

ARTICLE III Improper Disposal of Waste

§ 233-11. 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 Township of Middletown, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 233-12. Definitions.

For the purpose of 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.

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 Township of Middletown or other public body, and is designed and used for collecting and conveying stormwater.

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 sewage or drainage facilities, or conveyed by snow removal equipment.

§ 233-13. Prohibited conduct.

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

§ 233-14. Exceptions to prohibition.

- A. Water line flushing and discharges from potable water sources
- B. Uncontainerized groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters)
- C. Air conditioning condensate (excluding contact and non-contact 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. 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.

§ 233-15. Enforcement.

This Article shall be enforced by the Police Department and/or other Municipal Officials of the Township.

§ 233-16. Penalties.

Any person(s) who continues to be in violation of the provisions of this Article, after being duly notified, shall be subject to penalties pursuant to Code Section 1-18.