

**TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE NO. 10-2023

ORDINANCE ESTABLISHING A NEW CHAPTER 327 WITHIN THE CODE OF THE TOWNSHIP OF LEBANON ENTITLED “STORMWATER QUALITY” AND FURTHER ESTABLISHING A NEW ARTICLE I THEREUNDER ENTITLED “ILLICIT CONNECTIONS TO STORM SEWER SYSTEMS” AND NEW §§ 327-1 TO 327-4 REGULATING ILLICIT CONNECTIONS TO THE SEPARATE STORM SEWER SYSTEM OPERATED BY THE TOWNSHIP OF LEBANON IN ACCORDANCE WITH MANDATES FROM NEW JERSEY’S DEPARTMENT OF ENVIRONMENTAL PROTECTION

BE IT ORDAINED by the Township Committee of the Township of Lebanon, in the County of Hunterdon, State of New Jersey, that it does hereby establish a new Chapter 327 within the Code of the Township of Lebanon entitled “Storm Water Quality” and does further establish a new Article I thereunder entitled “Illicit Connections to Storm Sewer Systems” and new sections 327-1 to 327-4 therein for purposes of regulating illicit connections to the separate storm sewer system operated by the Township of Lebanon in accordance with mandates from the New Jersey Department of Environmental Protection, as follows:

SECTION 1. Chapter 327 Stormwater Quality

Article I Illicit Connections to Storm Sewer Systems

§ 327-1 Purpose.

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

§ 327-2 Definitions.

For this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article 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 Township of Lebanon, 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 the Township of Lebanon or other public body of the Township of Lebanon, and is designed and used for collecting and conveying stormwater.

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 algacides, 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. 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.

§ 327-3 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 Lebanon any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

§ 327-4 Violations and 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 article shall be enforced by the Township’s Zoning Officer, the Township’s Sewer Administrator, or other Township personnel as may be assigned by resolution of the Township of Lebanon Committee

SECTION 2. 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 3. 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 4. Effective Date.

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

Introduced: November 15, 2023
Public Hearing: December 6, 2023
Adopted: December 6, 2023

ATTEST

Carolynn Budd, RMC
Township Clerk

Beverly Koehler
Mayor

CERTIFICATION

I, Carolynn Budd, Township Clerk of the Township of Lebanon, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Lebanon Township Committee at a meeting held November 15, 2023 and adopted by the Township Committee on December 6, 2023.

Carolynn Budd, RMC
Township Clerk