

Introduced: 07/11/2023
Public Hearing: 08/08/2023
Adopted: 08/08/2023

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 20-2023**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON
COUNTY, NEW JERSEY CREATING TITLE 9, PUBLIC PEACE,
MORALS, AND WELFARE, CHAPTER 9.26, ILLICIT CONNECTION, OF
THE TOWNSHIP CODE OF ORDINANCES**

WHEREAS, the New Jersey Waste Department of Environmental Protection (NJDEP) has determined that illicit connections present significant pollution hazards to streams and waterways, including those located in the Township of Tewksbury (the “Township”); and

WHEREAS, in August 2022, NJDEP re-classified 101 municipalities, including the Township, Tier B to Tier A; and

WHEREAS, the Township Committee finds and declares that in order to comply with the Tier A MS4 Permit Program requirement, it is in the best interests of the Township and its residents to regulate illicit connections.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

SECTION 1. Title 9, Public Peace, Morals, and Welfare, Chapter 9.26, Illicit Connection, of the Township Code of Ordinances is hereby created as follows:

9.26.010 – Purpose.

To prohibit illicit connections to the municipal separate storm sewer system operated by the Township of Tewksbury, so as to protect public health, safety, and welfare, and to prescribe penalties for the failure to comply.

9.26.020- Definitions.

The following terms, phrases, words, and their derivations shall have the meaning stated herein.

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

- B. 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 Tewksbury, unless that discharge is authorized under a NJPDES permit. Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- C. 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)).
- D. 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 Tewksbury or other public body, and is designed and used for collecting and conveying stormwater.
- E. 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.
- F. 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.
- G. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- H. 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.
- I. 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.

9.26.030 – 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 Tewksbury any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste, other than stormwater.

9.26.050 – Enforcement.

The provisions of this chapter may be enforced by any officer of the Township of Tewksbury.

9.26.060 – Violations and Penalties.

Any person who is found to be in violation of the provisions of this chapter shall be subject to the penalties set forth in the General Penalty Chapter of this Code.

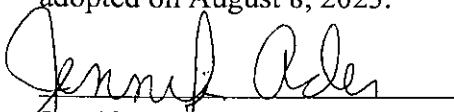
SECTION 2. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

SECTION 4. All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Committee of the Township of Tewksbury at a duly convened meeting held on July 11, 2023 and adopted on August 8, 2023.


Jennifer Ader
Township Clerk