

Chapter 120. Storm Sewers

Article II. Containment of Leakage From Outdoor Refuse Containers

§ 120-7. Purpose.

This article requires that dumpsters and other refuse containers that are outdoors or exposed to stormwater be covered at all times and prohibits the spilling, dumping, leaking or otherwise discharging of liquids, semiliquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Town of Clinton and/or the waters of the state so as to protect public health, safety and welfare and to prescribe penalties for the failure to comply.

§ 120-8. Definitions; word usage.

- A. For the purpose of this article, the following terms, phrases, words and their derivations shall have the meaning stated herein unless their use in the text of this article clearly demonstrates a different meaning.
- B. 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

A conveyance or system of conveyances (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 Town of Clinton or other public body 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.

REFUSE CONTAINER

Any waste container that a person controls, whether owned, leased or operated, including dumpsters, trash cans, garbage pails and plastic trash bags.

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.

WATERS OF THE STATE

The ocean and estuaries, all springs, streams and bodies of surface water or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 120-9. Prohibited acts.

- A. Any person who controls, whether owned, leased or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
- B. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semiliquids or solids to the municipal separate storm sewer system(s) operated by the Town of Clinton.

§ 120-10. Exceptions.

- A. Permitted temporary demolition containers.
- B. Litter receptacles (other than dumpsters or other bulk containers).
- C. Individual homeowner trash and recycling containers.
- D. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- E. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

§ 120-11. Enforcement.

This article shall be enforced by the Public Works/Business Administrator, or his designee, of the Town of Clinton.

§ 120-12. Penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$1,000.