

§ 24-11. IMPROPER DISPOSAL OF WASTE. [Added 12-8-2021 by Ord. No. 2021-06]

- a. As used in this chapter, unless a different meaning clearly appears from the context, the following words shall have the following meanings:

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 Borough of Surf City and is designed and used for collecting and conveying stormwater.

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

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.

- b. The spilling, dumping or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Surf City 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.

- c. Exceptions to prohibition include:

1. Waterline flushing and discharges from potable water sources.
2. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
3. Air-conditioning condensate (excluding contact and noncontact cooling water).
4. Irrigation water (including landscape and lawn watering runoff).
5. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
6. Residential car washing water, and residential swimming pool discharges.
7. Sidewalk, driveway and street wash water.
8. Flows from fire-fighting activities.
9. Flows from rinsing of the following equipment with clean water:
 - (a) Beach maintenance equipment immediately following their use for the intended purposes; and
 - (b) Equipment used in the application of salt and deicing materials immediately following salt and deicing material applications. Prior to rinsing with clean water, all residual salt and deicing 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.

§ 8-2.2. Regulations. [1969 Code § 7-7; Ord. No. 73-5 ; Ord. No. 74-8 ; Ord. No. 04-07 § I; Ord. No. 2005-08 § II]

No person shall own, keep or harbor a dog in the Borough except in compliance with the provisions of this section and the following regulations:

- a. Interference with Official Duties. No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this section.
- b. Disturbing the Peace. No person shall allow a dog to bark continuously or for an extended period of time in a manner that annoys the neighbors and disturbs the peace and tranquility of the neighborhood.
- c. Running-at-Large. No person owning, keeping or harboring any dog shall suffer or permit it to run at large upon the public streets or in any public park, public building or other public place within the Borough. The owner of any dog found running at large shall be fined a minimum of \$15 per each offense.
- d. Leashing of Dogs. No person owning, keeping or harboring any dog shall suffer or permit it to be upon the public streets or in any of the public places of the Borough unless such dog is accompanied by a person over the age of 12 years and is securely confined and controlled by an adequate leash not more than six feet long.
- e. Property Damage. No person owning, keeping or harboring a dog shall permit or suffer it to do any injury, or to do any damage to any lawn, shrubbery, flowers, grounds or property.

Further, no person owning, harboring, keeping, walking or in charge of any animal shall cause, suffer, permit or allow such animal to soil, defile, defecate on or commit any nuisance on any common thoroughfare, street, sidewalk, passageway, road bypass, play area, park or any place where people congregate or walk or upon any boardwalk, beaches, or beach front in this Borough, or upon any public property whatsoever, or upon any private property without the permission of the owner of the private property in the last instance. If any such person shall permit such animal to soil, defile, defecate on or commit any nuisance on the areas aforesaid, he shall immediately remove all feces and droppings deposited by such animal, which removal shall be in a sanitary manner by a shovel, container, disposal bag, and the feces and droppings shall be removed by the person from the aforesaid designated areas, and disposed of by the person in a sanitary manner.

§ 4-12. DISORDERLY CONDUCT AND ELIMINATION OF VICE, IMMORALITY AND PUBLIC NUISANCES.

§ 4-12.1. Regulations. [Ord. No. 72-10 ; Ord. No. 81-6 ; Ord. No. 88-20 § 4; Ord. No. 2005-08 § III]

No person shall, within the Borough:

- a. Be intoxicated or drunk or disorderly in any public omnibus, street, beach, thoroughfare or on any sidewalk or in any private house, home or in any boardinghouse, store, restaurant or other private, public or quasi-public place or house;
- b. Appear on any street, park, beach, or other public place in a state of nudity, or make an indecent exposure of his or her person or commit or do any lewd or indecent act or behave in a lewd or indecent manner;
- c. Keep or maintain or be present in a disorderly house or a house of ill-fame or allow or permit any house, shop, store or other building or structure owned or occupied by him or her to be used as a disorderly house or house of ill-fame;
- d. Solicit, invite or in any manner suggest by word of mouth or any writing or other communication or by any device whatsoever any lewd, lascivious or other immoral act;
- e. Permit any house, shop, store or other building or structure owned or occupied by him or her to be frequented or resorted to by noisy, riotous or disorderly persons or by prostitutes, gamblers or vagrants;
- f. Maliciously destroy, damage or injure any property, public or private;
- g. Cause or permit to be emitted any vile, offensive, obnoxious or nauseating odor, or any odor that may be vile, offensive, obnoxious or nauseating to any of the residents of the Borough;
- h. Cause or permit to be emitted any fumes, gases, vapors, steam or other substances of a nature, or of such quantity as to be injurious to life, health, plants, trees, produce of the soil, buildings or other property;
- i. Possess, keep or maintain any faro table, roulette wheel, equipment or supplies for lottery and numbers game or other games of chance, or any pinball machine designed for gambling, or other gambling device whatever;
- j. Carry without lawful authority any revolver, pistol or other instrument of the kind known as a blackjack, sling shot, blow gun or similar device, billy sand club, sand bag, bludgeon, metal knuckles, dagger, dirk, dangerous knife, stiletto, bomb or other high explosive concealed in or about his or her clothes or person or in any portable vehicle, automobile, motorcycle or other vehicle. Nothing herein contained shall be construed in any way to prohibit the carrying or transportation of any firearms for hunting target practice, trap shooting or any similar lawful purpose which now or may hereafter be permitted by law;
- k. Possess, keep, sell, distribute or discharge any firecrackers, Roman candles, sky rockets or any fireworks of any explosive nature commonly used as fireworks display;

- l. Fire or discharge within the limits of the Borough any cannon, gun, pistol, revolver, firearm, firecrackers or fireworks of any description, in a careless, negligent or reckless manner, so as to endanger the life, welfare or property of anyone, provided that this section shall not apply.
 1. To any military exercises.
 2. To officers of this State, County or Borough with the enforcement of the law, while the officers are on duty.
 3. To the use of a pistol or revolver in the defense of life or property; or
 4. To licensed hunters during the legal gunning seasons.
- m. Have upon his or her person or in his or her possession any pick-lock key, crow, jack, bit or other implement with any intent to break and enter into any building.
- n. Go about from door to door or place himself or herself on any sidewalk, street, beach, store or other public place or places to beg or gather alms.
- o. Participate in any practice, sport or exercise which would create a danger to any person or persons on any sidewalk, street, park, beach or other public place.
- p. Enter any building or any public or private lands to break, injure or deface such building or any part thereof or the fences, outhouses, or other property belonging to or connected with such building.
- q. Hinder or obstruct any Borough officer in the performance of his duties or willfully refuse or neglect to assist any Borough officer when lawfully called upon by him to do so in the execution of any process or in the suppression of any breach of the peace or disorderly conduct or in case of escape or when such officer is resisted in the discharge of his duty; or resist or oppose any officer or person authorized by law in serving or attempting to serve any writ, bill, order or process or when making any arrest.
- r. Willfully, wantonly, carelessly, recklessly or negligently run into or collide with any fire hydrant so to injure, damage or destroy same.
- s. Enter upon or trespass upon the land or property of any person, or upon the lands and premises of the Borough, or of any public or quasi-public body, without lawful permission to do so.
- t. Use a loud speaking device or apparatus, separate or attached to a mobile vehicle, not for advertising of any kind, nor shall any person use such loud speaker for any other purpose unless specifically permitted by some other law or ordinance.
- u. Open any public street in the Borough, for any purpose without having first obtained a written permit from the Superintendent of Water Department or the Borough Clerk to do so, nor fail to adequately protect the opening by barricades in the daytime and barricades and red lights at night, nor fail to properly replace the street surface in its original condition within the time specified in the permit.
- v. At any time consume alcoholic beverages or have in his or her possession an opened

container containing alcoholic beverage upon any street, sidewalk, beach, or in any automobile or other vehicle parked upon any street, highway, or alley or in any public building or public place, except in a licensed establishment, as regulated by the provisions of Chapter 6 of this Revision on alcoholic beverage control.

- w. Place any garbage, litter, refuse, rubbish, recyclable material or other material of any sort, kind or description at the curb or any other place within the Borough for collection by the Sanitation and Recycling Department, except in an authorized private receptacle, in accordance with the rules and regulations of the Department of Sanitation and Recycling and, further, unless the person placing the garbage, litter, refuse, rubbish, recyclable material or other material is the owner, tenant or guest of the owner or tenant of the real property abutting the curb where such placement is made.
- x. Place any garbage, litter, refuse, rubbish, trash, recyclable material or any other material in any authorized private receptacle, except that the owner, tenant or guest of the owner or tenant may make such placement in the authorized private receptacle provided by the owner or tenant of the dwelling house occupied by the person or persons seeking to dispose of such garbage, litter, refuse, rubbish, trash, recyclable material or any other material.
- y. Feed or allow to be fed, any nonconfined wildlife in any public park, playground, beach, boat ramp or any other property owned and/or operated by the Municipality.

§ 17-3.5. Separation of Leaves and Placement for Disposal. [Ord. No. 88-16 § 1; Ord. No. 2005-08 § II]

All persons within the Municipality shall separate leaves from other solid waste generated at their premises and, unless the leaves are stored or recycled for composting or mulching on the premises, place the leaves at the curb or other designated area for collection at such times and dates and in the manner established by the Municipality's recycling regulations. Said leaves are to be placed inside closed containers or recycling bags prior to placement at the curb, which containers shall be placed curbside no sooner than seven days before a scheduled pickup and shall be no closer than 10 feet from any storm drain inlet.

§ 24-12. PRIVATE STORM DRAIN INLET RETROFITTING. [Added 12-8-2021 by Ord. No. 2021-06]

- a. No person in control of private property, with the exception of a residential lot containing one single-family residence, shall authorize the repaving, repairing, resurfacing, reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet:
 1. Already meets the design standard set forth below in Subsection b to control passage of solid and floatable material; or
 2. Is retrofitted or replaced to meet the standard set forth in Subsection b below prior to the completion of the project.
 3. The prohibited content set forth herein shall not apply to the repair of individual potholes. The term resurfacing shall include, inter alia, the top coating or chip resealing with asphalt emulsion or a thin base of hot bitumen.
- b. Design Standards. Storm drain inlets as identified in Subsection a above shall comply with the following standards to control passage of solid and floatable materials through storm drain inlets. For purposes of this Subsection b, the term "solid and floatable materials" shall mean sediment, debris, trash and other floating, suspended or settleable solids.
 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 and direct it into a storm drain or surface water body under the 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. By way of illustration, 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.
 2. Whenever design engineers use a curb-opening inlet, all the clear spaces in that curb opening, whether there be one 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.
 3. The design standards hereinabove set forth in paragraphs 1 and 2 shall not apply:
 - (a) Where the Municipal Engineer agrees that this standard would cause inadequate hydrologic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards.
 - (b) Where flows are conveyed through any device such as the end of a pipe netting facility, manufactured treatment device or 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:

- (1) A rectangular space $4 \frac{5}{8}$ inches long and $1 \frac{1}{2}$ inches wide. This option shall not apply for out fall netting facilities.
- (2) 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 contained in 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.

§ 4-16. ILLICIT CONNECTIONS TO STORMWATER SYSTEM.

§ 4-16.1. Illicit Connection. [Ord. No. 2005-08 § V; Ord. No. 2006-14 § 1]

An illicit connection is any physical or nonphysical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the sewer authority, unless that discharge is authorized under a NJDES permit other than the Tier A Municipal Stormwater General Permit. Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

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