

ORDINANCE NO: #20-08

**AN ORDINANCE AMENDING CHAPTER XIV OF
THE ORDINANCES OF THE BOROUGH OF
KEYPORT BANNING CERTAIN WATER
DISCHARGES INTO THE BOROUGH STREETS**

WHEREAS, water discharge from sump-pumps into sidewalks and roads, particularly in the winter when it can freeze, creates a hazard to pedestrians and motorists; and

WHEREAS, the Mayor and Borough Council wish to amend Chapter XIV "Water and Sewer" and create a new section entitled Chapter 14-5, "Sump Pump Discharge"; and

WHEREAS, pursuant to *N.J.S.A.* 40:48-1 the power to adopt public ordinances for public health, safety and welfare of the borough is coterminous with the power of the legislature; and

NOW THEREFORE BE IT ORDAINED by the Mayor and the Borough Council of the Borough of Keyport that Chapter XIV, of the Revised Ordinances of the Borough of Keyport is amended to include a new section 14-5 entitled "Sump Pump Discharge", as follows;

Section 14-5 Sump Pump Discharge

Section 14-5 .1 Sump Pump Discharge

a) Purpose. The Purpose of this subsection is to prohibit the discharge of sump pump or other mechanical discharge of any stormwater onto any Borough street or sidewalk when such a discharge would create an unsafe icing condition.

b) Sump-Pump Discharge. There shall be no sump-pump discharges or mechanical discharge of any stormwater directly onto any Borough street or sidewalk between December 1st and March 15th, if in the professional opinion of the Superintendent of Engineering or Borough Engineer, or their designee, that said discharge would create an unsafe icing condition. The sump-pump or mechanical discharge of any stormwater between December 1st and March 15th shall be discharged so that it will percolate into the soil, and not run directly into any public streets or sidewalks.

c) Penalties. Any person(s), entity, firm or corporation or other group found guilty of violating any of the provisions of this subsection shall

be subject to any penalty as set forth in Section 1-5 of the Revised General Ordinances. Each daily incident shall be considered as a separate violation.

Section 2. If any part or parts of the Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Introduced: August 19, 2008
Public Hearing: September 2, 2008
Adopted: September 2, 2008

Valerie Heilweil, RMC
Borough Clerk
Borough of Keyport

Robert Bergen, Mayor
Borough of Keyport