CHAPTER XXXIV  STORMWATER POLLUTION PREVENTION PLAN*

*This chapter is consistent with all relevant sections of N.J.D.E.P.'s Stormwater Management Rules at N.J.A.C. 7:8. (Ord. No. O.1692-2009 § I)

34-1  ILLICIT CONNECTIONS.

34-1.1  Purpose.

The purpose of this section is to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Edison, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. No. O.1611-2008 § 2)

34-1.2  Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein.

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

Illicit connection means any physical or nonphysical 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 Edison, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJO141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

Industrial waste means nondomestic 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 means 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 Edison or other public body, and is designed and used for collecting and conveying stormwater.

NJPDES permit means 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 means 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 algaeicides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

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

Process wastewater means 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* means water resulting from precipitation (including rain and snow) that runoff 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.

(Ord. No. O.1611-2008 § 2)

34-1.3 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 Township of Edison any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater). (Ord. No. O.1611-2008 § 2)

34-1.4 Enforcement.

This section shall be enforced by the Department of Health and Human Services, Department of Planning and Engineering and Department of Public Works of the Township of Edison. (Ord. No. O.1611-2008 § 2)

34-1.5 Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed two thousand ($2,000.00) dollars. (Ord. No. O.1611-2008 § 2)

34-2 IMPROPER DISPOSAL OF WASTE.

34-2.1 Purpose.

The purpose of this section is to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Edison, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. No. O.1611-2008 § 3)

34-2.2 Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein.

*Municipal separate storm sewer system* means 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 Township of Edison or other public body, and is designed and used for collecting and conveying stormwater.

*Person* means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
**Stormwater** means water resulting from precipitation (including rain and snow) that runoff 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.

(Ord. No. O.1611-2008 § 3)

### 34-2.3 Prohibited Conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Edison 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. (Ord. No. O.1611-2008 § 3)

### 34-2.4 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:

   1. Beach maintenance equipment immediately following their use for their intended purposes; and

   2. 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.

(Ord. No. O.1611-2008 § 3)

### 34-2.5 Enforcement.

This section shall be enforced by the Edison Township Police Department, Department of Health and Human Services and Department of Public Works of the Township of Edison. (Ord. No. O.1611-2008 § 3)
34-2.6 Penalties.

Any person(s) who continues to be in violation of the provisions of this section, after being duly notified, shall be subject to a fine not to exceed two thousand ($2,000.00) dollars. (Ord. No. O.1611-2008 § 3)

34-3 LITTER CONTROL.

34-3.1 Purpose.

The purpose of this section is to establish requirements to control littering in the Township of Edison, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. No. O.1611-2008 § 4)

34-3.2 Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein.

*Litter* means 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.

*Litter receptacle* means a container suitable for the depositing of litter.

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

(Ord. No. O.1611-2008 § 4)

34-3.3 Prohibited Acts and Regulated Activities.

a. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of an), nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.

b. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this section, the operator or owner, or both, of the motor vehicle, or boat shall also be deemed to have violated this section.

(Ord. No. O.1611-2008 § 4)

34-3.4 Enforcement.

This section shall be enforced by the Edison Township Police Department and Department of Health and Human Services of the Township of Edison. (Ord. No. O.1611-2008 § 4)
34-3A.1 Purpose.

The purpose of this section is to establish requirements for dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Township of Edison and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. No. O.1801-2012 § 2)

34-3A.2 Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this section 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.

Municipal separate storm sewer system (MS4) shall mean 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 Edison or other public body, and is designed and used for collecting and conveying stormwater.

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

Refuse container shall mean any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

Stormwater shall mean 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.

Waters of the State shall mean the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

(Ord. No. O.1801-2012 § 2)

34-3A.3 Prohibited Conduct.

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Edison. (Ord. No. O.1801-2012 § 2)

34-3A.4 Exceptions to Prohibition.

a. Permitted temporary demolition containers.
b. Litter receptacles (other than dumpsters or other bulk containers).
c. Individual homeowner trash and recycling containers.
d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

(Ord. No. O.1801-2012 § 2)

34-3A.5 Enforcement.

This section shall be enforced by the Edison Township Division of Police, and Department of Health and Human Services of the Township of Edison. (Ord. No. O.1801-2012 § 2)

34-3A.6 Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed two thousand ($2,000.00) dollars. (Ord. No. O.1801-2012 § 2)

34-4 PET WASTE.

34-4.1 Purpose.

The purpose of this section is to establish requirements for the proper disposal of pet solid waste in the Township of Edison, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply. (Ord. No. O.1611-2008 § 5)

34-4.2 Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein.

Immediate means that the pet solid waste is removed at once, without delay.

Owner/keeper means 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.

Person means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
*Pet* means a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

*Pet solid waste* means waste matter expelled from the bowels of the pet; excrement.

*Proper disposal* means 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.

(Ord. No. O.1611-2008 § 5)

### 34-4.3 Requirement for Disposal.

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. (Ord. No. O.1611-2008 § 5)

### 34-4.4 Exemptions.

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose. (Ord. No. O.1611-2008 § 5)

### 34-4.5 Enforcement.

The provisions of this section shall be enforced by the Edison Township Police Department and Department of Health and Human Services of the Township of Edison. (Ord. No. O.1611-2008 § 5)

### 34-4.6 Violations and Penalty.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed two thousand ($2,000.00) dollars. (Ord. No. O.1611-2008 § 5)

### 34-5 WILDLIFE FEEDING.

#### 34-5.1 Purpose.

The purpose of this section is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Edison, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply. (Ord. No. O.1611-2008 § 6)

#### 34-5.2 Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein.

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

Wildlife means all animals that are neither human nor domesticated.

(Ord. No. O.1611-2008 § 6)

34-5.3 Prohibited Conduct.

No person shall feed, in any public park or on any other property owned or operated by the Township of Edison, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program). (Ord. No. O.1611-2008 § 6)

34-5.4 Enforcement.

a. This section shall be enforced by the Edison Township Police Department, Department of Health and Human Services and Department of Public Works of the Township of Edison.

b. Any person found to be in violation of this section shall be ordered to cease the feeding immediately.

(Ord. No. O.1611-2008 § 6)

34-5.5 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed two thousand ($2,000.00) dollars. (Ord. No. O.1611-2008 § 6)

34-6 CONTAINERIZED YARD WASTE.

34-6.1 Purpose.

The purpose of this section is to establish requirements for the proper handling of yard waste in the Township of Edison, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. (Ord. No. O.1611-2008 § 7)

34-6.2 Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein.

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.

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

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.

Yard waste means leaves and grass clippings.

(Ord. No. O.1611-2008 § 7)

34-6.3 Prohibited Conduct.

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 section. (Ord. No. O.1611-2008 § 7)

34-6.4 Enforcement.

The provisions of this section shall be enforced by Department of Public Works, Department of Health and Human Services and the Edison Township Police Department. (Ord. No. O.1611-2008 § 7)

34-6.5 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed two thousand ($2,000.00) dollars. (Ord. No. O.1611-2008 § 7)