

**CITY OF SALEM
ORDINANCE 24-20**

**AN ORDINANCE AMENDING CHAPTER 130, PART 8 (STORMWATER
MANAGEMENT) OF THE CODE OF THE CITY OF SALEM, NEW JERSEY BY
ADDING NEW ARTICLE XXXIII TO BE TITLED “ILLICIT CONNECTIONS”**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Mayor and City Council are authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the power and duties conferred and imposed upon the City by law; and

WHEREAS, the revised stormwater regulations require the City to adopt regulations to prohibit illicit connection to the municipal separate storm sewer system(s); and

WHEREAS, it is the intent of the City to amend Chapter 130, Part 8 (Stormwater Management) of the Salem Code to conform to the new stormwater regulations; and

WHEREAS, new Article XXXIII of Chapter 130, Part 8 is created entitled Article XXXIII-“Illicit Connections.”

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SALEM:

Section 1. Chapter 130, Part 8 entitled Stormwater Management is hereby amended with the addition of Article XXXIII – **Illicit Connections.**

§130-200 Purpose.

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

§130-201 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 consistent 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.

A. “Domestic sewage” means waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

B. “Illicit connection” means, any physical or non-physical connection that discharges the following to a municipal separate storm sewer system (unless that discharge is authorized under a NJPDES permit other than the NJPDES permit for discharges from that system):

1. Domestic sewage;

2. Non-contact cooling water, process wastewater, or other industrial waste (other than stormwater); or
3. Any category of non-stormwater discharges that a permittee for the MS4 identifies as a source or significant contributor of pollutants pursuant to 40 C.F.R. 122.26(d)(2)(iv)(B)(1) or 122.34(b)(3)(iii).

4. Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

C. "Industrial waste" means non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act.

D. "Municipal separate storm sewer system (MS4)" means 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 City of Salem or other public body, and is designed and used for collecting and conveying stormwater.

NOTE: In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

E. "NJPDES permit" means 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" means 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" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

H. "Process wastewater" means 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" means 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 sewage or drainage facilities or is conveyed by snow removal equipment.

§130-202 Regulated Activities.

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the City of Salem any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

§130-203 Enforcement.

This ordinance shall be enforced by the City Code Enforcement Officials during the course of ordinary enforcement duties.

§130-204 Violations and Penalties.


Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of not less than \$100 and not to exceed \$1500 for each violation.


§130-205 Severability.

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and 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.

§130-206 Effective Date.

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

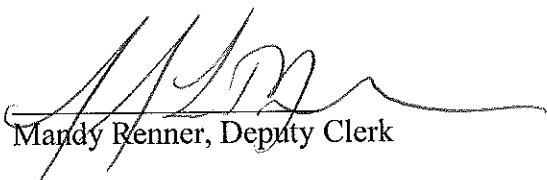
ATTEST: 
 Ben Angeli, RMC
 Mandy Renner

CITY OF SALEM

 Sharen Cline, Council President
 EARL GAGE

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
E. Gage			X			
T. Gregory						X
V. Groce		X	X			
S. Kellum	X		X			
C. Loatman			X			
J. Long			X			
C. Smith			X			
S. Cline						X

I, Ben Angeli, City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of an Ordinance introduced by the Common Council of the City of Salem on July 15, 2024. Public Hearing shall take place on August 19, 2024.

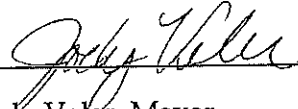
Date 7/15/2024


 Mandy Renner, Deputy Clerk

COUNCIL	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
E. Gage	X		X			
T. Gregory			X			
V. Groce			X			
C. Loatman			X			
J. Long			X			
S. Kellum		X	X			
C. Smith			X			
S. Cline			X			

8-19-24

Date




Dr. Jody Veler, Mayor

I, Ben Angeli, City Clerk of the City of Salem, in the County of Salem, do hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Common Council of the City of Salem after a second reading and public hearing on August 19, 2024.

8-19-24

Date



Ben Angeli, RMC