

BOROUGH OF MILFORD
ORDINANCE NUMBER 964-2023

ORDINANCE REGULATING
“ILLICIT CONNECTIONS” TO THE BOROUGH’S SEPARATE
STORM SEWER SYSTEM OPERATED BY THE BOROUGH OF
MILFORD IN ACCORDANCE WITH MANDATES FROM NEW
JERSEY’S DEPARTMENT OF ENVIRONMENTAL PROTECTION.

CHAPTER XX
ILLICIT CONNECTIONS

SECTION I.
Purpose.

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

SECTION II.
Definitions.

For 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. 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 Borough of Milford, 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.C. §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 Borough of Milford or other public body of the Borough of Milford, and is designed and used for collecting and conveying stormwater.
- E. 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.
- F. 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 algaecides, 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 material, 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. Wastewater includes, but is not limited to, leachate and cooling water other than non contact cooling water.

**SECTION II.
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 Borough of Milford any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

**SECTION III.
Violations, Penalties, and Enforcement.**

Any person who violates the terms of this Ordinance shall pay a fine of not less than \$1,500.00 but no more than \$7,500.00 plus court costs. This Chapter shall be enforced by the Borough’s Zoning Officer, the Borough’s Sewer Administrator, or other Borough personnel as may be assigned by resolution of the Milford Borough Common Council

**SECTION IV.
Repealer.**

All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

**SECTION V.
Severability.**

If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

**SECTION VI.
Effective Date.**

This Ordinance shall take effect after passage and publication in the manner provided by law.

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 7th day of August, 2023, at a meeting of the Borough Council of the Borough of Milford and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Borough Council of the Borough of Milford to be held on the 2nd day of October, 2023, at 7:00PM, or as soon thereafter as the matter may be reached, to be held at the Milford Borough Fire Company, located at 21 Water Street, Milford, New Jersey 08848.

Copies of said Ordinance are at the office of the Milford Borough Municipal Clerk, 30 Water Street, Milford, New Jersey 08848, and posted on the Borough website.

HENRI SCHEPENS, MAYOR

ATTEST:

KAREN DYSART, RMC
MUNICIPAL CLERK

Introduction: August 7, 2023
Public Hearing: October 2, 2023

Adoption: October 2, 2023
 Publication: October 12, 2023

FIRST READING - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
James Gallos							x
Noralie LaFevre		x		x			
Ron Rehl				x			
Douglas Sloyer				x			
Robert White	x			x			
Elisa Yager			x	x			

SECOND READING & FINAL ADOPTION - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
James Gallos							x
Noralie LaFevre			x	x			
Ron Rehl							x
Douglas Sloyer				x			
Robert White	x			x			
Elisa Yager		x		x			