

**TOWNSHIP OF PEMBERTON**  
**ORDINANCE NO. 19-2005**

**AN ORDINANCE TO AMEND THE ORDINANCE OF THE  
TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON,  
STATE OF NEW JERSEY AND SPECIFICALLY  
CHAPTER 150 TO ADD ARTICLE III  
ENTITLED ILLICIT CONNECTION**

**SECTION I. INTRODUCTION.**

**WHEREAS**, as a requirement of the Pemberton Township Municipal Stormwater General Permit, it is necessary to adopt and enforce a variety of Ordinances dealing with the proper disposal or specific waste; and

**WHEREAS**, one of those requirements is to adopt and enforce an Ordinance to establish amendments to the existing Ordinance to establish requirements to control illicit connections in Pemberton Township; and

**WHEREAS**, Pemberton Township intends to amend this Ordinance to comply with any Pinelands Commission requirements, if and when made available.

**Section 150-12. Purpose.**

This is an ordinance to prohibit illicit connections to the municipal separate storm sewer system (s) operated by the Township of Pemberton, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. It shall be designated as Article III to Chapter 150 of the Township Code.

**Section 150-13. 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 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.

- 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 Pemberton, 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.
- 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 Pemberton Township or other public body, and is designed and used for collection 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 (NJDES) 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 algaecides, 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.

**Section 150.14. 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 Pemberton any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

**Section 150.15. Enforcement.**

This Ordinance shall be enforced by the Police Department and Code Enforcement Officer of Pemberton Township.

**SECTION II.**

All Ordinances, or parts of Ordinances, inconsistent with the provisions hereof, are repealed insofar as said inconsistency exists.

**SECTION III.**

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.

**SECTION IV.**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

**PEMBERTON TOWNSHIP COUNCIL**

**TOWNSHIP OF PEMBERTON  
NOTICE OF PUBLIC HEARING  
ORDINANCE NO. 19-2005**

**AN ORDINANCE TO AMEND THE ORDINANCE OF THE  
TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON,  
STATE OF NEW JERSEY AND SPECIFICALLY  
CHAPTER 150 TO ADD ARTICLE II  
ENTITLED ILLICIT CONNECTION**

Public notice is hereby given that the foregoing ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on September 15, 2005, and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on October 6 2005, at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, New Lisbon, New Jersey, at 7:30 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:

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MARY ANN YOUNG, TOWNSHIP CLERK

**TOWNSHIP OF PEMBERTON  
NOTICE OF FINAL PASSAGE  
ORDINANCE NO. 19-2005**

**AN ORDINANCE TO AMEND THE ORDINANCE OF THE  
TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON,  
STATE OF NEW JERSEY AND SPECIFICALLY  
CHAPTER 150 TO ADD ARTICLE III  
ENTITLED ILLICIT CONNECTION**

Notice is hereby given that Ordinance No. 19-2005 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on October 6, 2005. Said Ordinance shall take effect in accordance with law.

ATTEST:

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MARY ANN YOUNG, CMC, TOWNSHIP CLERK

ACKNOELDGEEMENT OF APPROVAL BY MAYOR

\_\_\_\_\_  
Robert McCullough

DATE \_\_\_\_\_

ATTEST:

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MARY ANN YOUNG, CMC, TOWNSHIP CLERK