BOROUGH OF PALISADES PARK
BERGEN COUNTY, NEW JERSEY

ORDINANCE # 2026-28
AMENDING CHAPTER 247: "SEWERS" OF THE CODE OF THE BOROUGH OF PALISADES PARK.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Palisades Park, County of Bergen, State of New Jersey, that Chapter 247: "Sewers" of the Code of the Borough of Palisades Park is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

ARTICLE I

Sewer Discharges
[Adopted 7-8-1976 as Section 13-1 of the Revised General Ordinances of 1975]

§ 247-1. Findings.

The Mayor and Council of the borough has entered into an agreement with the Bergen County Sewer Authority for the disposal of the sanitary waste of the borough through the facilities of the Bergen County Sewer Authority, and the charges of the Bergen County Sewer Authority for disposal of the sanitary waste are determined by measuring the flow of sanitary waste through a meter or other measuring device, and the charges to the Mayor and Council of the borough for sewage disposal have been increased by the discharge of industrial waste greatly in excess of normal domestic sewage load.

§ 247-1.1. Definitions. [Added 12-17-1997 by Ord. No. 1287]

As used in this article, the following terms shall have the meanings indicated:

BIOCHEMICAL OXYGEN DEMAND (BOD) – The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, in five days at 20° C., expressed in parts per million by weight.

DWELLING UNIT — Any room or group of rooms or any part thereof located within a building and forming a single habitable unit with facilities which are used or designed to be used for living, sleeping, cooking and eating.

HOUSE SERVICE CONNECTION - The piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the street curbline.

ILLICIT CONNECTION — Any physical or nonphysical connection that discharges domestic sewerage, noncontact cooling water, process wastewater or other industrial waste (other than stormwater) to the municipal separate storm water system operated by the Borough of Palisades Park, unless that discharge is authorized under a NJDES permit other than the Tier A Municipal Stormwater General Permit (NJDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows or overflows into the municipal separate stormwater system.**[Added 9-20-2005 by Ord. No. 1453]**

INDUSTRIAL WASTE — Nondomestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b) or (c) of the Federal Clean Water Act [33 U.S.C. 1317 (a), (b) or (c)].**[Added 9-20-2005 by Ord. No. 1453]**

MUNICIPAL SEPARATE STORMWATER 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 Borough of Palisades Park or other public body and is designed and used for collecting and conveying stormwater. Municipal separate stormwater system does not include a combined sewer system, which is a system designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.**[Added 9-20-2005 by Ord. No. 1453]**

NONCONTACT COOLING WATER — Water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Noncontact cooling water may, however, contain algaecides or biocides to control fouling of equipment such as heat exchangers and/or corrosion inhibitors.**[Added 9-20-2005 by Ord. No. 1453]**

PROCESS WASTEWATER — Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than noncontact cooling water.**[Added 9-20-2005 by Ord. No. 1453]**

SANITARY WASTE — The common wastewater and water and carried wastes from human dwellings and from toilets and lavatory fixtures, kitchens, laundries and similar facilities of business and industrial buildings. In general, sanitary waste shall not include stormwater from roofs, yards, streets or open places, water from land surfaces or brooks, clean overflows from springs, wells, large volumes of subsoil drainage, large volumes of clean water from air-conditioning or other cooling or condensing facilities or clean wastewater from hydraulically operated contrivances.

SEWER LATERAL - The extension of the house service connection from the street curbline to the street sewer.

SIGNIFICANT USER — Any generator of sanitary waste for which the estimated flow will exceed 350,000 gallons per year shall be considered a significant user under this section. Significant user may include but is not limited to multifamily residences, launderettes, laundries, laundromats, car wash, bakeries, industrial plants, day-care centers and all other retail and commercial establishments.

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.**[Added 9-20-2005 by Ord. No. 1453]**

§ 247-2. Sewer connections.

No person shall make any connection to any sewer or sewer connection in the borough except in the manner as provided in Chapter 258, Streets and Sidewalks, Article II, Excavations.

§ 247-3. Application for discharge.

No wastes, other than domestic sewage from toilets, baths, showers, washbowls and sinks, shall be discharged into the sanitary sewers or laterals tributary thereto unless an application for the discharge of such wastes has been filed with the Mayor and Council and approved by the Mayor and Council.

§ 247-4. Application approval prior to connection.

In the case of new connections, the applications shall be made and approval for the connections obtained before the connections are effected.

§ 247-5. Application information.

~~All applications for permission to discharge or continue to discharge into the sanitary sewers or laterals tributary thereto wastes other than normal domestic sewage from toilets, baths, showers, washbowls and sinks shall be in writing, duly verified and under oath and shall contain complete information as to the nature and estimated quantity of the waste to be discharged and any additional information and data requested by the Mayor and Council as to every connection existing and as to any connection hereafter to be made with the sanitary sewers or laterals tributary thereto for the discharge of waste other than normal domestic sewage from toilets, baths, showers, washbowls and sinks.~~

A. The application shall be accompanied by plans and specifications of the proposed service connection and the sewer lateral, the number and kind of fixtures from which sewage shall be discharged into the public sanitary sewer system, the number of occupants of the building or buildings containing them, and such other data as the Mayor and Council shall require to determine the adequacy of the proposed service connection and sewer lateral. The application shall include the assent of the owner to all the rules and regulations, a schedule of fees, rentals and charges of the sewer utility and shall be signed by the owner or

the owner's authorized agent.

B. The projected flow criteria contained in N.J.A.C. 7:14A-23.3 shall be used to determine the estimated sewer usage, whenever practicable. For purposes of Borough fee estimation only, if a type of use is not listed in N.J.A.C. 7:14A-23.3, estimated sewer usage shall be determined by the Borough Engineer using similar facilities or best professional judgment, subject to approval by the Mayor and Council and all applicable NJDEP and BCUA requirements. Nothing in this subsection shall be construed to alter, waive, or create an exemption from any State or BCUA projected-flow or permitting requirement. Any reference to "seat" in N.J.A.C. 7:14A-23.3 or projected flow criteria adopted by the Borough shall mean the maximum permitted occupancy established by the Uniform Construction Code or Uniform Fire Code.

C. In the event that an application is made for sewer service to a building, facility, or structure for which the types or sizes of the uses therein have not been determined by the applicant, a connection fee shall be assessed based upon the maximum potential estimated sewer usage of the building, facility, or structure. The Mayor and Council may impose an initial estimated connection fee and defer the calculation of the actual fee until such time the uses are known. The payment of any additional fee due and owing shall be paid in full prior to the issuance of a Certificate of Occupancy.

§ 247-6. Examination of wastes.

Readily accessible means shall be provided by the owner, tenant or occupant of the premises to allow the Mayor and Council or its representatives to make periodic examination and determination of the volume, character and concentration of the waste being discharged into the sewers or laterals tributary thereto or of any waste which may injure the sewers or adversely affect sewage treatment or which is not in conformity with the requirements and standards now or hereafter made by the governing body or the Bergen County Sewer Authority, and the Mayor and Council may, at any time, without notice and without recourse, sever the connection and cause the removal of any sewer or drain through which such waste may be discharged.

§ 247-7. Prohibited discharges.

Under no circumstances shall any of the following be discharged into any sanitary sewer or lateral tributary thereto:

A. Groundwater, surface water or rainwater from yards, areas, courts, cellars, drains, roofs or excavations.

B. Wastes or substances which the Mayor and Council or the Bergen County Sewer Authority now or hereafter finds to be harmful.

C. Any wastes or substances which will cause or result in:

(1) Chemical reaction, either directly or indirectly, with the materials of construction to impair the strength or durability of sewer structures.

(2) Mechanical action that will destroy or damage the sewer structures.

(3) Restriction of the hydraulic capacity of sewer structures.

(4) Restriction of the normal inspection or maintenance of sewer structures.

(5) Limitation of the effectiveness of the sewage treatment process.

(6) Danger to the public health and safety.

(7) Obnoxious conditions inimical to the public interest.

§ 247-8. Charges for significant users. [Amended 12-17-1997 by Ord. No. 1287]

The charges for sanitary flow attributable to significant user discharges into the borough's sanitary sewers or laterals tributary thereto shall be fixed and determined according to the volume of flow discharged into the borough's sewer system. The rate to be charged shall be as determined by analysis of the current rate charged each year to the borough by the Bergen County Sewer Authority and the cost of maintaining the sewer and the infrastructure.

§ 247-9. Date charges due; charges to be lien until paid.

The charges herein fixed shall be payable and billed quarterly on March 1, June 1, September 1 and December 1 of each year and shall be a lien upon the premises connected with the sewer system until paid.

§ 247-10. Significant user charges. [Amended 12-17-1997 by Ord. No. 1287]

A. A significant user for which the estimated charge will exceed $2,000 per year shall install a suitable meter or device for continuously recording the flow discharges into the borough's sewer system. Plans for complete metering installation shall be submitted to the Mayor and Council for approval.

B. In the event that evidence is presented indicating that more than 20% of the total annual volume of water used for all purposes does not reach the borough's sewer system, an estimate may be made of the proper amount to be deducted.

C. Where a significant user has a private water supply, all or part of which is discharged into the borough's sanitary sewer system, the amount of such supply or the part thereof discharged into the borough's sanitary sewer system shall be metered and included in the charges to be made.

§ 247-11. Exception for certain discharges.

This article shall apply to and include water from air-conditioning units, refrigerating units and air-cooling systems or water used for machinery-cooling purposes, unless there is no stormwater sewer available for discharge of the same therein. In the event that it is not feasible to discharge the water from air-conditioning units, refrigerating units and air-cooling systems or water used for machinery-cooling purposes into the stormwater sewer, the same may be discharged into the sanitary sewer system upon filing an application therefor as provided in §§ 247-3, 247-4 and 247-5 of this article and paying the charges herein provided.

ARTICLE II

Required Connections

[Adopted 7-8-1976 as Section 13-2 of the Revised General Ordinances of 1975]

§ 247-12. Buildings with running water and toilet facilities.

All dwelling houses and buildings occupied by human beings as places of habitation and all other buildings provided with running water or toilet facilities, which dwelling houses or buildings shall be located upon a lot, plot or tract of land fronting on or abutting a street in which a sanitary sewer owned or operated by the borough is now or may hereafter be constructed, shall be connected with such sanitary sewer.

§ 247-13. Owner's responsibility.

The connection shall be made by the owner of the property on which such building is located at his own cost and expense.

§ 247-14. Compliance with ordinances required.

The connection shall be made in accordance with the existing ordinances of the borough and the Board of Health thereof and with such ordinances of the borough or Board as may hereafter be adopted. Any existing connections to the sanitary sewers which shall not conform to the provisions of these ordinances shall be improved or repaired so as to conform to the same.

§ 247-15. Repair of connections.

Should any connection fall into a state of disrepair, the owner of lands which the connection shall serve shall, upon notice as provided, repair the same so as to conform to the provisions of these ordinances.

§ 247-16. Toilet required.

All dwelling houses and buildings occupied by human beings as places of habitation shall be equipped and

furnished with at least one toilet, which shall be connected with the sewer. These toilets shall be installed and connected in accordance with the provisions of these ordinances.

§ 247-17. Inspections; right of entry.

It shall be lawful for the Sanitary Inspector of the borough to inspect any and all such toilets and connections and, for that purpose, to enter any building or premises in or on which the same shall be located at all reasonable hours.

§ 247-18. Failure of owner to comply after notice.

In case of the neglect of the owner of any properties affected by the provisions of this article to make any such sewer connection or installation of a toilet or repair or improvement to the same as provided for in this article after notice given in accordance with the provisions hereof, it shall be lawful for the Mayor and Council to make such connection or installation, repair or improvement under the direction and supervision of the Sanitary Inspector of the borough or to award one or more contracts for the making of such improvement.

§ 247-19. Notice to repair or install; service.

A. Before proceeding to make any such connection or installation, repair or improvement or awarding any contract for the making thereof, it shall be the duty of the Mayor and Council to cause notice of such contemplated connection, installation, repair or improvement to be given to the owners of any properties affected thereby. Such notice shall contain a description of the property affected sufficiently definite in terms to identify the same, as well as a description of the required connection, installation, improvement or repair, and a notice that, unless the connection, installation, improvement or repair shall be completed within 30 days after the service thereof, it is the intention of the borough to make such connection, installation, improvement or repair or cause the same to be made in pursuance of the authority of Chapter 291 of the Laws of 1927.

B. Such notice may be served upon the owner residing in this borough in person by leaving the same at his usual place of residence with a member of his family above the age of 14 years. In case any such owner shall not reside in the borough, such notice may be served upon him or mailed to his last known post office address, or it may be served upon the occupant of the property or upon the agent of the owner in charge thereof. In case the owner of any such property is unknown or service cannot, for any reason, be made as above directed, notice thereof shall be published at least once, not less than 30 days before the making of such connection, repair, improvement or installation by the borough, in a newspaper circulating in the borough. Notice to infant owners or owners of unsound mind shall be served upon their guardians. When lands are held in trust, service shall be made upon the trustee. When properties are held by two or more joint tenants in common or tenants by the entirety, service upon one of such owners shall be sufficient and shall be deemed and taken as notice to all.

C. Proof of service of such notice shall be filed within 10 days thereafter with the Collector of Taxes.

§ 247-20. Account of costs; costs to be lien.

A. When any sewer connection or toilet installation or repair or improvement shall be made by the borough under the terms of this article, a true and accurate account of the cost and expense shall be kept and apportioned to the property thereby benefited or improved, and a true statement of such costs, under oath or affirmation, shall be forthwith filed with the Borough Clerk by the officer of the borough in charge of such work. The Mayor and Council shall examine the same and, if the same is properly made, shall confirm the same and file such report with the Collector of Taxes, who shall record the charge for such sewer connection, installation, repair or improvement in the same book in which he records sidewalk and other assessments.

B. Every charge shall bear interest and penalties from the date of such confirmation and shall, from such time, be a first and paramount lien against the respective property so improved and shall be collected and enforced in the same manner as assessments for local improvements. Such charge may be paid in installments in the same manner as assessments for local improvements are payable, which installments shall bear the same rate of interest and be collected and enforced in the same manner as are installments for assessments on local improvements.

§ 247-21. Financing of borough costs.

The cost to the borough of making any improvement herein provided for shall be financed either by annual appropriations or by special appropriation as the Mayor and Council may determine in the way and manner provided for by law.

ARTICLE III

Connection Permits; Private Sewers

[Adopted 7-8-1976 as Section 10-2 of the Revised General Ordinances of 1975]

§ 247-22. Permit required; regulations; inspection and approval.

A. ~~No sewer connection shall be made without a permit therefor issued by the Department of Building Inspection of the borough.~~ No person shall uncover, make any extension or connection to or opening into or use, alter or disturb any part of the public sanitary sewer system without having first obtained a written permit from the Department of Building Inspection of the borough to do so. Permits shall be valid for a period of one year. The Department may make any regulations governing the manner and method of making such connections. No connection shall be covered until the same has been inspected and approved by the Department. **[Amended 8-15-1995 by Ord. No. 1226]**

B. No building permit shall be issued with respect to any lot that is required to connect to the public sanitary sewer system until the sewer connection fee authorized by this chapter has been paid to the Borough and documentation has been provided of payment of the Bergen County Utilities Authority connection charge.

C. Fee. **[Added 6-20-1995 by Ord. No. 1221; amended 3-21-1996 by Ord. No. 1235; 12-17-1997 by Ord. No. 1287; 2-16-1999 by Ord. No. 1316]**

(1) The application for installation of new sewer connections or the alterations to existing sewer connections shall be accompanied by a diagram showing the relative elevation of the lowest plumbing fixture and the invert and diameter of the sanitary sewer where such connection is to be made.

(2) Upon approval of such diagram by the Building Department and prior to issuance of the permit for installation of the complete plumbing system including all plumbing fixtures, water supply piping, soil and waste lines and vents, traps and valves and all other plumbing fixtures and devices, the applicant shall pay a fee in accordance with the following schedule for each sanitary sewer connection:

(a) ~~One thousand dollars~~ Residential: $3,215.00 and an additional $1,000 per dwelling unit.

(b) All other structures: $2,000 per unit and $17.00 per gallon per day

(c) All subsequent inspections, for all properties, in the event that a second or subsequent inspection is required: $200 for each subsequent inspection.

(d) All connection fees imposed by the Borough under this section shall be calculated, recomputed, and administered in accordance with N.J.S.A. 40A:26A-11 through -11.3, as amended, including all applicable credits and reductions.

§ 247-22.1. Engineering Review; Escrow

Where deemed necessary by the Construction Official, the Borough Engineer may be retained to provide engineering review or inspection services in connection with a sewer connection, extension, alteration, or related work. The applicant shall deposit with the Borough such escrow as may be reasonably required to cover the costs of such services. Additional escrow may be required if the initial deposit is insufficient.

§ 247-23. Conditions for laying private sewers. [Amended 8-15-1995 by Ord. No. 1226]

No person shall lay any private sewer in or through any street or portion thereof unless he shall first obtain written permission therefor from the Department of Building Inspection, which permission shall, in all cases, be subject to the following conditions, whether contained in such written permission or not:

A. Authority in the manner required by law shall be obtained from the Mayor and Council, designating the nature of the written permission and the conditions thereof, which shall be revocable by the Mayor and Council at any time.

B. The location, plan and character of the sewer and its connections shall be approved by the Mayor and Council, and the work shall be done under the supervision of the Borough Engineer at the cost of the owner or applicant, who shall deposit, before commencing the work, such sum with the Borough Clerk as the Mayor and Council may think adequate to cover the expense of supervision.
The Mayor and Council, at any time, may permit or direct the use of such pipeline to any property adjacent thereto under such terms and for such time as may be just and equitable.

C. The applicant or its successors, heirs or assigns will convey the sewer and all its appurtenances to the borough at any time when the sewer may be connected with the sewage disposal plant of the borough, and the applicant or its successors, heirs or assigns will at such time pay the reasonable sum which will equal its reasonable proportion of the cost of the construction of the mains and sewage disposal plant. After such conveyance to the Mayor and Council, the pipeline and all connections shall be regarded as a part of the sewerage system and thereafter subject to such charges for the use of such system as may be current in the borough, and the pipeline may make use of any part of the general sewerage system at any time. Persons or corporations using such private pipeline shall pay the same charges for such use as is the case of users directly of the general system of the borough. Whenever such right to lay a private sewer is provided, the Borough Clerk shall immediately notify the borough collector and the Superintendent of Public Works, who shall make a proper record thereof.

D. Connections:

(1) All connections shall be made by approved fittings to the sewer main. Individual residential force main connections to manholes shall be permitted only at the direction of the Mayor and Council.

(2) The house service connection and sewer lateral shall be installed and maintained by the owner. The making of the tap in the sanitary sewer, backfilling the trench, and resurfacing the street above the trench from the street sewer to the curb shall be done at the owner's expense. Work of this nature conducted within a Borough right of way will also require a permit to open public grounds.

(3) Sewer laterals shall be, at minimum, extra heavy cast-iron soil pipe, ASTM Specification A74-12; PVC plastic pipe, schedule 40; ABS plastic pipe, SDR35; or ductile iron pipe.

(4) Residential sewer laterals shall be a minimum diameter of four inches. All other sewer laterals shall be a minimum diameter of six inches unless the Mayor and Council approves a smaller diameter.

(5) The sewer lateral shall be laid at a straight grade of not less than 1/8 inch per foot for six-inch-diameter pipe and not less than 1/4 inch per foot for four-inch-diameter pipe and, so far as possible, in a straight alignment. Changes in direction shall be made only with standard fittings of 45° or less, and cleanouts shall be constructed as required by the Mayor and Council at each change in direction and for every 50 feet of sewer lateral. A cleanout shall be installed at the junction of the sewer lateral and the house service connection.

(6) In buildings in which the house service connection is necessarily laid too low to permit gravity flow to the sewer lateral, the sewage to be carried by such connection shall be lifted by approved artificial means at the owner's expense and discharged into the sewer lateral.

(7) All joints and connections in sewer laterals shall be made gastight and watertight. Rubber joints may be used for joining cast-iron pipe, provided the rubber joints are supplied by the same manufacturer which produced the pipe and are installed in strict accordance with the manufacturer's recommendations. Connections between dissimilar pipe materials shall be made by means of adaptor couplings.

(8) Pipe laying and backfill shall be performed in accordance with the requirements of the Borough, and under the supervision of the Borough. The owner shall inform the Borough when a sewer lateral is ready for inspection.

(9) A separate and independent sewer lateral shall be provided for every lot and for every dwelling unit which is arranged for separate ownership, except that multiple units within a condominium may be served by a common sewer lateral.

(10) The entire cost of installing public sewer mains, including associated facilities such as lift pumps, depressed sewers, building Y-branches and sewer laterals, for existing streets upon which real estate subdivisions shall front, if not yet provided with sewer mains, and in new or proposed streets (including extensions of existing streets) shall be borne and paid by the owner of the subdivision and the ownership and control thereof shall be transferred to the sewer utility when the construction and installation thereof has been approved by the Mayor and Council.

ARTICLE IV

Bergen County Utilities Authority Rules [Adopted 11-15-1979 by Ord. No. 908]

§ 247-24. Compliance with rules required.

The use of all sanitary sewers of the Borough of Palisades Park shall be in compliance with the Rules and Regulations enacted by the Bergen County Utilities Authority.

§ 247-25. User charges and industrial cost recovery.

The Borough of Palisades Park hereby adopts and enacts the user charge system and industrial cost recovery system contained in the Rules and Regulations of the Bergen County Utilities Authority and authorizes their immediate implementation by the appropriate municipal official, to be designated by resolution of the governing body.

§ 247-26. Filing of copies of rules.

Not fewer than three copies of the Rules and Regulations of the Bergen County Utilities Authority have been and are filed in the office of the Clerk of the Borough of Palisades Park and are available for public inspection during normal business hours.

§ 247-27. Costs of copies of rules.

Copies of the Rules and Regulations of the Bergen County Utilities Authority can be obtained from the Bergen County Utilities Authority for the cost of publication.

ARTICLE V

Grease, Oil and Sand Interception [Adopted 10-17-1996 by Ord. No. 1252]

§ 247-28. Prohibited discharges.

No person shall, without the appropriate permit, discharge directly or indirectly into the borough's public sanitary sewer system any wastes or wastewater which contains any of the following:

A. Oil and grease. Oil and grease from nonresidential facilities, in concentrations or amounts violating applicable pretreatment standards as defined by the United States Environmental Protection Agency (hereafter "EPA") or the New Jersey Department of Environmental Protection (hereafter "DEP"); this includes:

(1) Petroleum based hydrocarbons as determined by silica gel absorption.

(2) Wastewater from retail, commercial and/or industrial facilities containing floatable fats, wax, grease or oil.

(3) Total fats, wax, grease or oil containing concentration of more than 100 mg/L, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.) at the point of discharge into the sewer system.

B. Explosive and/or flammable mixtures. Liquids, solids or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the sewer system or to the operation thereof. Such materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

C. Noxious material. No noxious material, pollutants which either singly or by interaction with other wastes, are malodorous, or capable of creating a public nuisance or hazard to life or health or are present in sufficient concentrations to prevent entry into the sewer system for its maintenance and repair.

D. Improperly shredded garbage. Garbage that has not been ground or comminuted to such a degree that all particles will be floating or carried freely in suspension under flow conditions normally prevailing in the sewer system with no particle greater than 1/2 inch in any dimension. The discharge of any improperly shredded garbage is prohibited; this prohibition does not apply to the use of garbage disposal units in private dwellings, whose only discharge is domestic wastewater.

E. Radioactive wastes. Prohibited except in conformance with N.J.A.C. 7:28-11.2 (Disposal of radioactive materials-disposal by release into sanitary sewerage systems).

F. Solid or viscous wastes. Solid or viscous wastes which will or may cause obstruction to the flow in a sewer or otherwise interfere with the proper operation of the sewer system. Prohibited materials include, but are not limited to, grease, improperly shredded garbage, animal guts or tissues, diseased human organs or tissue fluids, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances.

G. Excessive discharge. Wastewater at a flow rate that exceeds for any time period longer than 15 minutes more than five times the average daily flow rate of the nonresidential user during normal operation, or containing such concentrations or quantities of pollutants that, in the judgment of the Superintendent of Public Works or Borough Engineer, would cause a treatment upset, interference or loss of treatment efficiency.

H. Toxic discharge. Waters and wastes containing objectionable or toxic substances in sufficient quantity either singly or by interaction with the other pollutants, to result in pass-through, to cause the interference with the sewer system or to constitute a hazard to humans or animals or to exceed standards promulgated by the EPA or the DEP.

I. Stormwater. Discharge of stormwater, including surface and ground water from sump pumps and cellar drains, into the sewer system from any source.

J. Discolored materials. Wastes with a color higher than 500 units as per platinum cobalt standard.

K. Corrosive wastes. Any waste which will cause corrosion or deterioration to the sewer system; all wastes discharged to the sewer system must not have pH value lower than 5.5 or greater than 9.5 standard units, prohibited materials include, but are not limited to, concentrated acids, alkalis, sulfides, chloride and fluoride compounds and substances which will react with water to form acidic or alkaline products which have a pH value that does not fall within the range stated herein.

§ 247-29. When interceptors are to be provided; location.

Grease, oil and sand interceptors shall be provided when in the opinion of the Health Officer, Building Subcode Official or Borough Engineer they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such interceptors

shall not be required for residential units. All interceptors shall be of a type and capacity approved by the Health Officer, Building Subcode Official or Borough Engineer and shall be located so as to be readily and easily accessible for cleaning and inspection.

§ 247-30. Construction of interceptors.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. Also, it shall be a mechanical device which is not solely dependent upon employees for maintenance and operation.

§ 247-31. Maintenance.

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense in continuously efficient operation at all times and easily accessible for inspection.

§ 247-32. Inspection.

The Borough Engineer, Health Officer, Construction Official and Superintendent of Public Works shall be permitted to enter upon all properties for the purpose of inspection, observation, sampling and testing to ensure compliance with the provisions of this article.

§ 247-33. More stringent limitations to apply.

Any effluent limitations and other requirements currently in effect or which are adopted henceforth by the EPA, DEP or any other government entity having jurisdiction shall apply in any instance where they are more stringent than those set forth in this article, and said law, regulation, code or order shall supersede this article.

§ 247-34. Violations and penalties.

A. Any person who violates any provision of this article, shall be served by the Construction Code official with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, no later than the period of time stated in such notice, permanently cease all violations.

B. If a violation is found to exist hereunder, the borough shall be entitled to recoup any and all costs incurred by the borough for inspections and for remediating damage to the sewer system directly attributable to the violation.

C. Any person who continues any violation beyond the time limit provided for in said notice described in Subsection A of this section shall, upon conviction thereof, be liable to one or more of the following: a fine not exceeding $1,000; imprisonment for a term not exceeding 90 days; or a period of community service not exceeding 90 days. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

ARTICLE VI

Municipal Separate Stormwater Sewers
[Adopted 9-20-2005 by Ord. No. 1453]

§ 247-35. Prohibited conduct.

The spilling, dumping or disposal of materials other than stormwater to the municipal separate storm sewer system, gutters, streets, catch basins or other public place operated by the Borough of Palisades Park 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.

§ 247-36. Exceptions to prohibition.

A. Waterline flushing and discharges from potable water sources;

B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains rising groundwaters);

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 fire-fighting activities; and

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.

§ 247-37. Illicit connections.

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Borough of Palisades Park any domestic sewage, noncontacting cooling water, process wastewater or other industrial waste (other than stormwater).

§ 247-37.1. Violations and penalties.

Any person who violates any provision of this article shall, upon conviction, be subject, in the discretion of the Court, to one or more of the following penalties: for a first offense, a fine not exceeding $500 for each day of violation; for a second or subsequent offense, a fine not exceeding $1,000 for each day of violation; imprisonment for a term not exceeding 90 days; or community service for a period not exceeding 90 days. Each day that a violation is committed or permitted to continue shall constitute a separate offense.

ARTICLE VII

Dumpsters and Other Refuse Containers
[Adopted 11-26-2013 by Ord. No. 1606]

§ 247-38. 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 Borough of Palisades Park so as to protect public health, safety and welfare and to prescribe penalties for the failure to comply.

§ 247-39. Definitions.

For the purposes 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. The word "shall" is always mandatory and not merely directory.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — 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 Borough of Palisades Park and is designed and used for collecting and conveying storm water.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

STORM DRAIN INLET — An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

WATERS OF THE STATE — The ocean and its 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.

§ 247-40. Covering of refuse containers or dumpsters; prevention of leaks.

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 Borough of Palisades Park.

§ 247-41. 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 NJDES permit.

E. Large, bulky items (e.g. furniture, bound carpet and padding, white goods placed curbside for pickup).

§ 247-42. Enforcement.

This article shall be enforced by the Police Department and/or the Department of Public Works.

§ 247-43. Violations and penalties.

Any person who violates any provision of this article shall, upon conviction, be subject, in the discretion of the Court, to one or more of the following penalties: for a first offense, a fine not exceeding $500 for each day of violation; for a second or subsequent offense, a fine not exceeding $1,000 for each day of violation; imprisonment for a term not exceeding 90 days; or community service for a period not exceeding 90 days. Each day that a violation is committed or permitted to continue shall constitute a separate offense.

ARTICLE VIII

Private Storm Drain Inlet Retrofitting
[Adopted 11-26-2013 by Ord. No. 1607]

§ 247-44. Purpose.

This article requires the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Palisades Park so as to protect public health, safety and welfare and to prescribe penalties for the failure to comply.

§ 247-45. Definitions.

For the purposes 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. The word "shall" is always mandatory and not merely directory.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — 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 Borough of Palisades Park and is designed and used for collecting and conveying storm water.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

STORM DRAIN INLET — An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

WATERS OF THE STATE — The ocean and its 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.

§ 247-46. Prohibited conduct.

No person in control of private property (except a residential lot with one single-family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

A. Already meets the design standard below to control passage of solid and floatable materials; or

B. Is retrofitted or replaced to meet the standard in § 247-47 below prior to the completion of the project.

§ 247-47. Design standard.

Storm drain inlets identified in § 247-46 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this section, "solid and floatable materials" means sediment, debris, trash and other floating, suspended or settleable solids. For exemptions to this standard see Subsection C below.

A. Grates.

(1) Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

(a) The New Jersey Department of Transportation (NJDOT) bicycle-safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

(b) A different grate, if each individual clear space in that grate has an area of no more than seven square inches, or is no greater than 0.5 inches across the smallest dimension.

(2) Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels and stormwater basin floors.

B. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven square inches, or be no greater than two inches across the smallest dimension.

C. This standard does not apply:

(1) Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards.

(2) Where flows are conveyed through any device (e.g. end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed at a minimum to prevent delivery of all solid and floatable materials that could not pass through one of the following:

(a) A rectangular space 4 5/8 inches long and 1 1/2 inches wide. (This option does not apply for outfall netting facilities).

(b) A bar screen having a bar spacing of 0.5 inch.

(c) Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars.

(d) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§ 247-48. Enforcement.

This article shall be enforced by the Police Department and/or the Department of Public Works.

§ 247-49. Violations and penalties.

Any person who violates any provision of this article shall, upon conviction, be subject, in the discretion of the Court, to one or more of the following penalties: for a first offense, a fine not exceeding $500 for each day of violation; for a second or subsequent offense, a fine not exceeding $1,000 for each day of violation; imprisonment for a term not exceeding 90 days; or community service for a period not exceeding 90 days. Each day that a violation is committed or permitted to continue shall constitute a separate offense.
Each storm drain inlet that is not retrofitted to meet the design standard shall constitute a separate violation. Each day that a violation is committed or permitted to continue shall constitute a separate offense.

Introduction: September 29, 2026

Adoption: October 27, 2026

Approved:

Laura Borchers Interim Clerk

Chong Paul Kim, Mayor