

ARTICLE III
Improper Disposal of Waste
[Adopted 10-2-2023 by Ord. No. 968-2023]

§ 165-16. Purpose.

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

§ 165-17. Definitions.

For 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 include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely discretionary.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — 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 Borough of Milford or other public body of the Borough of Milford, and is designed and used for collecting and conveying stormwater.

PERSON — Any individual, corporation, company, partnership, firm, 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'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.

§ 165-18. Prohibited conduct.

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

§ 165-19. 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 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 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.
 - (3) 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.

§ 165-20. Violations, penalties, and enforcement.

Any person who violates the terms of this article after having been notified shall pay a fine of not less than \$1,500 but no more than \$7,500 plus court costs. This article shall be enforced by the Borough's Zoning Officer, the Borough's Sewer Administrator, or other Borough personnel as may be assigned by resolution of the Milford Borough Common Council.

§ 165-21. Repealer.

All ordinances or parts of ordinances in conflict or inconsistent with any part of this article are hereby repealed to the extent that they are in conflict or inconsistent.

§ 165-22. Severability.

If any section, provision, or part of provision of this article shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this article, or any part thereof, other than the part so held unenforceable or invalid.

§ 165-23. Effective date.

This article shall take effect after passage and publication in the manner provided by law.