

ARTICLE I
Storm Sewer System Protection
[Adopted 3-14-2005 by Ord. No. 2005-05]

§ 240A-1. Purpose.

An article to establish a yard waste collection and disposal program; to prohibit feeding of unconfined wildlife in any public park or other property owned or operated by Mount Holly Township; prohibit spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by Mount Holly Township; prohibit illicit connections to the municipal storm sewer system(s); and to establish requirements for the proper handling of yard waste as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 240A-2. Definitions.

For the purpose 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. The word "shall" is always mandatory and not merely directory.

CONTAINERIZED — The placement of yard waste in a trash can, bucket, bag, or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

DOMESTIC SEWAGE — Waste and wastewater from humans or household operations.

FEED — To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

ILLICIT CONNECTION — Any physical or nonphysical connection that discharges domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Mount Holly, unless that discharge is authorized under a NJPDES permit other than the Tier A municipal stormwater general permit (NJPDES Permit No. NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

IMMEDIATE — Shall mean that the pet solid waste is removed at once, without delay.

INDUSTRIAL WASTE — Nondomestic waste, including, but not limited to, those pollutants regulated under § 307(a), (b), or (c) of the Federal Clean Water Act [33 U.S.C. § 1317 (a), (b), or (c)].

LITTER — Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse,

debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but not include the waste of the primary processes of mining or other extraction processes, logging, saw milling, farming or manufacturing.

LITTER RECEPTACLE — A container suitable for the depositing of litter.

MUNICIPAL SEPARATE, STORM SEWER SYSTEM (MS4) — A conveyance or system of conveyances (including road 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 Mount Holly Township 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 street and other sources."

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.

NONCONTACT 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. Noncontact cooling water may, however, contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

OWNER/KEEPER — Any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

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

PET — A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE — Waste matter expelled from the bowels of the pet; excrement.

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, by-product or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than noncontact cooling water.

PROPER DISPOSAL — Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

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.

STREET — Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way which is an existing state, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

WILDLIFE — All animals that are neither human nor domesticated.

YARD WASTE — Leaves and grass clippings.

§ 240A-3. Prohibited conduct.

- A. Yard waste collection. Sweeping, raking, blowing or otherwise placing of yard waste that is not containerized at the curb or along the street is only allowed during the seven days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this article. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this article.
- B. Wildlife feeding. No person shall feed, in any public park or on any other property owned or operated by the Township of Mount Holly, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers). Any person found to be in violation of this subsection shall be ordered to cease the feeding immediately.
- C. Pet waste. Requirements for disposal: All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by the person.
- D. Litter control. Prohibited acts and regulated activities:
 - (1) It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
 - (2) Whenever any litter is thrown or discarded, or allowed to fall from a vehicle or boat in violation of this article, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this article.
- E. Improper disposal of waste. The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Mount Holly 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 system is also prohibited.
- F. Exceptions to prohibition:
 - (1) Waterline flushing and discharges from potable water sources.

- (2) Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
 - (3) Air-conditioning condensate (excluding contact and noncontact cooling water).
 - (4) Irrigation water (including landscape and lawn watering runoff).
 - (5) Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
 - (6) Residential car washing water, and residential swimming pool discharges.
 - (7) Sidewalk, driveway and street wash water.
 - (8) Flows from fire-fighting activities.
 - (9) Flows from rinsing of the following equipment with clean water:
 - (a) Beach maintenance equipment immediately following their use for their intended purposes; and
 - (b) Equipment used in the application of salt and deicing material immediately following salt and deicing material applications. Prior to rinsing with clean water, all residual 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.
- G. Illicit connection. 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 Mount Holly any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater).
- H. Containerized yard waste. Prohibited conduct: The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this article.

§ 240A-4. Enforcement.

The provisions of this article shall be enforced by members of the Police Department, Code Enforcement Official or the personnel designated by the Township Manager.

§ 240A-5. Violation and penalties.

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