

**ORDINANCE NO. 06-18  
BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

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**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT  
THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD,  
CHAPTER XIII  
"WATER AND SEWER,"  
MORE SPECIFICALLY ARTICLE II, "SEWER,"  
SECTION 13-4.14, "ILLICIT SEWER CONNECTION"**

**WHEREAS**, the Borough of North Plainfield has reviewed the current regulatory scheme within the Borough of North Plainfield and has determined that the municipal storm water system must be amended and updated to prohibit illicit connections to the storm water system; and,

**WHEREAS**, prohibitions on illicit connections to the North Plainfield storm water system are necessary to protect the public health, safety and welfare of the citizens of the Borough, and penalties shall be associated with a failure to comply with the regulations.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Section 13-4.14 of the Code of the Borough of North Plainfield entitled, "Illicit Sewer Connection" is created as follows:

**SECTION I. 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 Borough of North Plainfield, 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 the Borough of North Plainfield or other public body, and is designed and used for collecting and conveying stormwater. 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 – 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.

**SECTION II. 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 Borough of North Plainfield any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

**SECTION III. Enforcement:**

This ordinance shall be enforced by the Police Department and/or other Municipal Officials of the Borough of North Plainfield.

**SECTION IV. Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,250.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that:

1. All ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.


2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

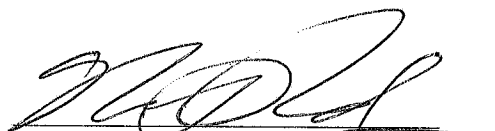
3. This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the mayor as provided by law or an override of a mayoral

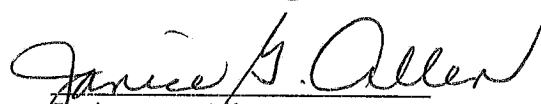
veto by the council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED: July 10, 2006  
PASSED: July 10, 2006  
PUBLISHED: July 14, 2006  
ADOPTED: August 14, 2006  
ROLL CALL: AYES: Giordano, Hitchcock, Jones, Righetti,  
Singleterry, Stabile, Rudy  
NAYS: None  
ABSTAIN: None  
ABSENT: None

APPROVED BY THE MAYOR: August 18, 2006  
ATTEST:

  
Gloria Pflueger, Borough Clerk

  
Nathan Rudy, Council President

  
Janice Allen, Mayor