

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
NO. 2010/14**

**ORDINANCE AMENDING CHAPTER 8 (GARBAGE, TRASH AND REFUSE
COLLECTION AND DISPOSAL OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF FREEHOLD**

WHEREAS, the state stormwater regulations require municipalities to enact legislation to prevent the spilling, dumping, leaking or other discharge of material from refuse containers to the municipal separate stormwater system.

NOW THEREFORE BE IT ORDAINED that Chapter 8 (Garbage, Trash and Refuse Collection and Disposal) be amended as follows:

SECTION 1

Chapter 8.24 shall be amended and supplemented as follows:

Chapter 8.24.010 Definitions.

“Municipal separate storm water system (MS4)” is defined to mean 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 Freehold Borough or other public body and is designed and used for collecting and conveying stormwater.

“Stormwater” is defined as 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.

Chapter 8.24.020 F. Refuse receptacles.

8.24.020 F. Any person who owns, leases, uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system.

Chapter 8.24.050 Enforcement.

This ordinance may be enforced by the Code Enforcement and/or other municipal officials of Freehold Borough.

Chapter 8.24.060. Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,250.

SECTION 2

All remaining portions of this Chapter shall remain in full force and effect.

SECTION 3

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

SECTION 4

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

SECTION 5

This Ordinance shall take effect upon final passage and publication in accordance with Law.

Offered By: DiBenedetto

Seconded By: Shutzer

Roll Call:

Ayes: DiBenedetto, Kane, Newman, Schnurr, Shutzer, Sims

Nays: None

Absent: None

Abstain: None

NOTICE IS HEREBY GIVEN that Ordinance #2010/14 was introduced at a meeting of the Freehold Borough Council in the County of Monmouth, New Jersey, held on September 7, 2010 and passed on first reading and that such Ordinance will be further considered for final passage after public hearing at a meeting of said Mayor and Council to be held at the Municipal Building in said Borough on September 20, 2010 at 7:00 PM or at any meeting to which that meeting may be adjourned, at which time all persons who may be interested therein will be given an opportunity to be heard.

TRACI L. DI BENEDETTO
BOROUGH CLERK