

Ordinance of the City of Paterson, N.J.

No. 1st Reading No. 05-076

Date ... NOVEMBER 9, 2005 ..

No. ... 4 ... Public Hearing
(2nd Rdg. & Final Passage)

Date to Mayor

Date Returned

Division

Date Submitted to

Council

TITLE:

Factual Contents Certified to By

Maureen G. ...
Title

5/11/05
Date

ORDINANCE ENACTING CHAPTER 152 ILLICIT SEWER SYSTEM CONNECTION ORDINANCE

Approved As To Form and Legality
on Basis of Facts Set Forth

...
CORPORATION COUNSEL

Date

(DPW-Ord-Illicit Connection-05-03-05)

COUNCILPERSON . VERA AMES-GARNES Introduced the Following Ordinance:

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF PATERSON, as follows:

§152-1. Purpose:

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

§152-2. 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 Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the singular number include the plural number. 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 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 [insert name of municipality], 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. 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 storm drains) that is owned or operated by the City of Paterson 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.
- e. NJPDES 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.

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- f. Non-contact cooling water – water used to reduce temperature for the purpose of cooling. Such waters do not come in 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 materials, 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

§152-3. Prohibited Conduct:

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

§152-4. Enforcement.

This ordinance shall be enforced by the Police Department, Department of Public Works and other Municipal Officials of the City of Paterson.

§152-5. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,250.00.

§152-6. 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.

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§152-7. 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.

STATEMENT OF PURPOSE

This ordinance prohibits illegal connections to the City's sewer system.

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SECONDED BY COUNCILPERSON . . . ASLON .GOOW, . SR.

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<i>RECORD OF COUNCIL VOTE ON FINAL PASSAGE</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
1. AMES-GARNES, VERADENE	X			
2. DAVIS, ANTHONY	X			
3. DIXON, JESSIE M.	X			
4. GOOW, ASLON	X			
5. MCKOY, WILLIAM C.	X			
6. MORRIS, KENNETH	X			
7. ROONEY, THOMAS C.	X			
8. ROSADO, JERRY LUIS	X			
9. TORRES, JUAN	X			

Adopted on first reading at a meeting of the Council of the City of Paterson, N.J., on Adopted on second and final reading after hearing on **NOVEMBER 9, 2005**

Approved Rejected By *JOSE "JOEY" TORRES,* Reconsidered By Council Date *JANE E. WILLIAMS-WARREN,* Over Ride Vote Aye Nay *KENNETH M. MORRIS, JR.* Council President *JANE E. WILLIAMS-WARREN,* City Clerk
This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.