

LOWER ALLOWAYS CREEK TOWNSHIP  
ORDINANCE 2011-10

AN ORDINANCE AMENDING SECTION 18 OF CHAPTER 135 ENTITLED  
“SEWERS “OF THE TOWNSHIP CODE OF THE TOWNSHIP OF  
LOWER ALLOWAYS CREEK

WHEREAS, the Mayor and Township Committee for the Township of Lower Alloways Creek have determined it is necessary to amend Chapter 135 of Township Code, entitled SEWERS.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee for the Township of Lower Alloways Creek that Chapter 135 known as “SEWERS” of the Code of the Township of Lower Alloways Creek be amended as follows:

**§ 135-18. Disconnection**

- A. Requests to the Superintendent of Public Works or his/her designee for discontinuance of sewer service will be permitted only in cases of demolition, fire, flooding or by order of the State, County or local Board of Health for vacating a building serviced for health reasons. The owner shall be responsible for the payment of the sewer charge, at the rate as established by the Township ordinance during the time the property or structure is vacant. All requests for permanent disconnection of sewer service to a structure or property must be approved by a resolution of the Township Committee, which shall state the reason(s) and condition(s) of the discontinuance.
- B. The following procedures are to be followed for disconnecting the sanitary sewer lateral from an existing structure in all cases:
1. Notify the Superintendent of Public Works or his/her designee for an inspection at least 24 hours prior to exposing the sanitary sewer lateral being disconnected.
  2. The Superintendent of Public Works or his/her designee will locate the lateral to be Disconnected
  3. At the site’s property line, the contractor is to excavate to and expose the existing lateral pipe. The lateral pipe is to be cut with a saw (not broken with a hammer or excavation equipment).
  4. Once the lateral pipe has been cut, the contractor shall have the option of either plugging the main side portion of the lateral with an 18 (eighteen) inch long cement plug or capping the cut lateral with a Fernco type cap. The Cap or Plug shall be inspected by the Superintendent of Public Works or his/her designee before any backfill of the excavation is begun.
  5. The end of the lateral’s location is to be marked with a post (1-inch plastic pipe or similar non-decaying material) from the end of the lateral to ground grade. The post is to be marked “Sanitary Sewer Lateral”.
  6. Backfill for either permanent or temporary abandonment shall be NJDOT DGA or select fill in compacted lifts.
  7. No person other than a licensed plumber, licensed by the State of New Jersey, shall be permitted to disconnect and cap, cut off and cap, or sever and cap any water or sewer service from any property or structure in the Township of Lower Alloways Creek unless so authorized in writing by the Superintendent of Public Works or his/her duly authorized designee.

## **1. Demolition**

- a. Before demolition of any building that is connected to the sewage system, a permit must be obtained for disconnection to the sewer system. Said permit shall be issued by the Superintendent of Public Works or his/her designee upon the applicant obtaining all the required permits, permissions and payment of a **twenty-five dollar (\$25.00)** fee to the Utility Collector. Said disconnection must occur prior to the demolition of the building. Any excavation within ten (10) feet of a riser and the actual disconnection shall be made in the presence of the Superintendent of Public Works or his/her duly authorized representative.

## **2. Discontinuance of sewer services**

- a. In the event that the Owner of a property desires to discontinue sewer service from the Township's sewer system, for reasons other than found in Section A, above, the Owner shall file an Application for Disconnection (Exhibit D) with the Superintendent of Public Works or his/her designee accompanied by a fee of **Fifty Dollars (\$50)** to the Utility Collector. The discontinuance must be for a period of not less than one (1) year. Once the disconnection has been approved by the Township's Superintendent of Public Works, the Application for Discontinuance shall be considered for approval by a resolution of the Township Committee. Following approval of the Application for Discontinuance by the Township Committee, the Owner shall not be subject to the annual service charge beginning the following year. If and when the Owner elects to re-connect to the Township's sewer system, the connection shall be considered a new connection and shall be subject to all the fees and requirements so enumerated in this Chapter. This provision does not apply to temporary disconnections for the maintenance of the property owner's lateral
- b. All water closets, urinals, sinks, bathtubs, washbasins, washtubs and other fixtures for receiving wastewaters located in or connected with any structure or part thereof for which sewer service is discontinued and for which a connection with the sewer system is mandatory, shall be removed. All laterals to which sewer service is discontinued under this section and pass through the walls (basement or crawl space) of said structure must be removed and the wall cemented in, so that no discontinued lateral sewer pipe is left inside any structure. Verification of the removal of such items when required shall be conducted by the Superintendent of Public Works or his/her duly authorized representative.

**Section 2.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 3.** If any sentence, clause or phrase to the aforesaid Ordinance is, for any reason, held by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not effect the remaining portions of this ordinance.

**Section 4.** This Ordinance shall take effect immediately upon adoption and publication as required by law.

**Public Hearing on this Ordinance shall be on November 14, 2011 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock's Bridge, New Jersey.**

This Ordinance, which was introduced for First Reading on October 18, 2011, shall be published by Title in the Today's Sunbeam and placed on the Township's Bulletin Board giving notice of said Public Hearing as required by Law.

Introduction: October 18, 2011

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRESLIN III	M		Y			
MR. PALOMBO			Y			
MR. VENABLE		S	Y			
MR. WOOD			Y			
MAYOR POMPPER			Y			

Final: November 14, 2011

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRESLIN III						
MR. PALOMBO						
MR. VENABLE						
MR. WOOD						
MAYOR POMPPER						

**ATTEST:**

**LOWER ALLOWAYS CREEK TOWNSHIP**

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**Ronald L Campbell Sr. Twp Clerk**

By: \_\_\_\_\_  
**Ellen B. Pompper, Mayor**