

*Township of Berlin, NJ
Wednesday, May 1, 2019*

Chapter 285. Stormwater Management

Article I. Improper Disposal of Waste

[Adopted 3-14-2005 by Ord. No. 2005-6 (Ch. 101, Art. I, of the 1976 Code)]

§ 285-1. Definitions; word usage.

For purposes of 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 directory.

MUNICIPAL STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) that is owned or operated by the Township of Berlin or other public body and is designed and used for collecting and conveying stormwater.

PERSON

Any individual, corporation, company, partnership, firm, association or political subdivision of this state subject to municipal jurisdiction.

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.

§ 285-2. Prohibited conduct.

- A. The spilling, dumping or disposal of materials other than stormwater to the separate municipal storm sewer system operated by the Township of Berlin 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 separate municipal storm sewer is also prohibited.
- B. The placement of any material, whether for loading, unloading or any other use, in the street or across a sidewalk within the boundaries of the Township is prohibited.

[Added 10-23-2006 by Ord. No. 2006-13]

§ 285-3. Exceptions.

The following are exceptions to § 285-2:

- A. Waterline flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air-conditioning condensate (excluding contact and noncontact 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 fire-fighting activities.
- I. Flows from clean water rinsing of equipment used in the application of salt and deicing materials immediately following salt and deicing material applications. Prior to rinsing with clean water, all residue salt and deicing 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.

§ 285-4. Enforcement.

This article shall be enforced by the Berlin Township Police Department.

§ 285-5. Violations and penalties.

Any person(s) who continues to be in violation of this article after being duly notified shall be subject to a fine not to exceed \$25 for the first offense. For a second or subsequent offense, the fine shall not exceed \$100.