

New
Ch. XXV

TOWNSHIP OF DEPTFORD

ORDINANCE NO. O.4.07

**AN ORDINANCE OF THE TOWNSHIP OF DEPTFORD
PROVIDING FOR REGULATIONS INTENDED TO PROTECT THE
STORMWATER SYSTEM, PROTECT THE ENVIRONMENT AND TO
CONTROL LITTER, YARD WASTE, PET WASTE, ILLICIT CONNECTIONS
TO THE STORMWATER SYSTEM, CONTAINERIZED WASTE, WILD LIFE
FEEDING AND OTHER PRACTICES THAT IMPACT ON WATER QUALITY.**

WHEREAS, the effective management of stormwater and the improvement of the quality of stormwater has been declared to be the public policy of the State of New Jersey, and various ordinances have been recommended by the New Jersey Department of Environmental Protection for enactment by each municipality in order to further the public policy; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Deptford, as follows:

SECTION I: The Deptford Township Code is hereby amended by adding a new Chapter XXV, as follows:

CHAPTER XXV – STORMWATER MANAGEMENT

**Environmental Protection
Litter, Pet Waste, Protection of Stormwater System**

25-1. Findings. The Township Council finds that the effective management of stormwater and the improvement of the quality of stormwater has been declared to be the public policy of the State of New Jersey, and that it is both appropriate and necessary for the Township of Deptford to establish, consistent with the recommendations of the New Jersey Department of Environmental Protection, regulations that will improve the quality of stormwater runoff, and protect the environment, including regulations on litter, pet waste, wild life feeding, yard waste collection, containerized waste, improper disposal and illicit connections to the stormwater system.

25-2. Purpose. It is the purpose of this Chapter to establish regulations for the protection of the environment and to establish requirements to control littering, pet waste, and yard waste and for the protection of the Stormwater System in the Township of Deptford so as to protect public health, safety and welfare.

25-3. Definitions. For the purpose of this chapter, 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. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Domestic sewage – waste and wastewater from humans or household operations.
- c. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- d. 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 Township of Deptford, 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.
- e. Immediate – shall mean at once, without delay.
- f. 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)).
- g. Litter – any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- h. Litter Receptacle – a container suitable for the depositing of litter.
- i. 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 Township of Deptford 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.

- j. 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.
- k. 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.
- l. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- m. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- n. Pet – a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- o. Pet solid waste – waste matter expelled from the bowels of the pet; excrement.
- p. Pet solid waste proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.
- q. 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 it not limited to, leachate and cooling water other than non-contact cooling water.
- r. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- s. 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.
- t. Wildlife – all animals that are neither human nor domesticated.

u. Yard Waste – means leaves and grass clippings.

25-4. Littering. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this Ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this Ordinance.

25-6. Use of litter receptacles. Litter receptacles and their servicing are required at the following public places which exist in the municipality, including sidewalks used by pedestrians in active retail commercially zoned areas such that, at a minimum, there shall be no single linear quarter-mile without receptacle: buildings held out for use by the public, including schools, government buildings and railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service station islands; shopping centers; parking lots; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles such that adequate containerization is available.

25-7. Yard Waste Collection. Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of yard waste at the curb or along the street at any other time or in any other manner is a violation of this Ordinance. If the prohibited placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or the party shall be deemed in violation of this chapter.

25-8. Yard Waste Control Required. The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this Ordinance.

25-9. Pet Waste. All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person, except that any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while the animal is being used for that purpose.

25-10. Wildlife Feeding Prohibited. No person shall feed, in any public park or on any other property owned or operated by the Township of Deptford any wildlife, excluding confined wildlife.

25-11. Illicit Connection to Stormwater System. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system

operated by the Township of Deptford any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

25-12. Improper Disposal through the Stormwater System. The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Deptford 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. The following are exceptions to the 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 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.

SECTION II: PENALTIES

Any person who violates any provision of this Ordinance shall be subject to the penalties as set forth in Section 1-5 of the Deptford Township Code.

SECTION III: 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.

SECTION IV: EFFECTIVE DATE:

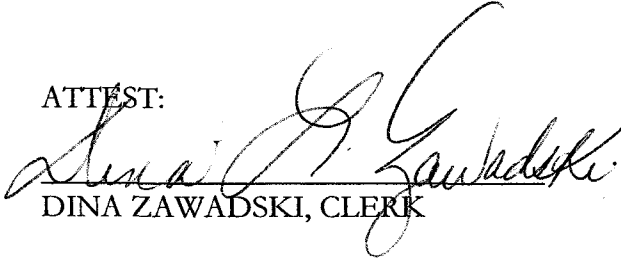
This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

TOWNSHIP OF DEPTFORD



PAUL MEDANY, MAYOR

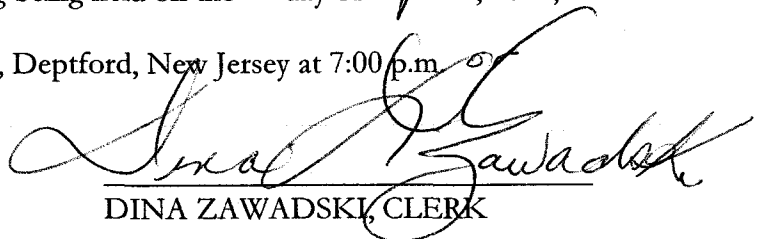
ATTEST:



DINA ZAWADSKI, CLERK

CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of the Township of Deptford held on the ^{5th} day of *MARCH*, 2007, and will be considered for final passage and adoption at a meeting at which time any person interested therein will be given an opportunity to be heard, said meeting being held on the ^{2nd} day of *April*, 2007, at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey at 7:00 p.m. *of* there after.



DINA ZAWADSKI, CLERK