TITLE: ORDINANCE ENACTING CHAPTER 153
IMPROPER DISPOSAL OF WASTE

COUNCILPERSON ASLON GOOW, SR. Introducing the Following Ordinance:

§153-1. Purpose:
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 City of Paterson, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§153-2. 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 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 the City of Paterson or other public body, and is designated 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.

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.

§153-3. Prohibited Conduct:
The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the City of Paterson 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.

§153-4. Exceptions to Prohibited:

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.
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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:
   - Equipment used in the application of salt and de-icing materials
     immediately following salt and de-icing mater 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.
     Rising 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.

§153-5. Enforcement:

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

§153-6. 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 $1,250.00.

§153-7. 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.

§153-8. 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.

SECONDED BY COUNCILPERSON : VERA. AMES-GARNES ...........

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Adopted on first reading at a meeting of the Council of the City of Paterson, N.J., on
.................................................................................. NOVEMBER 9, 2005.

Adopted on second and final reading after hearing on
.................................................................................. NOVEMBER 9, 2005.

Approved

Reconsidered

By Council

Over

Ride

Vote

Aye

No

Day

Council President

City Clerk

This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.

USE REVERSE SIDE FOR POSTPONEMENT AND RECONSIDERATION DATA