

*DRAFT - April 6, 2010 - DRAFT*

**Attachment 2:  
(Refer to M13. Prohibited Discharges and Connections)**

**PROHIBITED DISCHARGES**

**ARTICLE \_\_\_\_ - PROHIBITIONS**

*Note: The following language is taken from DEP's NPDES program and model NPDES ordinance. This language or similar can be incorporated within the municipality's stormwater ordinance; however, it is recommended that this or similar language be incorporated into a separate stand-alone ordinance as it regulates activities other than those associated with just new land development or redevelopment activities.*

**Section \_\_\_\_ . Prohibited Discharges**

- A. No person in the Municipality shall allow, or cause to allow, stormwater discharges into the Municipality's separate storm sewer system which are not composed entirely of stormwater, except (1) as provided in subsection B below, and (2) discharges allowed under a state or federal permit.
- B. Discharges that may be allowed based on a finding by the Municipality that the discharge(s) do not significantly contribute to pollution to surface waters of the Commonwealth, are:
- |  |  |
|--|--|
| 1. Discharges from fire fighting activities  | 8. Uncontaminated water from foundation or from footing drains   |
| 2. Potable water sources including dechlorinated water line and fire hydrant flushings   | 9. Flows from riparian habitats and wetlands   |
| 3. Irrigation drainage   | 10. Lawn watering  |
| 4. Routine external building washdown (which does not use detergents or other compounds) | 11. Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used |
| 5. Air conditioning condensate   | 12. Uncontaminated groundwater   |
| 6. Water from individual residential car washing   |  |
| 7. Spring water from crawl space pumps   |  |
- C. In the event that the Municipality determines that any of the discharges identified in [Section \_\_\_\_ .B] significantly contribute to pollution of waters of the Commonwealth, or is so notified by DEP, the [Municipality] will notify the responsible person to cease the discharge.

***DRAFT - April 6, 2010 - DRAFT***

- D. Upon notice provided by the Municipality under [Section \_\_\_\_C], the discharger will have a reasonable time, as determined by the Municipality, to cease the discharge consistent with the degree of pollution caused by the discharge.
- E. Nothing in this section shall affect a discharger’s responsibilities under state law.

**Section \_\_\_\_ Prohibited Connections**

- A. The following connections are prohibited, except as provided in [Section \_\_\_\_B] above:
  - 1. Any drain or conveyance, whether on the surface or subsurface, which allows any non-stormwater discharge including sewage, process wastewater, and wash water to enter the separate storm sewer system and any connections to the storm drain system from indoor drains and sinks; and
  - 2. Any drain or conveyance connected from a commercial or industrial land use to the separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by the Municipality.

**Section \_\_\_\_ Roof Drains**

- A. Roof drains shall not be connected to streets, sanitary or storm sewers, or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater where advantageous to do so.
- B. When it is more advantageous to connect directly to streets or storm sewers, connections of roof drains to streets or roadside ditches may be permitted on a case by case basis as determined by the Municipality.
- C. Roof drains shall discharge to infiltration areas or vegetative BMPs to the maximum extent practicable.

**Section \_\_\_\_ Alteration of BMPs**

- A. No person shall modify, remove, fill, landscape, or alter any existing stormwater control or BMP unless it is part of an approved maintenance program without the written approval of the Municipality.
- B. No person shall place any structure, fill, landscaping, or vegetation into a stormwater control or BMP or within a drainage easement which would limit or alter the functioning of the stormwater control or BMP without the written approval of the Municipality.