

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1629 (2019)

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE
CITY OF SEA ISLE CITY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY,
CHAPTER 16 ENTITLED "SEWER AND WATER" TO ADD A SECTION TO
PROHIBIT THE IMPROPER DISPOSAL OF WASTE AND PENALTIES FOR THE
FAILURE TO COMPLY**

WHEREAS, pursuant to N.J.A.C. 7:8-4.1, et seq., a municipality shall adopt a storm water management plan and storm water control ordinances consistent with the State regulations; and

WHEREAS, the State regulations address several areas of concern, including the improper disposal of waste in the City of Sea Isle City so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply; and

WHEREAS, the New Jersey Pollutant Discharge Elimination System Tier A Municipal Stormwater Master Permit requires the City of Sea Isle City to adopt and enforce certain specific Ordinances to prohibit the improper disposal of waste; and

WHEREAS, the City Council desires to adopt an ordinance to address the improper disposal of waste; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

SECTION I. Chapter 16, Section 10 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section entitled "IMPROPER DISPOSAL OF WASTE" in its entirety as follows:

ADDED SECTION:
16-10 IMPROPER DISPOSAL OF WASTE

SECTION II. Chapter 16, Section 10.1 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section entitled "Purpose" in its entirety as follows:

ADDED SECTION:
16-10.1 Purpose.

The purpose of this Section is to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the City of Sea Isle City, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION III. Chapter 16, Section 10.2 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section entitled "Definitions" in its entirety as follows:

ADDED SECTION:
16-10.2 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.

- a. 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 Sea Isle City or other public body, and is designed and used for collecting and conveying stormwater.

b. Person means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. 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 sewerage or drainage facilities or is conveyed by snow removal equipment.

SECTION IV. Chapter 16, Section 10.3 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section entitled "Prohibited Conduct" in its entirety as follows:

ADDED SECTION:

16-10.3 Prohibited Conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the City of Sea Isle City 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 municipal separate storm sewer is also prohibited.

SECTION V. Chapter 16, Section 10.4 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section entitled "Exceptions to Prohibition" in its entirety as follows:

ADDED SECTION:

16-10.4 Exceptions to Prohibition.

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters).
- c. Air conditioning condensate (excluding contact and non-contact 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 firefighting activities
- i. Flows from rinsing of the following equipment with clean water:
 - Beach maintenance equipment immediately following their use for their intended purposes; and
 - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing 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.

SECTION VI. Chapter 16, Section 10.5 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section entitled "Enforcement" in its entirety as follows:

ADDED SECTION:
16-10.5 Enforcement.

This ordinance shall be enforced by Code Enforcement Officers of the City of Sea Isle City.

SECTION VII. Chapter 16, Section 10.6 of the Revised General Ordinances of the City of Sea Isle City, is hereby amended to add the following section entitled "Penalties" in its entirety as follows:

ADDED SECTION:
16-10.6 Penalties.

Notice and opportunity to abate shall be provided. Any person who continues to be in violation or fails to abate as required by this ordinance after said notice shall be subject to a penalty of not less than one hundred (\$100.00) dollars nor more than one thousand (\$1,000.00) dollars for each offense. If the violation is of a continuing nature, each day during which it continues constitutes an additional, separate, and distinct offense.

SECTION VIII. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION IX. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION X. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.


Jack C. Gibson, Council President


Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 13th day of February, 2019 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 12th day of March, 2019, in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.


Shannon D. Romano, Municipal Clerk