of South Plainfield so as to protect health, safety and welfare, and to prescribe penalties for failure to comply.

#### § 403-2. Definitions; word usage.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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.

##### **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Borough of South Plainfield 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.

##### **PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

##### **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.

#### § 403-3. Prohibited conduct.

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

## § 403-4. Private storm drain inlet retrofitting.

## § 403-5. Refuse containers and dumpsters.

## § 403-6. Exceptions to prohibition.

[Amended 2-1-2010 by Ord. No. 1873]

Exceptions to the prohibitions are as follows:

- A. Water line flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air-conditioning condensate (excluding contact and noncontact 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 their use for their intended purposes; and
  - (2) Equipment used in the application of salt and deicing materials immediately following salt and deicing material applications. Prior to rinsing with clean water, all residual salt and deicing 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 property discarded.
  - (3) 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.

## § 403-7. Enforcement.

[Amended 2-1-2010 by Ord. No. 1873]

This article shall be enforced by the Police Department, the local Health Officer, and Code Enforcement of the Borough of South Plainfield.

## § 403-8. Violations and penalties.

Any person(s) who continues to be in violation of the provisions of this article, after being duly notified, shall be subject to a fine not to exceed \$2,000.