

TOWNSHIP OF PEQUANNOCK

ORDINANCE NO. 2020-03

ORDINANCE AMENDING CHAPTERS 152 AND 163 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK

BE IT ORDAINED by the Township Council of the Township of Pequannock, in the County of Morris and State of New Jersey, as follows:

Section 1. Chapter 152, "Sewers," of the Revised General Ordinances of the Township of Pequannock, Section 152.01.020, "Definitions," shall be amended to read in its entirety as follows:

§ 152.01.020. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOD — Denotes biochemical oxygen demand, and means the quantity of oxygen utilized in the biochemical oxidation of organic matters under standard laboratory procedure, in five days at 20° C., expressed in parts per million by weight.

ENGINEER — The Township Engineer, or his authorized deputy, inspector, agent or representative.

FLOOD AREA — All land along the Passaic or Pompton Rivers, or any tributaries thereof, which are subject to surface flooding.

GARBAGE — Includes, severally and collectively, garbage, offal and swill. It includes, but not by way of limitation, solid waste resulting from the preparation, cooking, dispensing or consumption of food or from the handling, storage and sale of vegetables and other produce.

HEALTH OFFICER — The Township Health Officer, or his authorized deputy, inspector, agent or representative.

HOUSE SERVICE CONNECTION — The piping of a drainage system which receives the discharge from soil and waste pipes inside the walls of the building and conveys it to the clean out at the street property line.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM OR FACILITY — Refers to a subsurface sewage disposal system designed and constructed to treat sewage in a manner that will retain most of the settleable solids in a watertight tank and to discharge the liquid portion to an adequate disposal area.

INDUSTRIAL WASTES — The liquid wastes from industrial processes distinct from sanitary sewage.

NATURAL OUTLET — Any outlet into a watercourse, pond, ditch, lake or other body or surface or ground water.

pH — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PRIVATE SEWER SYSTEM or PRIVATE SANITARY SEWER SYSTEM — A sanitary sewer system not owned or controlled by the Township.

PUBLIC SEWER SYSTEM or PUBLIC SANITARY SEWER SYSTEM — A sanitary sewer system owned or controlled by the Township.

SANITARY/STREET SEWER — A sewer which carries sewage, and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE — A combination of water-carried wastes from residences, business buildings, institutions and industrial establishments.

SEWAGE/SEWER LATERAL — The extension of the house service connection from the cleanout at the street property line to the street sewer.

SEWAGE PIPE — A pipe or conduit for carrying sewage.

SEWAGE TREATMENT PLANT — Any arrangement of devices and structures used for treating sewage.

SEWER DEPARTMENT — The division of the Pequannock Township Department of Public Works responsible for construction, engineering and maintenance of the Township sewer utility.

SEWER SYSTEM — All facilities for collecting, pumping, treating and disposing of sewage.

SHREDDED GARBAGE — The wastes from the preparation, cooking and dispensing of goods that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in street sewers, with no particle greater than 1/2 inch in any dimension.

STORM SEWER or STORM DRAIN — A sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

SUSPENDED SOLIDS — Solids that float on the surface of or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

WATERCOURSE — A channel in which a flow of water occurs, continuously or intermittently.

Section 2. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.02.050, "Sewer connection required; abandonment of facilities," shall be amended to read in its entirety as follows:

§ 152.02.050. Sewer connection required; abandonment of facilities.

Connection to the Township sanitary sewer system is required for all properties located along the lines of any sewers now or hereafter constructed by the Township as a municipal sanitary sewer project. The property owner shall make a direct connection to the public sewer system within three years of formal Township acceptance of that portion of the sewer system serving the real property. Any individual sewage disposal system serving the property shall be abandoned and filled with suitable material at the time of connection to the public sewer system.

When the direct costs to the owner for the connection of a house service to a public or private sewer for a property being served by an existing on-site sewage disposal system exceeds 15% of the 100% assessed value of the property, the owner may petition the Township for a relaxation of this section. For the purposes of this section assessed values will be computed

based on the Morris County Equalization Tax Table for the year the petition is filed. Applications for a relaxation shall be made in writing to the Health Officer and Township Engineer setting forth the reasons therefor, including a site plan of the affected property along with specifications identifying the route of the proposed house sewer and costs associated with construction. Upon a report from the Health Officer, the Board of Health will determine if merit exists for a relaxation of this section and will so affirm or deny.

Section 3. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.03.060, "Sewer lateral installation," shall be amended to read in its entirety as follows:

§ 152.03.060. Sewer lateral installation.

The sewer lateral installation, including the making of the tap to the street sewer and the excavation, backfilling and resurfacing of the trench from the street to the curbline, shall be done by the applicant, at his expense, by a contractor acceptable to the Sewer Department. A street opening permit is required from the appropriate jurisdiction, Township, County, or State for work related to a sewer connection within the right-of-way of a public street. The tap to the street sewer shall be made directly in front of the applicant's property. Every sewer lateral shall be directly connected to the street sewer pipe and not to any manhole.

Section 4. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.03.070, "Separate laterals required," shall be amended to read in its entirety as follows:

§ 152.03.070. Separate laterals required.

- A. A separate and independent sewer lateral shall be provided for:
- (1) Each building under one roof owned by one person and occupied as one business or residence;
 - (2) A combination of buildings owned by one person in one common enclosure occupied by one family or business; or
 - (3) One side of a double house having a solid vertical partition wall, making it subject to divided ownership.
- B. A building owned by one person containing more than one store, apartment or office may be supplied by one or more sewer laterals at the discretion of the Engineer.

Section 5. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.03.090, "House service connections," shall be amended to read in its entirety as follows:

§ 152.03.090. House service connections.

- A. The house service connection shall be installed at the expense of the applicant. The house service connection shall be in conformance with the requirements of the current plumbing code as evidenced by a plumbing permit issued by the Construction Department.
- B. Whenever practical, the house service connection shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from

frost. The house service connection shall be laid at uniform grade in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings and cleanouts shall be constructed as directed by the Plumbing Sub Code Official at each bend.

- C. In all buildings in which any house service connection is too low to permit gravity flow to the street sewer, sanitary sewage carried by such connection shall be lifted by approved artificial means and discharged to the sewer lateral. The applicant shall be responsible for obtaining any applicable permits from the New Jersey Department of Environmental Protection. Private force mains shall not extend into the public right-of-way except when approved by the Engineer in areas where existing utilities prevent extensions of the street sewer. When private force mains are allowed to extend into the public right-of-way, they shall be located in the street and a street opening permit is required from the appropriate jurisdiction, Township, County, or State for work related to a private force main within the right-of-way of a public street. Private force mains in the public right-of-way shall connect to a manhole.
- D. All excavations required for the installation of a house service connection shall be open trench work unless otherwise approved by the Plumbing Sub-Code Official. Pipe laying and backfilling shall be performed in accordance with the requirements of the Plumbing Sub-Code Official and no backfill shall be placed until the work has been inspected.

Section 6. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.03.120, "Maintenance of laterals and house service connections," shall be amended to read in its entirety as follows:

§ 152.03.120. Maintenance of laterals and house service connections.

The sewer lateral shall be maintained by the Department of Public Works. The house service connection shall be maintained by the property owner. Private force mains, whether located in private property, easements, or the public-right-of-way, shall be maintained by the property owner.

Section 7. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.03.150, "Public sewer system extension" shall be amended to read in its entirety as follows:

§ 152.03.150. Public sewer system extension.

- A. Sewer extensions for new developments receiving Board approval that include a sewer extension shall be governed by the following:
 - 1. Developers shall pay the entire cost of installing a public sewer system, including associated facilities such as pumping stations, force mains, or any appurtenances required by the Township Engineer, in the same manner as any other subdivision improvement. Ownership thereof shall vest in the Township when such installation meets the approval of the Township Engineer.

2. Developers shall enter into a contract covering the foregoing and other related matters before undertaking any associated new construction to the Township sewer system.
- B. The following shall apply to applications to the Township Council for sewer extensions to serve existing properties:
1. Applicant shall pay the entire cost of installing a public sewer system, including associated facilities such as pumping stations, force mains, or any appurtenances required by the Township Engineer, in the same manner as any other subdivision improvement. Ownership thereof shall vest in the Township when such installation meets the approval of the Township Engineer.
 2. The Council shall conduct a hearing to review the availability of treatment capacity.
- C. The Engineer shall review and, if found satisfactory, approve the type, size, and location of all public sewer pipes, pumps, force mains, etc., on all new extensions. The entire system shall be subject to the Engineer's inspection and approval and shall be tested under the Engineer's supervision. The developer or individual property owner shall bear the cost associated with such inspection. The developer or individual property owner shall be responsible for obtaining all applicable permits as required by N.J.A.C. 7:9 and N.J.A.C. 7:14A.

Section 8. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.03.160, "Construction standards for public sewer systems," shall be amended to read in its entirety as follows:

§ 152.03.160. Construction standards for public sewer systems.

- A. General. The standards outlined herein are applicable to developers, builders, contractors and any other persons receiving approval to expand, construct or relocate the Township Sewer Department's sewer collection facilities. Any work relating to the utility shall be under the jurisdiction and supervision of the Township Sewer Department.
- B. Technical standards for expansion of the Public Sanitary Sewer System are hereby established as shown in the Appendix to the Township's Sewer Master Plan entitled "Township of Pequannock Sanitary Sewer System Construction Standards and Testing Requirements", which are on file in the office of the Township Clerk.

Section 9. Chapter 152, "Sewers," the Revised General Ordinances of the Township of Pequannock, Section 152.03.170, "Inspection and testing," shall be amended to read in its entirety as follows:

§ 152.03.170. Inspection and testing.

Inspection and testing shall be performed by the Engineer to ensure compliance with the requirements of Chapter 152, approved plans and specifications and the manufacturers' recommendations.

- A. Inspection. Inspection of the work will be conducted at all times during construction. The Contractor shall cooperate and assist in the inspection of all work. The inspection of newly installed sewers shall be done to detect and record any and all areas of improperly

installed pipe. Improperly installed pipe shall include those sections of pipe that are broken, crushed, misaligned, deflected, or in any other way damaged; in which case, the Contractor shall be obligated to remove said damaged section of pipe and make all necessary repairs and/or replacement at the direction of and to the satisfaction of the Engineer, to affect the proper operation and capacity of the sewer.

- B. Testing requirements for expansion of the Public Sanitary Sewer System are hereby established as shown in the Appendix to the Township's Sewer Master Plan entitled "Township of Pequannock Sanitary Sewer System Construction Standards and Testing Requirements", which are on file in the office of the Township Clerk.

Section 10. Chapter 163, "Subdivision of Land," the Revised General Ordinances of the Township of Pequannock, Section 163.04.150, "Sanitary sewers," shall be amended to read in its entirety as follows:

§ 163.04.150. Sanitary sewers.

Where a public sanitary sewer system is reasonably accessible, each lot within a subdivision area shall be provided with sewage disposal facilities by the required extension of sewer mains and connections thereto. All such installations of sewer mains shall be made in accordance with the construction standards of the Township as approved by the Engineer and the State Board of Health, where applicable.

Section 11. Chapter 163, "Subdivision of Land," the Revised General Ordinances of the Township of Pequannock, Section 163.04.180, "House service connection," shall be amended to read in its entirety as follows:

§ 163.04.180. House service connection.

Where an individual sewage disposal system is approved for a residence located on an existing street or proposed street, it shall further be required that a house sewer service connection be extended to the street side property line and capped.

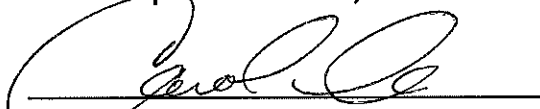
Section 12. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 13. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

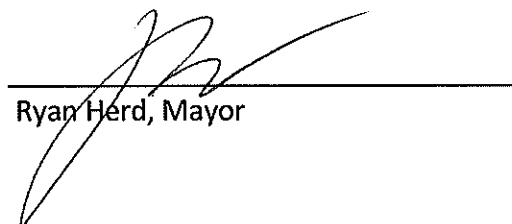
Section 14. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced: February 25, 2020

Adopted: March 10, 2020



Carol J. Marsh, Township Clerk



Ryan Herd, Mayor