

**BOROUGH OF CALIFON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE 2024-02**

**AN ORDINANCE AMENDING THE REVISED BOROUGH CODE OF THE BOROUGH
OF CALIFON BY AMENDING TITLE 17.08 – CONNECTIONS TO STORM SEWERS
AT COUNTY HIGHWAYS TO BE REPLACED BY ILLICIT CONNECTIONS**

WHEREAS, the State of New Jersey has mandated that all municipalities adopt certain ordinances and

WHEREAS, the Borough Council of the Borough of Califon wishes to comply with those State mandates;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Califon that the Borough Code adopted August 24, 2000, and heretofore amended be further amended as follows:

SECTION ONE:

The Borough Code is hereby amended by the addition of a new Title 17, which shall be entitled "State-Mandated Ordinances" and shall be as follows:

Title 17 — STATE-MANDATED ORDINANCES

Illicit Connections

SECTION I. Purpose:

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

SECTION II. Definitions:

For the purpose of 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 consistent 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. "Domestic sewage" means waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

- B. "Illicit connection" means, any physical or non-physical connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system):
1. Domestic sewage;
 2. Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or
 3. Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.26(d)(2)(iv)(B)(1) or 122.34(b)(3)(iii).
 4. Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- C. "Industrial waste" means non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act.
- D. "Municipal separate storm sewer system (MS4)" 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

SECTION TWO:

Effective Date. This Ordinance shall take effect immediately upon publication of Notice of Final Passage in the manner provided by law.

or operated by the Borough of Califon 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."

- E. "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.
- F. "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 algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

- G. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- H. "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.
- I. "Stormwater" means 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 III. 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 Califon any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

SECTION IV. Exemptions :

NONE

SECTION V. Enforcement:

This ordinance shall be enforced by the Zoning Officer, Business Administrator, and/or named designee.

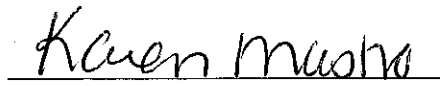
SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed shall be subject to a fine no less than \$100 and not to exceed \$500 for each incident.

SECTION VII. 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.

ATTEST:



Karen Mastro, RMC, CMR
Borough Clerk/Administrator Mayor



Charles Daniel

FIRST READING: August 15, 2024

PUBLICATION: August 21, 2024

PUBLIC HEARING/FINAL ADOPTION: September 5, 2024

PUBLICATION BY TITLE: September 11, 2024