

**KNOWLTON TOWNSHIP
COUNTY OF WARREN
ORDINANCE 2023-08**

**AN ORDINANCE TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE
STORM SEWER SYSTEM(S) OPERATED BY THE KNOWLTON TOWNSHIP**

WHEREAS, in order to prevent pollutants from being transported to local water bodies from Municipal Separate Storm Sewer Systems (MS4s), federal stormwater regulations require MS4 operators to obtain a National Pollutant Discharge Elimination System (NPDES) permit and implement a stormwater management program; and

WHEREAS, pursuant to NJPDES Master General Permit No. NJ0141852, as of January 1, 2023, all 101 New Jersey municipalities previously assigned to Tier B, such as Knowlton Township, have now been assigned to Tier A, in order to help better manage stormwater discharges and resulting pollutant and nutrient impacts to waterways.

WHEREAS, this reassignment requires Knowlton (and all former Tier B municipalities) to update their ordinances to be consistent with Tier A standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Chapter 161, Article III of the Code of the Township of Knowlton, entitled “Illicit Storm Sewer Connections” is hereby added as follows:

Article III. Illicit Storm Sewer Connections

§161-13 SECTION I. Purpose:

This ordinance prohibits illicit connections to the municipal separate storm sewer system(s) operated by the Knowlton Township, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§161-14 Definitions:

For the purpose of this article, 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.

Domestic sewage - waste and wastewater from humans or household operations.

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.

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)).

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 [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. NOTE: In municipalities with combined sewer systems, add the following: “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.”

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

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.

Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

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.

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.

§161-15 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 Knowlton Township any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

§161-16. Enforcement.

This article shall be enforced by the Township Zoning Officer, County Health Department, or New Jersey State Police, Knowlton Township.

§161-17. Penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine of not less than \$100 and not to exceed \$2,000 for each storm drain inlet that is not retrofitted to meet the design standard. Every day in which a violation of this article exists shall constitute a separate violation.

SECTION 2. 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 3. 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 4. This Ordinance shall take effect after passage and publication in the manner provided by law.

Introduction: July 10, 2023

Motion: Shipps

Second: Van Horn

AIF: Bates- yes, Cuntala- yes, Mazza- yes, Shipps- yes, Van Horn- yes

Adoption: August 24, 2023

Motion: Cuntala

Second: Shipps

Roll Call: Bates-yes, Cuntala-yes, Mazza-yes, Shipps-yes, Van Horn-yes