

CITY OF LAMBERTVILLE
ORDINANCE No.14-2018
ILLICIT CONNECTIONS TO THE SANITARY SEWER SYSTEM

WHEREAS, in order to preserve the public health, safety and welfare of its citizenry, the City of Lambertville desires to regulate the discharge of substances into the sanitary sewer system within the City;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon and State of New Jersey as follows:

For the purposes of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings state herein unless their use in the test of this Chapter clearly demonstrates a difference meaning. When not inconsistent with the context, words used in the present tense include the future, words 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.

“Authority”- the Lambertville Municipal Utilities Authority

“Illicit connection” - any physical or non-physical connection that discharges storm water, groundwater, or non contract cooling water to the sanitary sewer system operated by the Lambertville Municipal Utilities Authority. Non physical connections may include, but are not limited to, leaks, flows or overflows into the sanitary sewer system. Sump pump discharges, cellar drains floor drains, and roof drains that convey groundwater or storm water to any part of the WTP, sanitary sewer system or plumbing system or are also considered illicit connections.

“WTP” the Lambertville Municipal Utilities Authority Wastewater Treatment Plant including all components of the associated collection system and infrastructure.

“Person” - any individual corporation, company, limited liability company, partnership, firm, business entity, association or political subdivision of this State subject to municipal jurisdiction.

“Stormwater” - water resulting from precipitation (including rain and snow) that runs off the land 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.

Incorporation of Regulations.

The Lambertville Municipal Utilities Authority Use, Rules and Regulations, as amended and supplemented from time to time (the “Regulations”), are hereby incorporated by reference in this Chapter. A copy of the Regulations, including all current amendments and supplements, shall be maintained in the office of the clerk and made available to the public for inspection and copying during regular business hours.

Prohibited Conduct and Discharges

No person shall engage in improper use or construction of sanitary sewers. No person shall construct, operate, utilize or own an illicit connection.

It shall be unlawful for any person or entity to fail to correct a violation of any provision of the Regulations within thirty (30) days after delivery to such person or entity of a written notice of violation from the Authority, except that committing or causing the commission of a prohibited discharge as defined in the Regulations shall be an unlawful act at the time it occurs.

Enforcement

The provisions of this Chapter may be enforced by the Executive Director of the Authority. Pursuant to N.J.S.A. 40:14B-20, representatives of the Authority shall have the power to enter, at all reasonable times, any premises on which such a prohibited discharge pursuant to Section 17.48.030 is supposed to exist, for the purpose of inspecting, rehabilitating or securing samples of any such prohibited discharge.

Penalties

In addition to the penalties provided in the Regulations for violation of any provision of this Chapter or of the Regulations, the maximum penalty, upon conviction, shall be a fine not exceeding \$2,000, or imprisonment for a period not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof.

Each day on which any waters or wastes are discharged in violation of Section 17.48.030 shall constitute a separate violation.

In addition to the penalties provided in Regulations and in this Chapter for violation of any provision of this chapter or of the Regulations, the City may require the installation or connection to a sewer line to be made and recover the cost as an assessment upon the premises for which the connection was made in accordance with the provisions of N.J.S.A. 40:63-54, *et seq.*

Section 3. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 4. In the event of any inconsistencies between the provisions of this Ordinance and a prior ordinance of the City of Lambertville, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the *Revised General Ordinances of the City of Lambertville* are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 5 This Ordinance shall take effect immediately upon final adoption and publication according to law.

INTRODUCED: August 21, 2018

CLERKS CERTIFICATE

I, Cynthia L. Ege, CMR, RMC, Clerk of the City of Lambertville, in the County of Hunterdon, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the City of Lambertville, in the County of Hunterdon, State of New Jersey (herein called the "City"). In this capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the City and the records relative to all ordinances and resolutions of the City. The representations made herein are based upon the records of the City.
2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the City on first reading August 21, 2018 and finally adopted by the governing body on September 17, 2018.
3. After final passage, the ordinance, a copy of which is attached hereto, was duly published on September 24, 2018. No protest nor any petition requesting that a referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within the 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 15th day of October, 2018.



Cynthia L. Ege, CMR, RMC, City Clerk

