

ORDINANCE NO. 2023:08

AN ORDINANCE TO AMEND CHAPTER XVII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED “SEWERS AND WATER” TO RENAME THE CHAPTER “SANITARY SEWERS”, AND TO REVISE SECTION 17-1 ENTITLED “SEWER SYSTEMS”

WHEREAS, the members of the Mayor and Council of the Borough of New Milford have been advised that the present ordinance does not adequately address the sanitary sewer concerns that presently affect the residents of New Milford; and

WHEREAS, the matter has been reviewed by the DPW Director, Vince Cahill and the Sewer Foreman, Steve DeMauro, and a recommendation has been made to the Mayor and Council; and

WHEREAS, the Mayor and Council of the Borough of New Milford wish to amend Chapter XVII entitled "Sewers and Water" to address the sanitary sewer concerns that affect the needs of residents;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of New Milford that Chapter XVII, Section 17-1, Sewer Systems, is hereby amended as follows:

Remove section 17-1.7 through 17-1.9 in its entirety and replace as follows:

§17-1.7. Public sewers; connections and extensions.

- a. Permit required. No person shall uncover, make any extension or connection to, or opening into, or use, alter or disturb any main sewer line or any appurtenance thereof without having first obtained a written permit from the DPW to do so.
- b. Extension. Every extension of any public sewer shall be made pursuant to plans and specifications prepared by or for the Borough and approved by the DPW.
- c. Connections to sewers required.
 1. All persons who own or occupy any land fronting on a street through which a sewer is or shall be built shall connect all their sinks, drains, water closets and privies on such land with such sewer. No cesspool privy, privy vault, septic tank or other facility intended or used for the disposal of wastewater shall be built or maintained on such land, nor shall the Health Department issue any permit for any cesspool on land so situated.
 2. Every connection into any Borough main sewer shall be made by:
 - (a) A “tap” from the sewer lateral
- d. Owner's responsibility. The house sewer lateral shall be made, paid for, installed and maintained by the owner. The lateral from the house to the main sewer line regardless distance to the of the main sewer line and includes the “tap” or physical

connection between the lateral and the main.

- e. Submission of plans and specifications; conformance with New Jersey uniform construction codes. Plans and specifications for all extensions and connections to the public sewer system shall conform to the Building Code of the Borough.
- f. Grade and alignment. The house lateral shall be laid at a straight grade and so far as possible, in a straight alignment. Changes in direction shall be made only with curved pipe and fixtures. Cleanouts shall be constructed as required by the Borough at each change in direction and for every 50 feet of house service connection.
- g. Low connection. In all buildings which the house lateral is necessarily laid low to permit gravity flow to the main line, the sanitary sewage to be carried by such connection shall be lifted by approved artificial means and discharged into the sewer lateral.
- h. Excavations. All excavations required for the establishment of a house lateral shall be open trench work, unless otherwise approved by the DPW. Pipe laying and backfill shall be performed in accordance with the requirements of the Plumbing Subcode Official and shall not be done until the house lateral has been inspected, tested, and approved by the Plumbing Subcode Official.
- i. Open trenches. Open trenches in the establishment of house lateral shall not be left unattended during the course of construction without adequate regard to the safety of the general public. Trenches left open overnight or over a weekend must have adequate covering or, in lieu thereof, have barriers and lights so placed along the opening so as to prevent any persons or vehicles from falling therein.
- j. Inspection. The owner, or his/her agent, shall inform the Borough when the house lateral is ready for inspection.
- k. Separate and independent sewer laterals.
 - 1. Each building under one roof, but not buildings accessory to it, in one ownership and occupied as the residence of one family or for one business enterprise.
 - 2. A combination of buildings on one lot or curtilage in one ownership and occupied as the residence of one family or for one business enterprise.
 - 3. Each section of a double or semidetached dwelling having a vertical common wall between its separate dwelling units making it capable of divided ownership.
 - 4. One ownership property containing more than one office, unit or use. A property which is in one ownership and which contains more than one store, apartment or office may be serviced by one or more sewer laterals as required by the DPW.
- l. Installation by contractor or owner. The sewer lateral, including the connection from the curb to the main sewer, the making of the tap in the main sewer, the making of the connection of the sewer lateral to the house service connection, the

backfilling of the trench and resurfacing the street above the trench from the street sewer to the curb, shall be installed at the owner's expense either by an owner who meets the qualifications of a contractor with a New Jersey license. All work shall be inspected and approved by the Plumbing Subcode Official.

§ 17-1.8. Capping of Sewer Lateral During Structure Demolition

- a. Permit required. No person shall uncover, make any 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 DPW to do so.
- b. The sewer lateral must be located on the property, uncovered, cut, and capped off. The cap must be a neoprene cap, held on to the pipe with a stainless-steel band clamp. If the lateral is to be permanently abandoned, the end of the pipe, and cap shall be encased in concrete. The capping off of the pipe shall be inspected by a representative of the DPW prior to concrete encasement and backfilling.
- c. If this procedure is not followed, all work will be immediately halted until the sewer line is capped off properly and inspected DURING normal working hours of the DPW. and a penalty may be imposed.

§ 17-1.9 Required Use by Restaurants of Certain Enzymes in Their Sewer Connections and/or Systems to Prevent the Buildup of Harmful Substances in such Connections and/or Systems. [Ord. No. 95:09 § 1]

- a. Treatment of Discharge by Certain Users.
 1. The owner operator of all retail food establishments, catering establishments, commercial food preparation facilities, meal processing facilities, and such other uses as may be designed by the Department of Public Works and/or the Board of Health which may result in the accumulation of oils, fats, cellulose, starch, protein, grease and similar substances in the sanitary sewer system of the Borough of New Milford shall add into each sanitary sewer line servicing such use, a bacteriological culture formulation approved by the Director of Public Works and/or Board of Health to control and treat such discharges.
 2. The application of such bacteriological culture formulation shall be in accordance with the manufacturer's specifications therefor unless otherwise directed by the Director of Public Works and/or the Board of Health.
 3. The Director of Public Works and/or the Board of Health shall provide a list of approved bacteriological culture formulations upon request to the owner or operator of any of the facilities requiring the use of such formulation. The owners or operators of such facilities may submit additional formulations to the Director of Public Works and/or the Board of Health for approval.
 4. The owner or operators of such facilities shall maintain accurate records of each application of such formulation, including the brand name, specific type and manufacturer of such formulation, the dates of application and the quantities applied.

In addition, such persons shall retain all invoices, bills of sale, receipts or other suitable evidence for the purchase of such formulations. Such persons shall retain all such records for a period of three years.

5. All records required to be maintained hereunder shall be available for inspection by the Director of Public Works and/or the Board of Health or their designee, upon request. In addition, the Director of Public Works and/or the Board of Health may require the owner or operator regulated by the provisions of this subsection to periodically submit such records to the office of the Director of Public Works and/or the Board of Health.
6. In addition to such other remedies such as the general penalty provided by this subsection, as may be provided by law for violation of this subsection, the Borough may add such formulations to sanitary sewer system servicing facilities regulated hereunder and charge the cost thereof as a sewer user charge to any person violating any provision of this subsection.

§ 17-1.10 Violations and Penalties. [Ord. No. 94:08 § 3]

Any person violating any of the provisions of the within chapter shall, upon conviction, be subject to a fine not to exceed \$500 and/or imprisonment not to exceed 90 days or both. Each and every day in which violation of any provision of this chapter exists shall constitute a separate violation.