

CHAPTER XVI SEWERS

16-9 MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4).

16-9.1 Spilling, Dumping or Disposal of Materials Other than Stormwater.

- a. *Purpose.* The purpose of this subsection is 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 Tinton Falls, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- b. *Definitions.* For the purpose of this subsection, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this subsection 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 Borough of Tinton Falls 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.

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.

- c. *Prohibited Conduct.* The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by Borough of Tinton Falls 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.
- d. *Exceptions to Prohibition.*
 - 1. Water line flushing and discharges from potable water sources.
 - 2. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
 - 3. Air conditioning condensate (excluding contact and non-contact cooling water).
 - 4. Irrigation water (including landscape and lawn watering runoff).

5. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
 6. Residential car washing water, and residential swimming pool discharges.
 7. Sidewalk, driveway and street wash water.
 8. Flows from firefighting and activities.
 9. Flows from rinsing of the following equipment with clean water:
 - (a) 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.
 - (b) 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.
 10. Flows from equipment and vehicle washing from municipal operations until February 28, 2009.
 11. Flows from fire vehicle and equipment washing.
- e. *Enforcement.* The provisions of this subsection shall be enforced by complaint signed by a member of the Department of Public Works, Code Enforcement or Public Safety of the Borough of Tinton Falls.
- f. *Violations and Penalties.* Any person, firm or corporation who violates or neglects to comply with any provision of this subsection or any rule, regulation or directive promulgated pursuant thereto shall be liable, upon conviction, to the penalty stated in Chapter I, Section 1-5 et seq.
(Ord. #05-1170, §§1–6)