

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING
CHAPTER XVI OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW
JERSEY, ENTITLED SEWER AND WATER”**

09-08

16-3 MUNICIPAL STORM WATER SYSTEM MS-4

16-3.1 Purpose. Add c.

An ordinance to prohibit:

c. the placing of uncovered dumpsters and other refuse containers that are outdoors or exposed to stormwater and the spilling, dumping, leaking or otherwise causing the discharge of liquids, semi-liquids or solids from the contains to the Lakehurst MS-4 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.

16-3.2 Definitions. Add

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

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

16-3.3 Prohibited Conduct. Add c and d

c. 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.

d. 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 fluids, semi-fluids or solids to the MS-4 of the Borough of Lakehurst or waters of the State.

16-3.4 Exceptions to Prohibition 16-3.3a. Add c and d

Permitted temporary demolition containers
Litter receptacles (other than dumpsters or other bulk containers)
Municipal recycling containers

Individual homeowner trash and recycling containers
Refuse containers at facilities authorized to discharge stormwater associated with industrial activity under a valid NJPDES permit
Large bulky items (e.g. furniture, bound carpet and padding, white goods placed curbside for pickup)

16-3.5 Enforcement.

This ordinance shall be enforced by the police department and other municipal officials of Borough of Lakehurst.

16-3.6 Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not less than \$ 500.00 and not to exceed \$ 2,000.00.

Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Effective date.

This ordinance shall take effect immediately upon final passage and publication as required by law.

Hon. Timothy J. Borsetti
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that an ordinance #09-08 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XVI OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED SEWER AND WATER” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the seventh day of May, 2009.

Bernadette Dugan, RMC
Municipal Clerk