

**ORDINANCE PROVIDING FOR THE DISCONNECT OF
SUMP PUMP AND RELATED APPARATUS FROM THE DEPTFORD
TOWNSHIP MUNICIPAL UTILITIES AUTHORITY SANITARY
SEWERAGE SYSTEM AND FOR THE PROPER MANAGEMENT
OF DISCHARGE AND FLOW FROM SUMP PUMPS,**

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Deptford, as follows:

Section I – Findings

The Deptford Township Municipal Utilities Authority in operation of the sanitary sewer system within the Township of Deptford must contend with the impact of heavy rainfall and its potential for creating surcharge conditions upon their systems. The condition is exacerbated by the gallonage added to the sewer system by sump pumps, floor drains, roof drains, related apparatus and the infiltration of other than normal sanitary sewage improperly connected to their sewerage system.

It is in the best interest of the Township, through Code Enforcement and the Municipal Utilities Authority to establish an approach to encourage and require that such improper connections be dismantled. The excess infiltration of water has the potential of overloading the carrying capacity of the sanitary sewer systems, which may result in the discharge of raw sewerage to the surface and the failure of the pumping stations causing a serious health hazard.

Section II - Purpose

New stormwater management regulations have been put in place by the New Jersey Department of Environmental Protection to prohibit unauthorized discharge into the municipal sewer system and the Township seeks to supplement those provisions by promoting compliance with the Deptford Township Municipal Utilities Authority Rules and Regulations and, specifically, to require that all such improper connections be removed. It is the further purpose to insure that infiltration of non-sanitary sewage be minimized through the proper management of discharge and flow from the direct or indirect connection of sump pumps and other types of surface water and groundwater conductors to the sanitary sewer system and reserves to the Deptford Township Municipal Utilities Authority the right to use tests and to inspect properties to determine the existence of illicit connections thereby protecting the public health safety and welfare.

Section III – Definitions

GROUNDWATER -- Water that is found underground in the cracks and spaces in soil, sand and rock.

MUNICIPAL SEPARATE STORM SEWER SYSTEM - 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 or other public body, and is designed and used for collecting and conveying stormwater.

PERSON - Any person, firm or partnership, corporation, association, club, society or any other form of association or organization, both singular and plural, subject to the jurisdiction of the Township [where used herein to designate a user or owner of a property or in such other applicable context].”

RULES AND REGULATIONS – This refers to the “Rules and Regulations Governing the Operations of the Deptford Township Municipal Utilities Authority”.

SANITARY SEWER SYSTEM - A system of conveyances (including pipes, manholes, inverted siphons and pumping stations) that is owned or operated by the Township Municipal Utilities Authority or other public body and is designed and used for collecting sanitary wastes and conveying them to a treatment facility.

SEEPAGE PIT - A chamber or tank constructed below grade for the purpose of recharging water into the ground. The chamber may be preformed of composite materials or built to suit. The chamber shall hold at least 50 gallons and shall have perforated bottom and sides.

STORMWATER – Water resulting from precipitation (including rain and snow) that runs off the surface of the land, is transmitted to the subsurface, and is captured by storm sewers or other drainage facilities.

SUMP PIT - A space into which a sump pump is installed, designed to provide sufficient depth and volume for proper performance of the pump.

SUMP PUMP DISCHARGE - The end of the pipe from the sump pump where water becomes unconfined and reverts to gravity flow. This shall also refer to any discharge from a floor drain or related apparatus.

SUMP PUMP - A pump, with related valves, pipe and fittings, installed for the purpose of evacuating water, usually from a basement area. This name shall also refer to any floor drain or any related apparatus.

Section IV – Requirements

- A. Violations of the Deptford Township Municipal Authority Rules and Regulations – No person or entity shall violate the rules and regulations of the Deptford Township Municipal Utilities Authority when applicable.
- B. All residential and commercial structures having a storage or habitable area below grade may install there a Sump Pit and a Sump Pump upon approval by the Township Plumbing sub code Official. All Sump Pumps shall be installed and inspected in compliance with the plumbing and building codes of the Township and the requirements of this ordinance. All necessary permits must be obtained and fees paid before installation commences.
- C. No person shall connect any sump pump, floor drain and/or any related apparatus to any sanitary sewer line. The record title owner shall be responsible under this section and shall be presumed to have caused any such connection.
- D. A sump pump, floor drain and/or any related apparatus must discharge through permanent, rigid piping. The sump pump discharge shall be located no less than ten feet from the building unless the Deptford Township Municipal Utilities Authority engineer determines in advance in a particular case that compliance with this requirement is not practicable and for this reason approves in writing an alternative location.
- E. No person shall permit, allow or suffer or cause the infiltration, whether directly or indirectly of water or other substance which is not normal sanitary sewage into the sanitary sewer system or into any other system operated by the Township or the Deptford Township Municipal Utilities Authority.

Section V – Amnesty Period

Any person or entity currently in violation of Section IV of this Ordinance shall not be prosecuted as set forth herein for a period of six months which period shall commence upon the date of adoption of this Ordinance.

Section VI – Discharge of Storm Water

- A. For public safety, health and welfare, residential property owners shall be permitted to connect all sump pump, floor drain, roof drain and related apparatus discharge piping to the nearest storm sewers provided, 1) the discharge piping is installed underground, 2) the piping discharges flow at least ten feet from a building structure and at a location which will minimize infiltration to the building foundation and/or sanitary sewer and 3) the piping will not discharge water into adjoining properties.

- B. If the storm sewer is not available, the sump pump, floor drain, roof drain and/or related apparatus discharge piping may be connected underground through the curb opening to the gutter line, provided there is more than 1.5 percent gutter slope. In existing roadways, a road opening permit shall be required from the Township.
- C. In all other cases, the discharge shall be directed to the nearest ditches, seepage pit or contained on the owner's property so that it does not adversely affect neighboring land.
- D. Assistance and guidance with respect to layout and the location of proper discharge may be obtained through the Deptford Township Municipal Utilities Authority.

No person shall permit, allow or suffer or cause the infiltration, whether directly or indirectly of water or other substance

Section VII – Inspection and Enforcement

- A. Reasonable Basis to Inspect – Before any inspection is made of the suspected premises the Deptford Township Municipal Utilities shall have a reasonable basis to inspect that a violation has occurred. Such a reasonable basis shall exist whenever a petition supported by reasonable facts, is filed with the Deptford Township Municipal Utilities Authority or the Township of Deptford or any other duly authorized person so determines based on reasonable facts in the official's possession.
- B. Property Owner Consent – Upon satisfaction of the above the Superintendent of the Deptford Township Municipal Utilities Authority or other duly authorized representative shall visit the premises in question and request permission to inspect the premises for a violation of this Ordinance. If such permission is granted, entry shall not be made until the property owner has signed a written consent form to be supplied by the Deptford Township Municipal Utilities Authority. Once written permission is obtained, the representative shall inspect the premises to determine if such violations exist. The premises shall be made available and accessible by the property owner between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday provided, however, that the inspections may be made at other times, with the property owner's consent, if one of the following conditions exist:
 - a. The premises are not available during the foregoing hours for inspections;
 - b. There is reason to believe that the violations are occurring on the premises which can only be fully determined and proved by inspection during other than the prescribed hours;

- c. There is reason to believe that a violation exists of the character which is an immediate threat to health or safety, requiring inspection without delay.
 - d. Emergency inspections may be authorized if the inspector or any other duly authorized person has reason to believe that a condition exists which poses an immediate threat to life, health or safety.
- C. Search or Access Warrants – In the event written consent cannot be obtained the inspector or any other duly authorized person may, upon affidavit, apply to the Judge of the Municipal Court of the Township of Deptford for a search warrant setting forth factually the actual conditions and/or circumstances that provide a reasonable basis for believing that a violation of this Ordinance may exist on the premises. If the Judge of the Municipal Court of the Township of Deptford is satisfied as to the matter set forth in the affidavit, he shall authorize the issuance of a search warrant permitting access to an inspection of that part of the premises on which the suspected violation of the Ordinance may exist.
- D. Issuance of a Warrant – If the inspection reveals infiltration of other than normal sanitary sewage, for example – storm water improperly connected to the sanitary sewerage system, a warning and notice of abatement shall be provided to the property owner. A disconnect shall be effected by the property owner within fourteen (14) days of issuance of the warning.
- E. Re-inspection – If, upon re-inspection of the premises with written consent or via a search warrant, the Ordinance violation has not been abated, the inspector or other duly authorized person shall issue a summons for violation of this Ordinance.

Section VIII – Violations and Penalties

- A. Any person or entity violating any of the provision of this Ordinance shall upon conviction thereof, be fined an amount up to \$2,000.
- B. For the purpose of assessing penalties, the continuation of a particular violation for each successive day shall constitute a separate offense and the person or persons allowing or permitting the continuation of the violation may be punished as proved above for each separate violation.
- C. The imposition of a penalty as provided hereinabove, shall be in addition to any injunctive or remedial relief which is authorized under the laws of the State of New Jersey with the same force and effect as though provided herein.

Section IX – Severability

If any part of this Ordinance shall be invalid, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section X – Effective Date

This Ordinance shall become effective immediately.



TOWNSHIP OF DEPTFORD

Paul Medany
PAUL MEDANY, MAYOR

ATTEST:

Dina L. Zawadski
DINA L. ZAWADSKI, TOWNSHIP CLERK

CERTIFICATION

The foregoing Ordinance was introduced at a Work Session Meeting of Township Council of the Township of Deptford held on the 19th day of March, 2012 and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 2nd day of April, 2012 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.

Dina L. Zawadski
DINA L. ZAWADSKI, TOWNSHIP CLERK

Introduction

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.12.12				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			

Adoption

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.12.12				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			