

**Outline – Proposed Chapter 136 - Illicit Connection Law**

[Revised through 12/21/16 - revisions shown in brackets]

**§136-1: PURPOSE** (l. 29)

The purpose of this law is to provide for the health, safety, and general welfare of the citizens of the Town of New Paltz through the regulation of non-stormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable, as required by federal and state law. This law establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems.

The objectives of this law are:

- A. To meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, as that General Permit may hereafter be amended or revised;
- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge non-stormwater wastes;
- C. To prohibit Illicit Connections, Activities and Discharges to the MS4;
- D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this law; and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

*[Minor edits lines 36-38]*

**§136-2: DEFINITIONS** (l. 48)

*[Minor edits: lines 65-66; 67-73; 96-97]*

**§136-3: APPLICABILITY** (l. 169)

**§136-4: RESPONSIBILITY FOR ADMINISTRATION** (l. 172)

**§136-5: SEVERABILITY** (l. 176)

**§136-6: DISCHARGE PROHIBITIONS** (L 181)

(l. 182) **A.** Prohibition of Illegal Discharges.

*[Minor edit line 212]*

(l. 214) **B.** Prohibition of Illicit Connections.

**§136-7: PROHIBITION AGAINST FAILING INDIVIDUAL SEWAGE TREATMENT SYSTEMS** (l. 223)

**§136-8: PROHIBITION AGAINST ACTIVITIES CONTAMINATING STORMWATER**

(l. 235)

(l. 236) **A.** Prohibited Activities

(l. 241) **B.** Inclusion of failing septic facilities

(l. 245) **C.** Remedial actions

**§136-9 REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES** (l. 243)

(l. 253) A. Best Management Practices

(l. 271) B. Individual Sewage Treatment Systems - Response to Special Conditions Requiring No Increase of Pollutants or Requiring a Reduction of Pollutants

**§136-10: SUSPENSION OF ACCESS TO MS4. ILLICIT DISCHARGES IN EMERGENCY SITUATIONS.** (l. 304)

(l. 306) A. Suspension of MS4 access.

*[lines 313-314 Town Board may authorize application to court for relief]*

(l. 316) B. Termination of MS4 access due to the detection of illicit discharge.

**§136-11: INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES** (l. 329)

**§136-12: ACCESS AND MONITORING OF DISCHARGES** (l. 334)

(l. 335) A. Applicability.

(l. 339) B. Access to Facilities

**§136-13: NOTIFICATION OF SPILLS** (l. 372)

(l. 371) A. Emergency Response

(l. 377) B. Notice of Potential Release to MS4

(l. 386) C. Retention of Records

**§136-14: ENFORCEMENT** (l. 392)

(l. 392) A. Notice of Violation

(l. 404) B. Abatement of Violation.

(l. 410) C. Penalties

*[line 407: add provision for payment of fine to notice of violation requirements]*

**§136-15: CORRECTIVE MEASURES** (l. 426)

(l. 427) Access to abate violation

(l. 431) Warrant

**§136-16: INJUNCTIVE RELIEF** (l. 438)

*[ line 441 Town Board may authorize application to court for relief]*

**§136-17: ALTERNATIVE REMEDIES** (l. 446)

(l. 447) A. Alternative disposition in lieu of penalties

(l. 455) B. Alternative remedies

**§136-18: VIOLATIONS DEEMED A PUBLIC NUISANCE** (l. 460)

*[line 464 Town Board may authorize application to court for relief]*

**§136-19: REMEDIES NOT EXCLUSIVE** (l. 467)

**§136-20: APPEAL** (l. 472)

*[lines 447-448 Town Board expressly supersedes 4 month limitations to challenge administrative determination of SMO with 30 day period provided in local law]*