

**BOROUGH OF ALLENDALE  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**ORDINANCE 15-13**

**AN ORDINANCE TO ESTABLISH CHAPTER 144 OF THE CODE OF THE BOROUGH  
OF ALLENDALE ENTITLED "IMPROPER DISPOSAL OF WASTE"**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Chapter be adopted and established within the Code of the Borough of Allendale:

**IMPROPER DISPOSAL OF WASTE**

§144-1 Purpose.

The purpose of this chapter is to prohibit the spilling, dumping, or disposal of materials, other than storm water to the municipal separate storm sewer system operated by the Borough of Allendale, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§144-2 Word usage; definitions

A. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the rest of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense including 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.

B. As used in this chapter, the following terms shall have the meanings indicated:

**Municipal Separate Storm Sewer System**

A conveyance or system of conveyance (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Borough of Allendale or other public body, and is designed and used for collecting and conveying storm water.

Person

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

#### Storm water

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.

#### §144-3 Prohibited conduct.

The spilling, dumping, or disposal of materials other than storm water to the municipal separate storm sewer system operated by the Borough of Allendale is prohibited. The spilling, dumping, or disposal of materials other than storm water in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

#### §144-4 Exceptions.

- A. Water line flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air-conditioning condensate (excluding contact and noncontact cooling water).
- D. Irrigation water (including landscaping and lawn watering runoff).
- E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted steam flows.
- F. Residential car washing water, and residential swimming pool and spa discharges.
- G. Sidewalk, driveway and street wash water.
- H. Flows from fire-fighting activities.
- I. Flows from rinsing of the following equipment with clean water:
  - (1) Beach maintenance equipment immediately following their use for their intended purposes; and
  - (2) Equipment used in the application of salt and deicing materials immediately following salt and deicing material application. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicle 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.

§144-5 Enforcement.

This chapter shall be enforced by the Police Department, Borough Engineers and other Code Officials of or contracted by the Borough of Allendale.

§144-6 Violations and penalties.

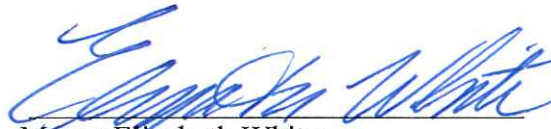
Any person(s) who continues to be in violation of the provisions of this chapter, after being duly notified, shall be subject to a fine of \$1,000 for a first offense and up to \$2,000 for a second and each subsequent offense.


§144-7 Severability.

Each section, subsection, sentence, clause and phrase of this chapter is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this chapter to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this chapter.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan			✓			
McSwiggan	✓		✓			
Sasso			✓			
Strauch			✓			
Wilczynski		✓	✓			
White						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on May 14, 2015

  
Mayor Elizabeth White

  
Deborah L. Fehre, RMC  
Interim Municipal Clerk