

CHAPTER XV

SEWER AND WATER

ARTICLE I

GENERAL PROVISIONS OF SEWER SYSTEM

15-1 DEFINITIONS.

As used in this section:

Apportionment shall mean the method used to equitably charge all connections to the public sanitary sewer system for treatment and maintenance of the system.

Average residential use shall mean a calendar year water usage divided by the single family units in the system.

Biochemical oxygen demand (B.O.D.) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty degrees (20 °C.) Centigrade, expressed in parts per million by weight.

Division shall mean, as applicable in context, the Sewer Division or the Division of Building Inspection, or any duly appointed representative of such entity.

Domestic sewage shall mean waste and wastewater from humans or household operations.

Domestic wastes shall mean the solid and liquid wastes from toilet and lavatory fixtures, kitchens, laundries, bath tubs, showers, baths or equivalent plumbing fixtures as normally discharged from dwellings.

Engineer shall mean the Township Engineer or his duly authorized deputy, inspector, agent or representative.

Garbage shall mean solid wastes from the preparation, cooking or dispensing of food, and from the handling, storage or sale of produce.

Health officer shall mean the Township Health Officer or his duly authorized deputy, inspector, agent or representative.

Illicit connection shall mean any physical or nonphysical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate sewer system operated by the Township of Rockaway, unless that discharge is authorized under NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, overflows, cesspools, privy vaults, garage floor drains, or pit drains into the municipal separate storm sewer system.

Individual sewage disposal system shall mean any privy, privy vault, cesspool, septic tank and discharge field or bed or seepage pit(s) used only for the disposal of the sewage from buildings on the premises on which it is located.

Industrial waste shall mean a liquid waste resulting from the processes employed in industrial establishments, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), (c)).

Municipal separate storm sewer system (MS4) shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Rockaway or other public body, and is designed and used for collection and conveying stormwater.

Natural outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface water.

NJPDES permit shall mean a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

Non-contact cooling water shall mean water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

Peep site or Sewer inspection riser shall mean a device, used in determining the proper operation of the service connection.

Person shall mean any individual, corporation, company, partnership, firm, associations, or political subdivision of this State subject to municipal jurisdiction.

pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Plumbing code shall mean National Standard Plumbing Code, latest edition and amendments.

Private sanitary sewer system shall mean a sanitary sewer system owned or controlled otherwise than by the Township.

Process wastewater shall mean any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

Public sanitary sewer system shall mean a sanitary sewer system owned or controlled by the Township.

Real estate developer shall mean any person who is the owner or purchaser of any land, the subdivision of which into new streets or extensions of existing streets not yet improved or accepted by the Township, or into building lots not yet built upon or both, has been approved by the Township who seeks a permit to build upon the lots or to improve the streets, or both, with a view to the acceptance of the streets as a public street of the Township.

Sanitary sewer shall mean a sewer which carries sewage and to which storm, surface and ground water are not intentionally admitted.

Sewage shall mean waterborne wastes from buildings or premises occupied by human beings.

Sewage treatment plan shall mean any structure or device or combination of structures and devices for the treatment of sewage.

Sewer shall mean a pipe or conduit for liquids.

Sewer lateral shall mean the extension of the Service connection from the street curblineline to the street sewer.

Service connection shall mean piping which conveys waste water from pipes inside the walls of a building to the street curblineline.

Shredded garbage shall mean garbage which has been shredded to such a degree that all particles will be carried freely under flow conditions normally prevailing in street sewers, with no particles greater than one-half (1/2") inch in any dimension.

Street curbline shall mean the existing curb or the theoretical location of the future curb alignment in accordance with the land subdivision regulations or as established by the Engineer.

Storm drain shall mean a sewer which carries storm, surface or ground waters but not sewage.

Storm water shall mean water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

Suspended solids shall mean solids which either float on the surface or are in suspension in water, sewage, or other liquids and are removable by laboratory filtration.

Utility shall mean the Municipal Utility or its authorized representative.

Watercourse shall mean a channel in which water flows either continuously or intermittently.

(Ord. 9-18-79 § 70-8.2; Ord. 9-7-82; Ord. #05-34 § 1)

ARTICLE II

ADMINISTRATION OF SEWER SYSTEM

15-2 SEWER DIVISION ESTABLISHMENT.

A Sewer Division in the Township Department of Public Works and Utilities is hereby established. It shall consist of such employees as the Mayor shall assign to or appoint for its operation at such salary or rate of compensation as shall be determined by ordinance.

(Ord. 9-18-79 § 70-8.1)

15-3 SEWER REVIEW COMMITTEE.

There is hereby established a Sewer Review Committee. This Committee shall consist of three (3) Council Members appointed by the Council President

with the consent of the Council. Each appointment shall be for a one (1) year term and commence as of January 1.
(Ord. 7-1-80 § 70-4.1; Ord. 10-1-85)

15-4 REGIONAL SEWERAGE AUTHORITY.

15-4.1 Statutory Authority Creation.

Pursuant to the provisions of paragraph (c) of Section 4 of the Sewerage Authorities Law of the State of New Jersey (Laws of 1946, Chapter 138, as amended and supplemented), there is hereby created “The Rockaway Valley Regional Sewerage Authority.”
(Code 1971 § 23-1)

15-4.2 Function, Powers and Duties. The Rockaway Valley Regional Sewerage Authority is an agency and instrumentality of the participants, created by parallel ordinances duly adopted by their governing bodies, and is a Sewerage Authority as contemplated and provided for by the Sewerage Authorities Law and shall have and exercise all of the powers and perform all of the duties provided for by the Sewerage Authorities Law and any other statutes enacted and applicable thereto.
(Code 1971 § 23-2)

15-4.3 Membership and Appointments.

The Rockaway Valley Regional Sewerage Authority shall consist of nine (9) members. One (1) of the members shall be appointed by the governing body of the City of Jersey City, all in accordance with the provisions of paragraphs (e) and (1) of the Sewerage Authorities Law.
(Code 1971 § 23-3)

15-4.4 Filing with Secretary of State.

A copy of this section duly certified by the Township Clerk, shall be filed by the Township Clerk in the office of the Secretary of State.
(Code 1971 § 23-4)

15-4.5 When Effective.

This section shall take effect immediately after final passage and publication in accordance with the manner prescribed by law, but shall be of no further force or effect after December 31, 1971, unless on or before that date a parallel ordinance shall have been adopted by the governing body of each of the other participants.
(Code 1971, § 23-5)

15-4.6 “Local Sewer Service Rules Governing Use of the Rockaway Valley Regional Sewerage Authority Treatment System, February 1982”

- a. There is hereby adopted by the Township for the purpose of establishing rules and regulations affecting the installation, maintenance repair and control of plumbing and drainage of buildings and the connection thereof with an outside sewer, “The Local Sewer Service Rules Governing the Use of the Rockaway Valley Regional Sewerage Authority Treatment System, February 1982.” Pursuant to the provisions of N.J.S.A. 40:49-5.1, a copy of the Rules is annexed to this section and three (3) copies of the same are now filed in the office of the Township Clerk and will remain on file for the use of the public.
- b. Wherever the word *Municipality* appears in the text of the Local Sewer Service Rules, it shall be understood to mean the Township of Rockaway.
- c. Any person who shall violate any provisions of this Local Sewer Service Rules or shall fail to comply with any of these requirements, shall, upon conviction, be liable to the penalty stated in Chapter I, Section 1-5. Each violation of the Rules and each and every day the same is violated shall be deemed to be a separate and distinct offense. The fine and penalty shall be in addition to and not in lieu of any other remedy or penalty provided by law.

(Ord. 9-7-82, § 23-6)

15-5 SEWER ALLOCATION COMMITTEE.

There is hereby created within the Township a Sewer Allocation Committee, which Committee shall be composed of three (3) members of the Township Council, appointed by the Council President for terms of two (2) years. The Sewer Allocation Committee shall meet periodically and is charged with the responsibility for the allocation of sewer gallonage assigned to the Township by way of the order lifting restraints (building ban, filed in Planning and Development Department). The Superintendent of the Municipal Utility is responsible for the administration of the Sewer Allocation under the direction of the Township Administration. The Sewer Allocation Committee is authorized to promulgate Bylaws with respect to the conduct of the meetings. The Sewer Allocation Committee shall work in conjunction with the Township Administration, and shall receive assistance of the Township Officials, including, but not limited to the Township Engineer, Township Attorney, and Township Municipal Utility Superintendent.

- a. The Municipal utility Superintendent shall receive and supervise the receipt of applications for connection to sewers within the township of

Rockaway and shall further supervise the administration of the Township of Rockaway's record keeping and management of sewer connections.

- b. Each request for a sewer connection shall be on a form promulgated by the Township of Rockaway Sewer Allocation Committee which shall take into consideration the information requested on the form promulgated by the Rockaway Valley Regional Sewer Authority relating to sewer connections. This information is intended to permit the Township of Rockaway to keep accurate records as to the amount of gallonage allocated and the net remaining allocation of gallonage. All approvals for gallonage connection are subject to approvals of the RVRSA and, if necessary, approvals of other governmental agencies, including the New Jersey Department of Environmental Protection, for such items as sewer extension permits (CP-1).
- c. *Applications for Sewer Allocations.*
 1. Applications for sewer allocations for individual residences shall be reviewed and approved by the Sewer Allocation Committee.
 2. Applications for sewer allocations for other than individual homes shall be reviewed and approved by the Sewer Allocation Committee, only upon submission of written preliminary approval by the Planning Board.
- d. The Sewer Allocation Committee is hereby authorized to approve, without further authorization of the Township Council, on behalf of the township of Rockaway, sewer connections involving one thousand (1,000) gallons per day or less. Further, the Municipal Utility Superintendent, who shall be the primary full-time administrator of the sewer allocation program, shall be authorized to approve on behalf of the Township of rockaway, without additional approval of the Sewer Allocation Committee or the Township Council of the Township of Rockaway, up to one hundred (100) applications for single family house connections during any given calendar month; provided, however, that no two (2) of such houses or lots during any three (3) month period shall be in common ownership. Applications as approved by the Superintendent shall be on a first come, first served basis. The Municipal utility Superintendent shall provide members of the Sewer Allocation Committee quarterly reports, which reports shall include, but shall not be limited to, identification of single family sewer connections approved the Municipal utility Superintendent, computation of all approvals granted for any purpose by the Township, and a running total of available gallonage in various categories.

- e. Any allocation once approved pursuant to this section shall be subject to the following time constraints, as applicable:
1. Commencement of substantial construction within one (1) year of the grant of a connection approval with respect to individually owned single family homes.
 2. Commencement of substantial construction within one and one-half (1 ½) years of the grant of a connection approval with respect to minor subdivisions.
 3. Commencement of substantial construction within two (2) years of the grant of a connection approval with respect to major subdivisions.
- f. The Township hereby publishes its intention to severely limit time extensions of the aforementioned deadlines, unless the applicant obtains an extension of one (1) year from the Township Council based upon submission of documents which satisfied the Township Council that there has been a good faith intention to comply with the deadlines set forth herein.
- g. The Township of Rockaway recognizes a relationship between the Township's consent to the issuance of CP-1 sewer extension permits by the Department of Environmental Protection and the allocation of gallonage sufficient to provide connections to the sewer extension. Therefore, the Township will approve no CP-1 application until and unless there is a prior approval of an appropriate gallonage allotment.
- h. All gallonage allocations by the Township shall apply to a particular lot or lots and are not transferable to other lots.
- i. The Township recognizes a particular sensitivity to uses or proposed uses located or to be located in the immediate proximity of the Township water system wellheads and intends to supply gallonage, under appropriate terms and conditions, to projects or uses in this area. Similarly, the Township intends to provide sewer connection gallonage to existing unserved houses located on sewer lines (which form the basis of the attached order's septic reserve), as well as certain properties previously granted CP-1s or otherwise identified as receiving "committed gallonage" in the attached order. Connections for existing individual single family residences serviced by sewer extension projects duly authorized and bonded by the Township Council shall be exempted from the provisions of this section and the

Director of Planning and Development is hereby authorized to issue permits to facilitate such connections.

- j. Action of the Sewer Allocation Committee and sewer connection gallonage allocations generally, and the terms and conditions of the allocations shall be included within the Developer's Agreement approved by the Township Council in instances where the agreements are otherwise required.

(Ord. 11-6-86 § 70A-1; Ord. 11-1-88 § 70A-1)

ARTICLE III

SEWER CONNECTIONS

15-6 CONNECTION TO PUBLIC SEWER.

15-6.1 Required.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the municipality and abutting on any street in which there is not located a public sanitary sewer of the municipality is required at this expense to connect the sanitary facilities within the house or building on the property with the public sewer in accordance with the provisions of this chapter within one hundred eighty (180) days after the date of official notice to do so as provided in Section 15-7.

15-6.2 Noncompliance.

In the event the owner fails to connect to the sewer system within the period of time he shall be liable to a fine of twenty-five (\$25.00) dollars for each day beyond the period of one hundred eighty (180) days.
(Ord. 9-18-79 § 70-8.3.5)

15-7 NOTICE TO CONNECT.

- a. All houses or structures located in an area of the Township which has been sewerred shall be satisfactorily connected to the sewer system within one hundred eighty (180) calendar days after the receipt of written notice to the owner to connect to the sanitary sewer system. The notice shall be given by the Division of Building Inspection to each owner of record as determined by the records of the Township Tax Assessor. The above requirement shall be applicable to any structure for which a certificate of occupancy has been issued and any structure which is being or has been actually occupied for human habitation or use or is deemed suitable for such occupation or use.

b. *Exception.*

1. Upon application by the owner of a house or structure, the Sewer Review Committee, upon consultation with the appropriate administration officials, may specifically recommend to the Township Council that the house or structure should be excepted from the requirements of subsection a. above. The recommendation to the Township Council shall be in writing specifying the reasons therefor and confirming that a copy of the recommendation has been directed to the applicant. The Township Council shall affirm, alter, or rescind the recommendation. The application for an exception shall be made to the Sewer Review Committee in writing setting forth the reasons therefor. No exception shall be granted unless the applicant establishes and the Township Council specifically finds that the requested exception would not be detrimental to the public welfare or injurious to property in the area in which the house or structure is situated; and
 - (a) Connection to the sewer would be an economic burden.
 - (b) The house or structure is able to be connected to a differing sewer which is anticipated to be constructed in the future.
2. In granting an exception, the Sewer Review Committee may recommend and the Township Council may impose conditions deemed reasonably necessary, including but not limited, to a requirement that the applicant agree to rescind any sewer gallonage allocated to the relevant property. Any such exception shall, in addition, automatically waive the requirement of Section ??? concerning the nonavailability of a sanitary sewer. The Township Council may rescind the exception at any time upon a finding that subparagraphs (a) and (b) of the above paragraph are no longer applicable. In the event an exception is granted, the property owner is still responsible for the payment of an assessment levied against the property.

If an exception is granted under subparagraph (b) above, when the construction of the anticipated sewer is completed, the property owner shall connect to the new sewer within one hundred eighty (180) days of completion. The property

owner shall pay the sewer connection fee in effect at the time the property is connected to the new sewer.

(Code 1971 § 70-4; Ord. 7-5-72; Ord. 10-1-74; Ord. 7-1-80; Ord. 9-7-82; Ord. 10-1-85)

15-8 PERMIT REQUIRED.

No person shall uncover, make an extension or connection to or opening into, or use, alter or disturb any public sewer or any appurtenance thereof, without having first obtained a written permit from the Municipal Utility. (Ord. 9-18-79 § 70-8.4.1; Ord. 9-7-82)

15-9 APPLICATION.

15-9.1 Required.

Any person desiring or requiring to use the public sewer system shall make and file with the Division of Building Inspection on forms supplied by it an application for a permit to do so. (Ord. 9-18-79 § 70-8.4.17; Ord. 9-7-82)

15-9.2 Plans and Specifications.

The application shall be accompanied by plans and specifications of the proposed service connection and the sewer lateral, the number and kind of fixture from which sewage shall be discharged into the public sewer system, the number of occupants of the building(s) containing them, and such other data as the Township shall require to determine the adequacy of the house service connection and sewer lateral proposed, and shall include the assent of the owner to all the rules, regulations and schedules of public sewer fees, rentals and charges as prescribed by this chapter or other applicable ordinances and shall be signed by the owner or his authorized agent. (Ord. 9-18-79 § 70-8.4.18; Ord. 9-7-82)

15-9.3 Fee.

Each permit application shall be accompanied by a filing fee payable to the Township which shall be in the amount of fifty (\$50.00) dollars. (Ord. 9-18-79 § 70-8.4.19; Ord. 9-7-82)

15-10 CONNECTION CHARGE.

15-10.1 Building Permit.

The sewer connection charge shall be paid to the Township before a building permit shall be issued with respect to any lot.

(Ord. 9-18-79 § 70-8.4.24)

15-10.2 Records.

The Township shall keep an exact record of the sewer connection charges paid, identifying each item paid by the name of the applicant paying it and by the tax map lot and block number or other identifying data of the parcel of property with respect to which it has been paid.

(Ord. 9-18-79 § 70-8.4.21)

15-10.3 Deposit of Paid Charges.

The sewer connection charges paid shall be deposited in the name of the Township in one (1) or more accounts entitled "Sewer Connection Account" and may be used in whole or in part for defraying the expenses of providing a public sanitary sewage system.

(Ord. 9-18-79 § 70-8.4.22)

15-11 LICENSING OF INSTALLERS.

- a. No person shall engage in the business of constructing, installing, altering, repairing or reconstructing a sewer service connection in any way in the Township without first obtaining a license from the office of the Division of Building Inspections. The license shall be for one (1) year from the date of issuance.
- b. Before the office of the Division of Building Inspections issues any such license, as provided above, applicants shall:
 1. Hold a valid New Jersey plumber's license or certify that he is the owner of the premises to be connected and that he will purchase all material and install the same in such a manner as to comply with all the requirements.
 2. Provide a certificate of liability insurance in the amount of two hundred thousand (\$200,000.00) dollars for any one (1) personal injury claim and five hundred thousand (\$500,000.00) dollars for any one (1) accident as to personal injury and property damage in the amount of one hundred thousand (\$100,000.00) dollars as to each accident and as to the aggregate operation.
 3. Post a cash deposit or certified check in the amount of five hundred (\$500.00) dollars to cover cost of any damage to any municipally owned property or utility. The condition for the

return of the cash deposit or certified check in either instance shall be that:

- (a) Installations of sewer service connection made during the terms of the installer's license will be made in good workmanlike manner in strict accordance with the application, the provisions of the Plumbing Code, this chapter and the provisions of the permit.

Plumbers holding a valid license issued by the State of New Jersey shall be considered qualified to obtain a sewer installer's license.

The license issued shall be valid only for the term issued and may be renewed annually.

No license issued may be transferred for any reason.

(Ord. 9-18-79 § 70-8.4.29; Ord. 9-7-82)

15-12 SPECIFICATIONS.

15-12.1 Extension.

Every extension of any public sewer of the Township shall be made pursuant to plans and specifications prepared by or for the Township and approved by the Engineer and the Sewer Utility. The owner shall be solely and exclusively responsible to obtain all of the necessary Federal, State, County and local approvals that are necessary to complete the improvement.

(Ord. 9-18-79, § 70-8.4.2)

15-12.2 Connection.

Every connection to any public sewer shall be a separate individual sewer connection, be located on the property which the sewer connection serves, and be installed in a single trench located on the property being served. In the event special permission is obtained from the Division of Building Inspection for the connection to pass through land other than the property to be served, filed easements are required.

(Ord. 9-18-79 § 70-8.4.3; Ord. 9-7-82)

15-12.3 Sewer Mains; Extensions.

No sewer mains shall be laid nor shall any extension of the existing public sanitary sewer system be made unless detailed plans and specifications are submitted and approved by the Engineer and Utility.

(Ord. 9-18-79 § 70-8.4.25)

15-13 RESPONSIBILITY.

15-13.1 Owner’s Responsibility.

The service connection shall be made, installed and maintained by the owner.

The installation of the service connection shall be the financial responsibility of the owner.
(Ord. 9-18-79 § 70-8.8.8)

15-13.2 Municipality’s Responsibility.

The physical installation of the sewer lateral and peep site shall be the responsibility of the Township. The sewer lateral shall be maintained by the Township.
(Ord. 9-18-79 § 70-8.4.5)

15-14 REQUIREMENTS.

15-14.1 Requirements.

All building sewer materials, building sewer pipes and method of installation shall be in accordance with the National Standard Plumbing Subcode adopted pursuant to NJAC 5:23-3.15(a)1.
(Ord. 9-18-79 §§ 70-8.4.13; Ord. 9-7-82)

15-14.2 Separate and Independent Sewer Lateral.

Except as provided in the following a separate and independent sewer lateral shall be provided for:

- a. Each building under one (1) roof.
- b. Each section of a double or semi-detached dwelling having a vertical common wall between its separate dwelling units making it capable or divided ownership.

(Ord. 9-18-79 § 70-8.4.16)

15-14.3 Elevation.

Peep site shall be brought to grade elevation whenever practical; the service connections shall be brought to the building at an elevation below the first floor. Throughout its length it shall be laid sufficiently below the surface of the ground to afford protection from frost.
(Ord. 9-18-79 § 70-8.4.8)

15-14.4 Infiltration of Subsurface Water.

The rate of infiltration of subsurface water into the public sanitary sewer system shall not exceed one hundred (100) gallons per inch of diameter, per mile, per day.
(Ord. 9-18-79 § 70-8.4.27)

15-15 INSPECTION.

The owner or his agent shall inform the Plumbing Subcode Official twenty-four (24) hours in advance when the service connection is ready for inspection.
(Ord. 9-18-79 § 70-8.4.14; Ord. 9-7-82)

15-16 EXPENSE.

The sewer lateral, including the connection from the curb to the sewer, backfilling the trench, and resurfacing the street above the trench from the street sewer to the curb shall be done at the owner's expense by the Sewer Utility except as otherwise provided.
(Ord. 9-18-79 § 70-8.4.15; Ord. 9-7-82)

15-17 COST.

15-17.1 Assessed.

The cost of installing a public sewer system to serve any building or premises on any street now existing may be assessed in whole or in part against the property owners (including real estate developers) benefiting by the installation.
(Ord. 9-18-79 § 70-8.4.20)

15-17.2 Installing Public Sewer Mains.

The entire cost of installing public sewer mains, including associated facilities such as lift pumps, syphons, building Wye branches and sewer laterals, for existing streets upon which real estate subdivisions shall front, if not yet provided with sewer mains, and in new or proposed streets therein (Including extensions of existing streets) shall be borne and paid by the owner of the subdivision and the ownership and control shall be transferred to the Township when the construction and installation has been approved by the Engineer and subject to all Federal, State, County and local approvals that are necessary to complete the improvement.
(Ord. 9-18-79 § 70-8.4.23)

ARTICLE IV

DISCHARGES

15-18 DEPOSIT OF OBJECTIONABLE WASTE.

15-18.1 Sanitary Disposal of Sewage.

No person shall place, deposit or permit to be placed or deposited upon the surface of land in public or private ownership any human excrement, garbage or any other objectionable waste.

(Ord. 9-18-79 § 70-8.3.1)

15-18.2 Effluents.

No person shall permit septic tank or privy vault effluent or other liquid containing human excrement or residues to appear on or flow over any land in the Township in his ownership or control or from his land to any other land in the Township.

(Ord. 9-18-79 § 70-8.32)

15-19 ILLICIT CONNECTIONS.

- a. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Rockaway any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).
- b. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Township that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving street, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Township will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plan, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty (150 °) degrees Fahrenheit.

2. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32 °F) Fahrenheit and one hundred-fifty (150°F) degrees Fahrenheit.
3. Any other form of surcharge prohibited by the Rockaway Valley Regional Sewage Authority.
4. Any water or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
5. Any water or wastes containing iron, chromium, copper, zinc, or other heavy metals, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Township for such materials.
6. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Township as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Township in compliance with applicable State or Federal regulations.
8. Any waters or waste having pH in excess of five point zero (5.0).
9. Materials which exert or cause:
 - (a) Unusual concentrations of inert suspended solids (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(d) Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.

10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

11. The foregoing substances are not to be considered as the only substance prohibited from entering the sewer, but are merely set forth to call attention to some of the most frequent interferences with the proper maintenance and operation of a sewage system. The intention of these rules and regulations is to exclude all other than effluent of a domestic sewage from the sewage system.

(Ord. 9-18-79 §§ 70-8.5.1, 70-8.5.2; Ord. 9-7-82; Ord. #05-34 § 3)

15-20 TOWNSHIP ALTERNATIVES ON DISCHARGES.

a. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers which contain the substances or possess the characteristics enumerated in Section 15-9 and which in the judgment of the Engineer may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Engineer may:

1. Reject the wastes.
2. Require pretreatment to an acceptable condition for discharge to the public sewers.
3. Require control over the quantities and rates of discharge and/or require payment to cover the added cost of handling and treating the wastes not covered within this section.

b. If the Township permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Engineer, and subject to the requirements of all applicable codes, ordinances, and laws.

(Ord. 9-18-79 § 70-8.5.3; Ord. 9-7-82)

15.21 INTERCEPTORS.

Grease, oil and sand interceptors shall be provided and maintained by the owner.
(Ord. 9-18-79 § 70-8.5.4)

15-22 MAINTENANCE.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense subject to inspection by the Township.
(Ord. 9-18-79 § 70-8.5.5)

ARTICLE V

MISCELLANEOUS PROVISIONS OF SEWER SYSTEM

15-23 MANHOLES, INSTALLATION, CONSTRUCTION, MAINTENANCE, MEASUREMENT, TESTS, ANALYSIS.

When required by the Township, the owner of any industrial or commercial property serviced by a sewer shall install a suitable control manhole, together with such necessary meters and other appurtenances in the sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely location and shall be constructed in accordance with plans and specifications approved by the Engineer. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken.
(Ord. 9-18-79 § 70-8-5.6)

15-24 PROTECTION FROM DAMAGE; DAMAGE; VIOLATIONS AND PENALTIES.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of a private or public sewer system. Any person violating this provision shall be subject to immediate arrest and upon conviction be liable to the penalty stated in Chapter I, Section 1-5. (Ord. 9-18-79 § 70-8.6.1)

15-25 POWERS AND AUTHORITY OF INSPECTION; AUTHORIZED PERSONNEL.

The Department of Engineering, Planning and Construction, the Department of Public Works and utilities and other duly authorized employees of the Township bearing property credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling, testing, and enforcement in accordance with the provisions of this chapter. (Ord. 9-18-79 § 70-8.7.11 Ord. 9-7-82; Ord. #05-34 § 4)

15-26 VIOLATIONS AND PENALTIES.

Any person who shall violate the provisions of this chapter shall, upon conviction thereof, be punished in accordance with Section 1-5. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Code 1971 § 70-5; Ord. 7-5-72; Ord. 9-7-82; Ord. #05-34 § 5)

ARTICLE VI

SEWER RATES AND CHARGES

15-27 ANNUAL USER CHARGES (I.E.A.U.C.)

- a. All user charges shall be based on the annual residential user unit.
- b. Symbols and Formula:
 1. A.R.U. – Average Residential use (Ref. Section 15-1)
 2. T.S.C. – Total Sewer Cost, which shall be the total annual cost of maintenance and operating of the Rockaway Township Sewer System plus the annual treatment charge from the Rockaway Valley Regional Sewerage Authority.
 3. A.C. per gal – T.S.C. divided by the gallons of sewerage effluent entering the system.

4. Unit charge for residential user (U.C.R.U.) – This is determined by A.R.U. times A.C. per gallon.
 5. User charge for non-residential unit – Annual gallonage divided by A.R.U. is equal to their chargeable average residential units. This is known as their residential user equivalent (R.U.E.).
- c. Non-residential user charge is equal to R.U.E. times A.C. per gallon.
1. Each residential user shall be charged one (1) U.C.R.U. All multi-family users shall be charged their number of dwelling units times their U.C.R.U.
 2. All other non-residential users shall be charged on the basis of their residential user equivalent.
- (Ord. 9-18-79 § 70-8.4.28; Ord. 11-8-79)

15-28 ANNUAL MAINTENANCE CHARGES.

- a. Annual maintenance charges as set forth in Section 15-19 are fixed for the Township.
 - b. The charges set forth in Section 15-19 shall be made and levied against all properties served by the Township of Rockaway public sanitary sewerage collection system whether such property be within or outside the Township.
- (Ord. 1971 § 70-1; Ord. 7-5-72; Ord. 9-7-82)

15-29 SCHEDULE OF CHARGES.

- a. *Residential Classes.*
 1. Single-family residential dwellings.
 - (a) Township residences utilizing the Township’s sanitary sewer collection system. Except as otherwise provided in (b) and (c) below, an annual fee shall be charged to single-family residential dwellings based upon an apportionment of the cost of maintenance of the sanitary sewer system, including the collection, disposal and treatment of sewage by Rockaway Township and the Rockaway Valley Regional Sewerage Authority. In addition, an amount shall be added to allow for overhead, unforeseen costs and a portion of capital improvements depreciation, which sum shall not exceed ten (10%) of the costs for each dwelling

as provided in the preceding sentence. The Council shall determine by resolution each year the amount of the cost plus the aforesaid ten (10%) percent addition.

(b) Township residents not utilizing the Township's sanitary sewerage collection system. The annual maintenance fee charged by the Township shall be limited to an apportionment of the annual cost charged to Rockaway Township by the Rockaway Valley Regional Sewerage Authority plus a sum not to exceed ten (10%) percent of the apportioned cost for only those property owners within the Township who are served by a privately owned sanitary sewer line, which sewer line is not tied into any portion of the publicly owned Rockaway Township sanitary sewer system, but which line is tied into a publicly owned sanitary sewer system of another municipality within the Rockaway Valley Regional Sewerage Authority's jurisdiction.

(c) Nonresidents of Rockaway Township utilizing the Township's sanitary sewerage collection system. The annual maintenance fee charged by the Township shall be limited to an apportionment of the cost of maintaining the Township's sanitary sewerage system (not including charges to Rockaway Township by the Rockaway Valley Regional Sewerage Authority) plus a sum not to exceed ten (10%) percent of the Township's maintenance costs for only those property owners residing outside of the Township, but whose sewerage line is connected into a sanitary sewerage main owned by Rockaway Township, or whose sewerage is connected into a main which ultimately flows into the Rockaway Township sanitary sewerage collection system.

2. Multifamily residential dwellings. The annual maintenance charge per dwelling unit shall be the same fee as for each single-family residential dwelling as provided in (a) above.

3. The words "publicly owned Rockaway Township sewer system" as used in this section shall include all sanitary sewer lines which have been dedicated to the Township, whether or not such sewer lines have been accepted by the Township.

b. Commercial and Industrial Users. The annual maintenance charge for each commercial and industrial user shall be determined and charged based upon an apportionment of

the annual cost charged to Rockaway Township by the Rockaway Valley Regional Sewerage Authority, plus a sum not to exceed ten (10%) percent of the approximate cost. In addition commercial and industrial users shall be billed upon the basis of size of the water meter installed and water consumed upon the premises served by the sanitary sewerage system [plus a sum not to exceed ten (10%) percent of the costs] as follows:

1. Five-eighths (5/8") inch and three-fourths (3/4") inch water meter: fifteen (\$15.00) dollars per annum, plus ten (\$0.10) cents per each one thousand (1,000) gallons in excess of fifty thousand (50,000) gallons per year.
 2. One (1") inch water meter; forty (\$40.00) dollars per annum, plus fifteen (\$0.15) cents per one thousand (1,000) gallons over fifty thousand (50,000) gallons per year.
 3. One and one-half (1 ½") inch water meter; seventy-two (\$72.00) dollars per annum, plus fifteen (\$0.15) cents per one thousand (1,000) gallons over fifty thousand (50,000) gallons per year.
 4. Two (2") inch water meter: one hundred four (\$104.00) dollars per annum, plus fifteen (\$0.15) cents per one thousand (1,000) gallons over fifty thousand (50,000) gallons per year.
 5. Three (3") inch and larger water meter: one hundred sixty-eight (\$168.00) dollars per annum, plus fifteen (\$0.15) cents per one thousand (1,000) gallons over fifty thousand (50,000) gallons per year.
- c. All commercial and industrial properties served by the public sanitary sewerage collection system within the Township shall install water meters in accordance with the Township's specifications for the purpose of metering the amount of water utilized by the premises regardless of the source of such water supply.
- d. *Combination Residential and Commercial Uses.* In addition to annual maintenance charges for the commercial use where there is a combination residential and commercial use on the same premises, a separate and further annual maintenance charge equal to the total annual charge for single-family residential dwellings as set forth in paragraph a. above shall be made for each residential dwelling unit in excess of one (1) dwelling or apartment unit located on the premises.

- e. *Determination of Charges.* The Township Council shall fix by resolution annually the amount of charges authorized in Section 15-19 of this chapter. Charges shall remain in full force and effect until they have been amended or modified by resolution of the Township Council.
- f. Notwithstanding anything herein to the contrary, any conflicts between the provisions of this section and the provisions of Section 15-17 shall be determined in favor of the latter.

(Code 1971 § 70-2; Ord. 7-5-72; Ord. 9-7-82)

15-30 CONNECTION CHARGES.

- a. All connection consisting of the pipe or conduit which connects sewage from an individual structure or a group of structures lying between the curblineline of the premises to be connected to a sanitary sewer system and the main sewer shall require a permit and be done by the Township Sewer Division at the expense of the owner of the premises to be so connected. The connection charge includes both the cost of installing the connection, as well as the proportionate share of capital costs relative to the same, including expansion, improvement and replacement of the collection system and the sewerage treatment facilities serving the Township. The minimum connection charges are established as follows and payable upon issuance of the permit for such connection:

- 1. Single-family residences: six hundred fifty (\$650.00) dollars per house.
- 2. Multifamily dwellings up to two (2) bedrooms: four hundred fifty (\$450.00) dollars for each unit.
- 3. Multifamily dwellings with three (3) or more bedrooms: six hundred fifty (\$650.00) dollars for each unit.

- 4. Commercial and industrial buildings:

- (a) Six hundred fifty (\$650.00) dollars for all pipe sizes up to four (4") inches.
- (b) One thousand (\$1,000.00) dollars for all pipe sizes above four (4") inches, but not exceed six (6") inches.
- (c) One thousand five hundred (\$15,000.00) dollars for all pipe sizes in excess of six (6") inches.

5. Additional charges to the above will be made for:

- (a) Any house connection requiring an excavation greater than eight (8') feet in depth or twenty-five (25') feet in length, such additional charge to be based on the actual cost of construction and installation.
 - (b) Any extra cost due to the presence of rock or excessive subsurface water conditions.
 - (c) Any extra cost due to the excavation being required in a County or State street or upon or under any railroad right-of-way.
- b. No connection fee shall be charged in cases where connections are to be made to the Township's public sanitary sewer system where an assessment under a local improvement ordinance adopted to finance the cost of the sanitary sewer was made and levied against the property to be served by the connection to the sewer system. An inspection fee of fifty (\$50.00) dollars shall be paid at the time of issuance of the permit to connect for the purpose of inspecting the line between the curb and the property owner's structure. However, in the event a single-family residence connects to a sewer line for which an assessment was levied under a local improvement ordinance and the property was not assessed for any sewer line, the owner shall pay the Township the average of the assessments for single-family residences for the sewer line into which the connection will be made. The payment shall be made prior to connection. In the event the assessment has not been finally determined as of the date of connection, a fee shall be paid in the amount of the estimated average of the assessments for the sewer line. Connection fees paid pursuant to an estimate average assessment shall be held in escrow by the Township until such time as the actual levy is assessed. Upon such assessment, the Township shall draw upon monies placed in escrow and return the balance to the record owner of the property.
- c. There shall be credit given against the connection charge of two hundred (\$200.00) dollars per dwelling tied into the sewer system where the sewer connection is installed in a new real estate development where the owner of the development undertakes the entire cost for the installation of sanitary sewers and house connections. In the event the Township requires a developer to install sanitary sewer facilities beyond those which are required to serve the needs of the property to be connected to the Township's sanitary

sewer system, then, in that event, this contingency shall be covered by separate agreement with the developer.

- d. The foregoing connection charges shall be due and payable prior to the issuance of a building permit for new construction and upon the issuance of a permit to connect to the sanitary sewer system in the case of existing structures. The owners of existing houses shall be permitted two (2) years to pay the connection charges in equal annual installments, plus interest at eight (8%) percent per annum.
- e. Connection charges and overdue annual maintenance charges shall be a lien upon the premises to be connected or serviced until paid, and the Township shall have the same remedies for collection plus interest, cost and penalties as it has by law for collection of taxes upon real estate as authorized in N.J.S.A. 40:63-8.

f. The filing fee shall be as provided in subsection 15-9.3.
(Code 1971 § 70-3; Ord. 7-5-72; Ord. 9-7-82; Ord. 10-1-85; Ord. 2-3-87 § 1)

15-31----15-40 RESERVED.

ARTICLE VII

GENERAL PROVISIONS OF WATER SYSTEM

15-41 DEFINITIONS.

As used in this article:

Agent shall mean (in the absence of instructions from the owner of any property or premises, or his duly authorized agent, to the contrary) the occupant of any property or premises insofar as his relations to the Department may be concerned, with respect to water uses and existing services.

Builder shall mean any person actually applying for a building permit for the purpose of erecting or constructing a building(s).

Main (Mains) shall mean all pipes, other than supply pipes and service pipes, used for conveying water to or distributing water in the Township.

Meter Rates shall mean rates or charges to be charged for water, based upon the quantity consumed as measured by an approved water meter.

Municipal Utility shall mean the Water and Sewer Utility of the Township of Rockaway functioning under the orders, direction and ultimate control of the Township Council and such rules and regulations as may be promulgated by the Township Council and the property, organization and operation of the water supply system, waterworks, sanitary sewer systems and each and every part thereof of the Township, collectively or separately, and furthermore the duties of the Department shall be such as may be prescribed by the Township Council.

Office shall be construed to mean the office of the Department.

Owner shall mean any person actually owning any property or premises which is or can be prospectively supplied with water, or his duly authorized agent.

Sanitary Sewer System shall mean that “sewer(s)” owned by the Township and used for the purpose of disposal of sewage from within various sections and areas of the Township.

Service Pipe shall mean the pipe extending from the curblin into privately owned property or premises for supplying water therein.

Sewer (Sewers) shall mean all pipes, mains or other devices owned by the Township and used for the purpose of disposing sewage from within the Township.

Supply Line shall mean a pipe connected to the main and extending thence to and including the curb cock or valve at the curblin of the street.

Utility shall mean the Municipal Utility of the Township of Rockaway. (Code 1971 § 88-1)

15-42 OFFICE OF SUPERINTENDENT OF WATER AND SEWERS CREATED.

There shall be a Department of Water and Sewers and the person holding the office shall be known and designated by the title “Superintendent of Water and Sewers.” The Superintendent shall be in charge of the department and must process all licenses required by the State of New Jersey to operate and maintain the water and sewer systems. The title of Superintendent is a Civil Service classification. (Code 1971 § 8-22)

15-43 WATER ADVISORY COMMITTEE

The Council shall appoint a Water Advisory Commission, consisting of five (5) members, to assist and advise the Council on matters concerning the operation and maintenance of those aspects of the Municipal Utility concerning the water supply system and waterworks of the Utility and the rules and regulations concerning same. All appointments shall be for a term of three (3) years.
(Code 1971 § 88-26)

15-44 RULES AND REGULATIONS.

- a. The Township Municipal Utility shall establish rules and regulations as deemed advisable for the proper operation, maintenance and construction of mains, services and supply lines, and for the proper administration of the Utility. Further, the Utility shall establish rates and fees, connection fees and rules and regulations governing the payment of water bills, the imposition of penalties and the discontinuance of service in the event of delinquent payment; provided, however, that any proposed change in regulations, alterations or rates or other charges imposed for water service connection or penalty shall be presented by the Utility to the Council and shall take effect upon being approved by the Council at a regular meeting called for that purpose or called for purposes of which the approval of such rates or regulation is one (1) of the purposes.
- b. Upon approval by the Council, all rules, regulations, rates, fees, charges, penalties and other items for the proper governance of the Utility shall become effective and shall be filed in the office of the Township Clerk, where they shall be available to the public upon reasonable request.
- c. The Municipal Utility shall have discretion to establish all rates, rules, regulations, fees and charges so long as the same shall bear reasonably upon the operation of the water system and the expenses and costs of the operation and maintenance thereof.

(Code 1971 § 88-25)

15-45 USE OF BADGE OR CREDENTIALS; SURRENDER.

No person not an authorized officer or employee of the Utility shall have, wear or exhibit any badge or credential of the Utility. It shall be the duty of each and every officer and employee of the Utility, upon resignation or dismissal, to surrender and deliver at the office all badges and credentials of the Utility.

(Code 1971 § 88-15)

15-46 ACCESS TO PREMISES FOR INSPECTION.

No person shall hinder or refuse to admit any Councilman, authorized engineers, officer, inspector, foreman or other authorized employee of the Utility, upon presentation of the badge or other credentials provided by the Utility, at all reasonable hours to any premises supplied with Township water, for the purpose of making inspection of the entire water supply and plumbing system upon the premises.
(Code 1971 § 88-14)

15-47 CONTROL OF MAINS; TAMPERING PROHIBITED.

The water mains, supply lines or pipes, curb cocks, stopcocks, meters and sewers of the Municipal Utility shall be under the exclusive control of the Municipal Utility and its authorized agents and employees, and all other persons are forbidden to disturb, tamper with, injure, tap, change, obstruct access to or interfere with water mains, supply lines or pipes, curb cocks, stopcocks, meters or sewers in any way.
(Code 1971 § 88-3)

ARTICLE VIII

WATER SERVICE AND METERS

15-48 MISREPRESENTATION IN APPLICATION FOR SERVICE; GOVERNING RULES.

Applicants for Township water or any service in connection therewith shall not make any misstatement or misrepresentation of fact with such application, and shall be bound and governed by this chapter and the rules and regulations hereafter adopted by the Council.
(Code 1971 § 88-17)

15-49 DISCONTINUANCE OF WATER SERVICE FOR VIOLATION; NOTICE.

The Utility may, at its discretion, shut off the water from the premises of any owner or tenant guilty of violating any of the provisions of this chapter, upon giving the owner or tenant at least twenty-four (24) hours' notice of such intended action, in addition to the imposition of the penalties provided by this chapter.
(Code 1971 § 88-16)

15-50 EXTENSION OF WATER LINES.

A subdivision, where required by the Land Subdivision Regulations of the Township to make a supply of water available to lots within a subdivision, shall

be required to lay such pipes of sizes acceptable to the Municipal Utility and locate hydrants to the satisfaction of the Municipal Utility. Pipes, valves, hydrants, service lines, meters and other appurtenances shall be subject to the approval of the Utility and the installation shall be inspected and approved by an authorized agent of the Township. It is specifically ordained, however, that no such water extension shall be incorporated into and connected with the water system of the Township unless or until the Township County shall approve this connection and shall consent to the connection of the extension. Upon the connection of this extension with the water system of the Township, the extension and all appurtenances shall be and become the property of the Municipal Utility.

(Code 1971 § 88-24)

15-51 WATER METERS.

15-51.1 Ownership and Control.

Meters controlling the services, smaller than two (2") inch in size are and shall remain the property of the Department, and all meters will be at all times under its control.

(Code 1971 § 88-10)

15-51.2 Operation of Curb Cocks; Installation.

- a. Under no circumstances shall curb cocks be opened or closed by any person not an authorized employee of the Utility.
- b. Before a certificate of occupancy is issued by the Building Inspector on new construction, a water meter must be installed and protected from freezing.
- c. Curb cocks shall be easily accessible and the customer shall maintain the same in good working order. If it becomes necessary to repair, reset, or replace any curb cocks, the work shall be done by and at the expense of the Water Department. If the curb cock is made inaccessible by being damaged, covered, paved or cemented over by the customer, his agent or contractor, then the Water Department shall be authorized to repair or replace it at cost to the customer as provided in Section 15-38.

(Code 1971 § 88-11; Ord. #91-4 § 1)

15-51.3 Service Pipe Installation and Protection; Location.

- a. Service pipes running from curb cock and between the cellar wall and meter and likely to be exposed to freezing temperatures must be effectively protect from freezing.

- b. All service pipes must be installed at a depth not less than four (4') feet.
- c. Installation of all service pipe will be Type K copper between the curb box and the meter location and will be inspected by the Plumbing Inspector before the pipe is covered. Meter location must be available to Utility employee at any reasonable time.

(Code 1971, §§ 88-12)

15-51.4 Care and Protection; Repair Costs.*

- a. The owner or occupant of any premises where a meter is installed shall be held responsible for its care and protection from freezing or hot water and from other injury to or interference with by any person(s). In case of any injury to the meter, or in case of its stoppage or imperfect working, he shall give immediate notice to the office. All Township water used on any premises must pass through a meter installed by the Utility as soon as meters are furnished. No bypass around the meter shall be made or maintained.
- b. The cost of all repairs to meters except normal wear will be billed to the owner.

(Code 1971 § 88-4)

- A resolution adopted by the Council made the following provision regarding charges for the repair of meters:

The service charge for disconnecting, picking up, returning and rehooking up after repair for any meter damaged by freezing shall be forth (\$40.00) dollars.

In respect to particular repairs to any meter, other than ordinary wear and tear or normal depreciation, the following schedule of fees shall be in effect. The schedule reflects to the Water Department the cost of specific repairs:

Gear Train.....	\$15.00
Bottom place.....	5.00
Register clock.....	18.00
Disc chamber, complete.....	20.00
Complete meter.....	83.00

15-51.5 Tampering With Meter Seals; Penalties.

- a. Meters shall be sealed by the Utility, and no one except an authorized employee of the Utility shall break or injure such seals.
- b. No unauthorized person shall break or tamper with a meter seal. Anyone so doing shall be subject, upon conviction, to the penalties stated in Chapter I, Section 1-5. Service will be terminated until such penalty is paid as provided by law.

(Code 1971 § 88-9)

ARTICLE IX

WATER USE

15-52 PROCLAMATIONS OF EMERGENCY; PENALTIES FOR VIOLATION.

Whenever the Council shall restrict, in an emergency, the use of Township water by order duly published or by proclamation issued by the Mayor of the Township, no person shall use Township water in violation of this order or proclamation, and for such a violation, shall become subject to the penalties provided by this chapter, but without the notice as herein provided.

(Code 1971 § 88-23)

15-53 TESTING PRIVATE FIRE OUTLETS.

Where pipes are provided for fire protection on any premises, the fire protection apparatus may be tested only if the Municipal Utility grants a special permit for testing same.

(Code 1971 § 88-5)

15-54 FIRE HYDRANTS.

15-54.1 Use; Penalties.

- a. Fire hydrants are to be opened and used by the Municipal Utility or Fire Department or by such persons as may be specially authorized by the Utility.
- b. No unauthorized person shall place illegal fittings on a fire hydrant. Anyone so doing and/or the owner of the illegal fittings shall be subject to penalties provided in Section 1-5. Illegal fittings shall be confiscated and destroyed.

(Code 1971 § 88-7)

15-54.2 Obstruction of Fire Hydrants, Standpipes and All Fire Department Connections.

No person shall in any manner obstruct, prevent fee access to, tamper with, injure, or damage by causing or permitting a vehicle to come in contact with any fire hydrant standpipes and all Fire Department connections, or place or store, temporarily or otherwise, any object, material, snow, debris or structure of any kind within a distance of ten (10') feet of any hydrant standpipes and all Fire Department connections. Any such obstruction, when discovered, may be removed at once by the Department at the expense of the person responsible for the obstruction, and he shall be liable to the penalties provided in this chapter.
(Code 1971 § 88-8)

15-55 SPRINKLING OR CLEANING STREETS.

Water for sprinkling, flushing or clean streets, sewers or catch basins shall be taken only from fire hydrants, or from such special standpipes or valves as may be provided for the purpose by the Utility, and then only by such persons as may be duly authorized or licensed by the Utility.
(Code 1971 § 88-6)

15-56 EXCESSIVE USE OR WASTE OF WATER.

Excessive or unnecessary use or waste of water, whether cause by carelessness or by defective or leaky plumbing or fixtures or by any other cause, is strictly prohibited.
(Code 1971 § 88-13)

ARTICLE X

WATER RATES AND CHARGES

15-57 WATER CONNECTION FEES.

15-57.1 Connection Fees Generally.

Commencing with the effective date of this section, the charge for connecting any premises to the Township's water system shall be known as the "Water connection Fee." Such Water Connection Fee includes both the cost of installing the connection from the water main to the property line of the premises or the street line, whichever is closer to the main, as well as the proportionate share of the capital cost relative to the same, including improvement, replacement and expansion to the Township's Water Supply Treatment and Distribution System. The minimum connection fees are hereby established as follows for Rockaway Township, and the fee is payable upon issuance of the permit for such connection.

- a. *Commercial and Industrial Buildings.* Commercial and Industrial buildings at the rate of one (\$1.00) dollar per square foot of structures to be erected but no less than one thousand two hundred (\$1,200.0) dollars and subject to the terms and conditions of the developer's agreement.
- b. *Residential Family Units.*
 - 1. Residential family units, whether single family or multi-family dwellings, shall be in accordance with the following schedule and subject to the terms of the developer's agreement:

<i>Number of Units</i>	<i>Cost Per Unit</i>
1-2	\$1,200.00
3-50	1,350.00
51-150	1,450.00
151-300	1,550.00
301-500	1,650.00
501-1,000	\$1,750.00
1,001 and above	\$1,850.00

- 2. Additional charges to the above minimum connection fee will be made for the following conditions:
 - (a) Any extra cost due to the presence of rock or excessive sub-surface water conditions.
 - (b) Any house connection requiring an excavation greater than either eight (8') feet in depth or twenty-five (25') feet in length, such additional charge to be based on the actual cost of construction and installation eight (8') feet in depth and (or) beyond twenty-five (25') feet in length.
 - (c) Any extra cost due to the excavation being required in a County or State road or highway or upon or under any railroad right-of-way.

Within ten (10) days of the determination of any such additional charges, notice of the same shall be given in writing to the property owner and, if objected to within ten(10) days, the property owner shall be entitled to an informal hearing before the Township Business Administrator with respect to the imposition of any such additional charges and the amount of the same.

The Business Administrator shall render his determination within ten (10) days following such informal hearing and shall notify the property owner of

the same in writing. Such determination by the Business Administrator shall be deemed final action by the Township with respect to any such additional charge.

(Code 1971 § 88-19, Ord. 4/3/73; Ord. 6/1/76; Ord. 2/26/85; Ord. #89-3 § 1A; Ord. #03-27 §§ 1, 2)

15-57.2 Connection Fees in New Residential Subdivisions.

In new single-family residential subdivisions, the developer at his own cost and expense shall undertake the installation of water mains and house connections within the development. The developer shall connect the water system to the Township's water system if approved by the Planning Board and shall pay a connection as per subsection 15-58.1b for each physical house connection within the development. In the event that the Township requires a developer to install water supply, treatment and/or distribution facilities beyond those which are required to serve the needs of the property to be connection to the Township's water system, then in that event this contingency shall be covered by separate agreement with the developer.

(Code 1971 § 88-19; Ord. 4/3/73; Ord. 6/1/76; Ord. 2/26/85; Ord. #89-3 § 1B)

15-57.3 No Connection Fees Due After Assessments; Lateral Installation Charges.

No connection fee shall be charged in cases where an assessment under a local improvement ordinance adopted to finance the cost of a portion of the water system was made and levied against the property to be served by any connection to the Township's water system, except as otherwise provided in the last sentence of this subsection. In such cases of assessments, there shall be paid to the Township at the time of the issuance of the permit a lateral installation charge in accordance with the following schedule.

<i>Lateral Size*</i>	<i>Installation Charge</i>
¾ inch	\$475.00
1 inch	550.00
2 inch	700.00
2 ½ inch	850.00
3 inch	950.00
6 inches and over	1,150.00

*Any pipe size between the sizes shown above will pay the higher rate.

The lateral installation charge shall not be due and payable where the bonding for a local water main and the assessments charged therefor include the cost of the installation of laterals from the main to the property line.

(Code 1971 § 88-19; Ord. 4/3/73; Ord. 6/1/76; Ord. 2/26/85; Ord. #89-3 § 1C; Ord. #03-27 § 3)

15-57.4 Inspection Fees and Meter Installation Charges.

- a. An inspection fee of two hundred (\$200.00) dollars shall be paid at the time of issuance of the permit to connect for the purpose of inspecting the line and meter installation by the Township between the curb and the property owner’s structure. The inspection fee of two hundred (\$200.00) dollars is due and payable in each instance and applies to all circumstances under paragraphs a., b., and c. of this subsection. All meters five-eighths (5/8”0 inch in size shall be purchased and installed by the Township unless otherwise approved in a developer’s agreement, in which case a credit equal to the prevailing purchase price shall be given to the developer for single-family residential structures. The inspection fee and meter installation charge for garden apartments shall be two hundred (\$200.00) dollars for each meter installation, unless the cost of the purchase of each meter by the Township exceeds this sum, in which event the inspection fee and meter installation charge will be increased by the amount of the costs of each meter in excess of the sums.

- b. All meters, whether new or replacement, of one (1”) inch size or larger, that are purchased and installed by the Township shall be at the prevailing purchase and installation price, as determined by the Water Superintendent of the Township.

(Ord. #89-3 § 10; Ord. #03-27 § 4)

15-57.5 Connection fees, When Due and Payable.

The foregoing connection fees, inspection fees and meter installation charges shall be due and payable prior to issuance of a building permit for new construction and upon issuance of a permit to connect to the water system in the case of existing structures.

(Code 1971 § 88-19; Ord. 4/3/73; Ord. 6/1/76; Ord. 2/26/85; Ord. #89-3 § 1E)

15-57.6 Charges; Lien on Property.

The connection charges, inspection fees, meter installation charges and overdue water rates and charges shall be a lien upon the premises to be connected or serviced, as the case may be, until paid and the Township shall have the same remedies for collection thereof plus interest, cost and penalties as it has by law for collection of taxes upon real estate.

(Ord. #89-3 § 1F)

15-58 RATES AND FEES.

a. The Water Department of the Township shall charge the following rates consisting of a basic user fee and a consumption water use fee as set forth below:

1. Basic User Fee.
 - (a) Ten (\$10.00) dollars per quarter for meter sizes from five-eighth (5/8") inch, to one and one-quarter (1 1/4") inch water meter with water consumption up to ten thousand (10,000) gallons per quarter.
 - (b) Thirty (\$30.00) dollars per quarter for meter sizes from five-eighth (5/8") inch, to one and one-quarter (1 1/4") inch water meter with water consumption greater than ten thousand (10,000) gallons per quarter.
 - (c) Sixty (\$60.00) dollars per month for all commercial and/or irrigation water accounts and thirty (\$30.00) dollars per quarter for residential meters with water meter sizes one and one-half (1 1/2") inch or larger.

2. Consumption Water Use Fee.
 - (a) One dollar and fifteen (\$1.15) cents per one thousand (1,000) gallons, up to the first five thousand (5,000) gallons or any part thereof; 1–5,000 gallons.
 - (b) Three dollars and fifteen (\$3.15) cents per one thousand (1,000) gallons, for the next five thousand (5,000) gallons in excess of the first five thousand (5,000) gallons or any part thereof; 5,000–10,000 gallons.
 - (c) Six dollars and thirty (\$6.30) cents per one thousand (1,000) gallons, for the next five thousand (5,000) gallons in excess of the first ten thousand (10,000) gallons or any part thereof; 10,000–15,000 gallons.
 - (d) Six dollars and sixty (\$6.60) cents per one thousand (1,000) gallons, for the next five thousand (5,000) gallons in excess of the first fifteen thousand (15,000) gallons or any part thereof; 15,000–20,000 gallons .

- (e) Six dollars and ninety (\$6.90) cents per one thousand (1,000) gallons, for the next five thousand (5,000) gallons in excess of the twenty thousand (20,000) gallons or any part thereof; 20,000–25,000 gallons.
- (f) Seven dollars and fifty (\$7.50) cents per one thousand (1,000) gallons, for the next five thousand (5,000) gallons in excess of the first twenty-five thousand (25,000) gallons or any part thereof; 25,000–30,000 gallons.
- (g) Eight dollars and five (\$8.05) cents per one thousand (1,000) gallons, for the next five thousand (5,000) gallons in excess of the first thirty thousand (30,000) gallons or any part thereof; 30,000–35,000 gallons.
- (h) Nine dollars and twenty-five (\$9.25) cents per one thousand (1,000) gallons, in excess of the first thirty-five thousand (35,000) gallons or any part thereof; 35,000 gallons and more.”

1. Where a single water meter measures water use for individually owned units in multiple family residential structures, a single quarterly bill for water flowing through that single meter shall be remitted to the person responsible for its payment, which shall be calculated as follows:

Step (1).

- (a) The total quarterly water flow through the meter shall be divided by the number of residential units (irrespective of size of unit) serviced through the individual meter;

Step (2)

- (b) The result of Step (1) shall then be used to calculate the water use charge for a single unit based upon the schedule contained in Section 15-58a.1 through 2 above utilizing a basic user fee for the meter size five-eighths (5/8”) inch to one and one-quarter (1 ¼”) inch meter;

Step (3)

- (c) The result of Step (2) shall then be multiplied by the number of units serviced through the meter;
- (d) The aggregate amount resulting from Step (3) above shall then be billed to the person responsible for the meter;

(e) Individual bills will not be sent to each of the multiple residential units serviced through the single meter.

2. Fifty (\$50.00) dollars for the weekdays and two hundred (\$200.00) dollars for weekend turn-off and turn-on of domestic service. Holiday service shall be as determined by the Township for cases of emergency.
3. Two hundred (\$200.00) dollars per year per public and private fire hydrant rentals.
4. One hundred (\$100.00) dollars per year maintenance charge for private hydrants.
5. The charge for testing meters at the request of any water consumer shall be the sum of one hundred fifty (\$150.00) dollars. If, however, it is determined upon testing that the meter is defective, the sum of one hundred fifty (\$150.00) dollars shall be rebated to the consumer. The service charge for disconnecting, picking up, returning, and rehooking up after repair for any meter damaged by freezing shall be a few of fifty (\$50.00) dollars during normal work hours and two hundred (\$200.00) dollars after hours and during weekends and holidays. In respect to particular repairs to any meter, other than ordinary wear and tear or normal depreciation, the following schedule of fees shall be in effect.

<i>Type of Repair</i>	<i>Fee</i>
Gear train	\$50.00
Bottom plate and gasket	35.00
Register clock	100.00
Disc chamber, complete	75.00
Complete meter (5/8" only)	200.00

6.
 - (a) There shall be a twenty-five (\$25.00) dollar fee imposed upon the water customer for "final" water meter readings.
 - (b) The Township will permit only three (3) estimate readings per annum.
 - (c) A fee of one hundred fifty (\$150.00) dollars will be imposed upon the water customer for meter readings conducted on weekends and after 3:30 p.m.

7. Repair, Resetting or Replacing Curb Cocks. There shall be a minimum fee of two hundred (\$200.00) dollars for a fee equal to the time and material costs, whichever is greater, for repairing, resetting or replacing curb cocks as provided in subsection 15-51.2 herein.

(Code 1971 § 88-20; Ord. 4-3-73; Ord. 6-1-76; Ord. 6-5-80; Ord. 2-26-85; Ord. 2-26-85; Ord. 3-1-88 § 1; Ord. #89-3 § 2A; Ord. #90-32 § 1; Ord. #91-4 § 2; Ord. #00-21 § 1; Ord. #00-22 §§ 1, 2; Ord. #03-27 § 5; Ord. O-14-07)

15-59 FIRELINE AND SPRINKLING SYSTEMS.

15-59.1 Charges for Fireline Rental.

Fireline rental shall be charged to all customers having a fireline and sprinkling system connected to their structure, in accordance with the following schedule for size and service.

Billing shall be rendered quarterly by the Township as part of the water bill or by separate billing as determined by the Water Department.

<i>Fire Line Rates</i>			<i>Weekday</i>	<i>Weekend</i>
	<i>Quarter</i>	<i>Annual</i>	<i>Turn On/ Turn Off</i>	<i>Holiday Turn On/ Turn Off</i>
2" line or less	\$125.00	\$500.00	\$50.00	\$200.00
2 ½" line	150.00	600.00	50.00	200.00
3" line	175.00	700.00	50.00	200.00
4" line	225.00	900.00	100.00	250.00
6" line	275.00	1,100.00	100.00	250.00
8" line	325.00	1,300.00	100.00	250.00

(Code 1971 § 88-20; Ord. 4/3/73; Ord. 6/1/76; Ord. 6/5/80; Ord. 2/26/85; Ord. 3/1/88; Ord. #89-3 § 2G; Ord. #03-27 § 6)

15-59.2 Exemption for Qualified Private Community.

- a. No qualified private community as defined by N.J.S.A. 40:67-23.2€ shall be required to pay water charges imposed by this section of the Code for the rental of a private fire hydrant or the annual maintenance charge for a private fire hydrant.
- b. Fire hydrants located within qualified private communities as defined by N.J.S.A. 40:67-23.2€ shall be considered public fire hydrants for purposes of their repair and replacement.

- c. This section shall be deemed to be effective as of January 1, 1995 and bills sent to qualified private communities for the services referenced in Ordinance 89-3, Section 2(3) and (4) for those services commencing January 1, 1995 shall be deemed void.

(Ord. #95-3 §§ 1-3)

15-60 DELINQUENT PAYMENT OF WATER BILLS.

- a. All bills for water shall be payable when rendered at the office of the Water Department in the Township Municipal Building; providing, however, that if bills are not paid within thirty (30) days after the due date, there shall be imposed a penalty of fifteen (15%) percent per annum.
- b. Furthermore, if bills for water are not paid within sixty (60) days after being rendered, the water shall be shut off and not turned on again except upon the payment of arrears with the aforesaid penalty and a fee of fifty (\$50.00) dollars for turning on the water.

(Ord. #03-27 § 7)

15-61 WATER FOR CONSTRUCTION PURPOSES.

- a. Notwithstanding any provisions to the contrary, a single-family residential building shall pay the sum of two hundred (\$200.00) dollars per month for water used for construction purposes during a period not to exceed six (6) months, after which time a meter must be installed.
- b. Notwithstanding any provisions to the contrary, a residential builder with five (5) or more units and any commercial or industrial buildings shall pay a few of three hundred (\$300.00) dollars per month not to exceed six (6) months, after which time a meter must be installed.
- c. This provision for payment shall apply in those cases where water is used in construction before the installation of a meter, which water shall be allowed during construction 15-51.4.
- d. Prior to any construction water usage, the building shall install an approved "Reduced Pressure Zone Backflow Preventer."

(Code 1971 § 88-21; Ord. #03-27 § 8)

