

**BOROUGH OF MILFORD**  
**ORDINANCE NUMBER 968-2023**

**ORDINANCE REGULATING**  
**“IMPROPER DISPOSAL OF WASTE” 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.**

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**CHAPTER XX**  
**IMPROPER DISPOSAL OF WASTE**

**SECTION I.**  
**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 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 discretionary.

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 Borough of Milford or other public body of the Borough of Milford, and is designed and used for collecting and conveying stormwater.

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.

**SECTION II.**  
**Prohibited Conduct.**

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

**SECTION III.**  
**Exceptions to 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 firefighting activities
- I. Flows from rinsing of the following equipment with clean water:
  - i. Beach maintenance equipment immediately following their use for their intended purposes; and
  - ii. 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 IV.  
Violations, Penalties, and Enforcement.**

Any person who violates the terms of this Ordinance after having been notified 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 7<sup>th</sup> 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 2<sup>nd</sup> 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.

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HENRI SCHEPENS, MAYOR

ATTEST:

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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    |      |         |        |