

**§ 21-3. IMPROPER DISPOSAL OF WASTE.**

**§ 21-3.1. Purpose. [Ord. No. 2005-19 § 3]**

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

**§ 21-3.2. Definitions. [Ord. No. 2005-19 § 3]**

For the purpose of this section, 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.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — Shall mean a conveyance or system of which 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 Township of Fairfield or other public body, and is designed and used for collecting and conveying stormwater.

PERSON — Shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

STORMWATER — Shall mean 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.

**§ 21-3.3. Prohibited Conduct. [Ord. No. 2005-19 § 3]**

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Fairfield 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.

**§ 21-3.4. Exceptions to Prohibition. [Ord. No. 2005-19 § 3]**

- a. Water line flushing and discharges from portable 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 noncontact 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:
  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 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.

#### **§ 21-3.5. Enforcement. [Ord. No. 2005-19 § 3]**

This section shall be enforced by the Police Department of the Township of Fairfield.

#### **§ 21-3.6. Penalties. [Ord. No. 2005-19 § 3]**

Any person(s) who continues to be in violation of the provisions of this section, after being duly notified, shall be subject to a fine not to exceed \$250.

**§ 21-3.7. Severability. [Ord. No. 2005-19 § 3]**

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

**§ 21-3.8. Effective Date. [Ord. No. 2005-19 § 3]**

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