

**BOROUGH OF KENILWORTH
ORDINANCE NO. 2015-06**

**AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING THE EXISTING CHAPTER 158
KNOWN AS THE "SEWERS" ORDINANCE OF THE BOROUGH OF KENILWORTH"**

BE IT HEREBY ORDAINED by the Borough Council of the Borough of Kenilworth in the County of Union and the State of New Jersey as follows:

Chapter 158 Article IV § 158-33 entitled "Prohibited conduct" and §158-35 entitled "Violations and penalties" are hereby rescinded upon the adoption and publication as provided by statute and replaced by the following:

§ 158-33 Prohibited Conduct

- A. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by or for the Borough of Kenilworth any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than storm water).
- B. No person shall place any object within three feet of any access point or manhole for a sanitary sewer or a storm sewer, or an industrial sewer within a municipal right-of-way or easement that may obstruct access to the sewer system.
- C. No person shall obstruct a storm sewer inlet grate thereby restricting the natural flow of surface water into a storm sewer or retention pond or dry well.

§ 158-35 Violations and Penalties

- A. Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine of no less than \$200 and not more than \$2000. Each day that a violation continues after notification shall constitute an additional separate offense.
- B. Any object in violation of §158-33B or §158-33C shall be subject to removal by the municipality at the owner's expense if it is not removed by the owner and/or person(s) responsible for placing the obstruction within the municipal right-of-way.
- C. If any object that is removed by the municipality is not reclaimed and the owner or his/her designee has not paid for the removal and storage within ten business days, the object shall be deemed abandoned and sold by the Borough Clerk to pay for the cost of the removal and storage of the object in addition to the cost of the sale.

Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and its publication as required by law.

Fred Pugliese, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	X	X				SAL CANDARELLA						
		X				ANTHONY DELUCA						
					X	BRIAN JOHO						
		X				RICHARD LOFORTE						
		X				NICHOLAS MASCARO						
X		X				SCOTT PENTZ						
Introduced: Sept 23, 2015						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: October 28, 2015												
						_____ Laura Reinertsen, Borough Clerk						