

Title 13

PUBLIC SERVICES

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WATER SERVICE SYSTEM

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13.04.010 Mandatory connection and utilization of public water supply system.

Pursuant to NJSA 26:3-31 Laws of 1946 Chapter 211, all residents, owners and/or occupants of premises fronting on the following roads or portions of roads as follows:

- A. Perkins Lane—entire length;
- B. Delanco Road from the intersection of Bridgeboro Road to the Delanco Township line;
- C. Bridgeboro Road from the intersection of Green Street to the intersection of Delanco Road;
- D. Bridgeboro Road from the intersection of Apple Road to Route 130;
- E. Edison Street—entire length;
- F. Marshall Street—entire length;
- G. Railroad Avenue—entire length;
- H. Cedar Street—entire length;

shall connect and utilize the water provided by the public supply system within forty-five (45) days after the said public water system shall be available to them. (Prior code § 7:9-2)

13.04.020 Perkins Lane residents— Disconnection of homeowner wells required.

Homeowners, residents and occupants of the Perkins Lane area of the township shall disconnect their homeowner wells from their household water systems and shall cease and desist in the utilization of their homeowner wells for household water systems. (Prior code § 7:9-3)

13.04.030 Power to make rules and regulations.

Pursuant to NJSA 26:3-31 Laws of 1964 Chapter 211, the Edgewater Park Township board of health shall have the power to pass and make rules and regulations in regard to the area delineated by the Burlington County health department and as set forth in this chapter relating to the mandatory hook-up to public water supply systems when available and the mandatory disconnection of their homeowner wells from their household water supply systems. (Prior code § 7:9-4)

13.04.040 Violation—Penalty.

Pursuant to NJSA 26:3-70 Laws of 1969 Chapter 253, the penalty for the violation of this chapter or rules and regulations promulgated by the board of health pursuant to the authority of this chapter shall be not more than five hundred dollars (\$500.00) nor less than five dollars (\$5.00) for each violation. For the purpose of determining violations, each day a violation occurs shall constitute a separate offense and violation of this chapter and/or rules and regulations as promulgated. Pursuant to NJSA 26:3-72 Laws of 1953 Chapter 26, the municipal court of the township shall have jurisdiction over the proceedings to

enforce and collect any penalty imposed because of a violation of any provision of this chapter or the rules and regulations constituting a code of the Edgewater Park Township board of health. (Prior code § 7:9-5)

Chapter 13.08

SEWER SERVICE SYSTEM

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13.08.040	Notices.
13.08.050	Statutory provisions adopted by reference.
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13.08.090	Authority and record keeping.
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13.08.110	Hearing.
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13.08.010 Connection required.

Pursuant to the authority of Chapter 211 of the Laws of 1946, NJSA 26:3-31d, all owners of property along the line of any serviceable sewer presently constructed or hereafter constructed in the township shall connect all residential or commercial dwellings having water facilities to said sewer line. (Prior code § 7:7-1)

13.08.020 Penalty for failure to connect.

Any property owner failing to connect to the serviceable sewer line shall be subject to a fine of not more than twenty-five dollars (\$25.00) if within thirty (30) days after the notice by the board of health officer he has failed to make the required connections. (Prior code § 7:7-2)

13.08.030 Additional penalty for failure to connect.

Each and every day of delay in connecting after the expiration of the thirty (30) days' notice shall subject the owner to a fine of not more than ten dollars (\$10.00). (Prior code § 7:7-3)

13.08.040 Notices.

Such notices as are required by this chapter may be served upon the owner personally or by leaving the notice at his usual place of abode with a member of his family over the age of eighteen (18) years. In the event that the owner of the property in violation shall reside beyond the border of the state of New Jersey service upon him shall be by registered or certified mail. (Prior code § 7:7-4)

13.08.050 Statutory provisions adopted by reference.

The provisions of NJAC 7:9A et seq., entitled Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems, are adopted by reference pursuant to NJSA 26:3-69 to 69.6. A copy of said code is annexed to the ordinance codified in this chapter and made a part of this code without inclusion of the text thereof in this chapter. (Prior code § 7:11(I))

13.08.060 Common term for statutory provisions.

The said code established and adopted by the ordinance codified in this chapter is described and commonly known as Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems. (Prior

code § 7:11(II))

13.08.070 Copies on file.

Three copies of Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems have been placed on file in the office of the secretary of the inspections office upon the introduction of the ordinance codified in this chapter and will remain on file there until final action is taken on the ordinance codified in this chapter for the use and examination of the public, and if finally adopted they will remain on file in said office so long as the ordinance codified in this chapter is in effect, and three copies shall also be placed on file and so shall remain on file in the office of any board, body or officer in charge of the enforcement of this chapter, for the use and examination of the public so long as the ordinance codified in this chapter is in effect. Copies of said Chapter 9A shall be made available to citizens on request upon the payment of a nominal fee as shall be set by the board from time to time by resolution. (Prior code § 7:11(III))

13.08.080 Documents required for construction of individual subsurface sewage disposal system.

No person or entity shall construct, alter or operate an individual subsurface sewage disposal system without first obtaining the necessary permits, approvals, certificates or licenses as required by Chapter 9A. (Prior code § 7:11(IV))

13.08.090 Authority and record keeping.

The secretary of the inspections office is authorized to issue a license to operate and a copy of the Department of Environmental Protection's operation and maintenance manual to the permittee at the time that a certificate of compliance is issued. Further, said secretary of the inspections office shall maintain the required records concerning said licenses and shall on behalf of the board notify the licensee prior to the date of the license expiration to apply for renewal of the license. (Prior code § 7:11(V))

13.08.100 Application fees.

An applicant for a license to operate shall pay a fee of five dollars (\$5.00) at the time of submitting the application and a fee of fifteen dollars (\$15.00) for a tri-annual license as provided. (Prior code § 7:11(VI))

13.08.110 Hearing.

In case any permit or certificate required by this chapter is denied by the board of health or its agents, a hearing shall be held thereon before the board within fifteen (15) days after request therefor is made by the applicant and upon such hearing the board of health shall affirm, alter or rescind its previous determination and take action accordingly within fifteen (15) days after the date of such hearing. (Prior code § 7:11(VII))

13.08.120 Stop work order.

The board of health or its agents may order all further work in and about any individual sewage disposal system which is being erected or installed in violation of the code to be stopped forthwith, except such work as shall be necessary to remedy such violation and thereafter, the work continued without any violation of any of the provisions of the code; and after issuance of any such order and the service of a copy thereof upon any person connected with or working in and about the erection or installation of any such disposal system, or any part thereof, no further work shall be done thereon except as aforesaid. (Prior code § 7:11(VIII))

13.08.130 Violation—Penalty.

A. Any person or persons, firm or corporation violating any of the provisions of or any order promulgated under Sections 13.08.050 through 13.08.120 shall, in addition to correction of any

such violation, pay a penalty of not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) for each violation and shall be subject to those penalties prescribed in NJAC 7:9A-1.7 for violators of Chapter 9A, Standards for Industrial Subsurface Sewage Disposal Systems.

B. Each day a particular violation continues shall constitute a separate offense. (Ord. 6-97 § 2(g); prior code § 7:11(IX))

Chapter 13.12

WATER EMERGENCIES

Sections:

13.12.010	Declaration of water emergency.
13.12.020	Water use restrictions.
13.12.030	Duration of water use restrictions.
13.12.040	Enforcement of water use restrictions.
13.12.050	Violation—Penalties.

13.12.010 Declaration of water emergency.

Whenever the mayor of the township shall be satisfied and finds that a water emergency exists in the municipality, he may issue a proclamation declaring that a water emergency exists in the municipality. Such proclamation shall identify that portion of the municipality affected by the water emergency, which may include the entire township and shall specify which of the water use regulations contained in Section 13.12.020 is being imposed as well as any exemptions as may be authorized. Such proclamation shall become effective immediately upon notice to the owner or occupant of any structure utilizing water. The proclamation may be published in the legally designated newspaper in which ordinances are published and shall become effective two days after publication of this form of notice. The mayor may also cause said proclamation to be personally delivered or by any other means of notification in which case the proclamation shall set forth the effective date but in no event may the proclamation become effective or the penalties provided for in this chapter be imposed until such time as the owner or occupant of the property using the water has been notified, and said proclamation shall continue in full force and effect for ninety (90) days, unless extended by the mayor or repealed as set forth in Section 13.12.030. For the purpose of this section, a water emergency shall exist if, for any of the following reasons:

A. The public utility providing water service to all or a portion of the municipality has adopted water use restrictions, has notified the municipality, the New Jersey Board of Public Utilities, and the New Jersey Department of Environmental Protection, as well as any other state, county or local agency entitled to notice of such restrictions and such restrictions are not overruled or declared invalid by any state, county or local agency having the jurisdiction and power to do so; or

B. The mayor is otherwise satisfied that a water emergency exists in the municipality. (Prior code § 12:33)

13.12.020 Water use restrictions.

Upon adoption of the proclamation by the mayor declaring that a water emergency exists in the municipality in accordance with Section 13.12.010, all citizens shall be urged to observe voluntary indoor conservation measures, and any of the following water use restrictions shall be imposed and shall be applicable to all residents and tenants, except where a bona fide health emergency exists and to exempt businesses, as specified herein during the water emergency:

A. The complete ban and prohibition of outside water usage, including the watering of lawns and plants, the filling of pools and the washing of cars; or

B. Outside water usage on alternate days allowing outside water usage by persons or businesses having even house or box numbers on even days and those having odd house or box numbers on odd days with outside water usage being completely banned and prohibited on the thirty-first day of any month during the water emergency; or

C. Any other water use restriction specified by the proclamation of the mayor as required by Section 13.12.010 which is reasonable under the circumstances considering the nature and extent of the water emergency. Any water restriction imposed pursuant to this section shall be limited in application to

that portion of the municipality, which may include the entire municipality, identified as being affected by the water emergency in the proclamation of the mayor promulgated in accordance with Section 13.12.010. (Prior code § 12:33-1)

13.12.030 Duration of water use restrictions.

The proclamation of the mayor required by Section 13.12.010 shall, in addition to complying with Section 13.12.010, provide a period of time during which the water use restrictions imposed shall be applicable and which shall be no longer than reasonably necessary to abate the water emergency under the circumstances considering the nature and extent of the water emergency. At the expiration of the time period specified in the proclamation the water use restriction shall lapse and be inapplicable and unenforceable. If the mayor shall be satisfied that the water emergency has been abated prior to the expiration of the time period specified in the proclamation, he shall adopt a proclamation declaring the water emergency ended and the water use restrictions inapplicable. If, at the expiration of the time period specified in the proclamation the mayor shall be satisfied that the water emergency continues to exist, he may issue a proclamation in accordance with the requirements of this chapter continuing the water use restrictions. (Prior code § 12:33-2)

13.12.040 Enforcement of water use restrictions.

The water use restrictions imposed pursuant to this chapter shall be enforced during a water emergency by the police department or any municipal official. Whenever the police department or a local authorized official shall find a violation of the water use restrictions, such police officer or authorized official shall give the violator a written warning and explain the penalties for a violation of this chapter. The local authorized official shall keep such records as may be reasonable and necessary for the purpose of determining the persons and businesses who have been warned upon a first offense and these records shall be centralized with the clerk of the municipality. The police officer or local authorized official is empowered and authorized to issue and write summons for the violation of the water use restrictions imposed pursuant to this chapter. (Prior code § 12:33-3)

13.12.050 Violation—Penalties.

Penalties shall be as provided for the violation of any ordinance of the township pursuant to Chapter 1.08 of this code. (Prior code § 12:33-4)

