

Chapter 329

WATER CONNECTIONS

GENERAL REFERENCES

Municipal Utilities Authority — See Ch. 73.

Uniform construction code — See Ch. 159.

Public Works Department — See Ch. 97.

Water supply and sewerage facilities-- See Ch. 412.

§ 329-1. Definitions.

As used in this chapter, unless a different meaning clearly appears in the context, the following terms shall have the meanings indicated:

AUXILIARY BUILDING — A subordinate building, the purpose of which is customarily incidental to that of the principal building and which is located on the same lot as the principal building. The primary use of the auxiliary building shall not be for residential, commercial or industrial occupancy. **[Added 4-22-1993 by Ord. No. 93-31]**

BUILDING — Any structure heretofore or hereafter constructed which is used or intended for supporting or sheltering any use or occupancy.

CONNECTION DATE —

- A. Where used with respect to a building constructed prior to the date of initial operation of any water pipeline available to service said building, the 90th day next ensuing the date of initial operation of such waterline as part of the water system to be owned or operated by the Lacey Municipal Utilities Authority.
- B. When used with respect to a building constructed subsequent to the date of such initial operation, the 90th day next ensuing the date of completion of construction or date of occupancy of such building, whichever date shall first occur.

WATER PIPELINE — Any water pipeline or main designed or used for the distribution of potable water and located in any public street in the township.

§ 329-2. Connections to available waterlines required; sealing of wells; exemptions.

- A. The owner of any building adjoining any public street in the Township of Lacey in which a water pipeline is now or may hereafter be constructed shall connect such building and all water facilities therein to said waterline, except as provided in Subsection E of this section.
- B. On lots where there are two (2) or more buildings, such buildings shall be separately connected to the waterline with their own water-service lines. Where two (2) or more structures are located on a lot, any auxiliary buildings do not need to have a separate connection to the waterline and can be connected to the waterline servicing the principal building. **[Amended 4-22-1993 by Ord. No. 93-31]**
- C. All new buildings adjoining any public street in the Township of Lacey in which a waterline is now or may hereafter be constructed shall be required to connect to the waterline regardless of the distance between the building and the waterline.

- D. (Reserved)
- E. Any buildings or other structures located on the blocks and lots set forth in Subsection E(4) hereof shall be subject to the following requirements:
- (1) After connection to the waterline, each owner of property connected thereto shall be notified by the Township of Lacey or its agent to immediately disconnect and seal any water well located on the subject property.
 - (2) All notices shall be addressed to the owners of said property as the names of said owners appear in the last tax duplicate of the Township of Lacey, shall describe the property by lot and block designation, as the same appears on the Tax Map of the Township of Lacey, and by the street address, if a street address exists, and shall state that, by order of the Township of Lacey, the owner is required to disconnect and seal any water wells located on his or her property within thirty (30) days of service of such notice as hereinafter provided, and said notice shall also describe the penalty which may be imposed hereunder for failure to comply with said notice and order in accordance with the terms of this chapter. Said notice may be served on the owner personally or by leaving it at his usual place of abode with a member of his family above the age of eighteen (18) years. Said notice may also be served within or without the limits of the Township of Lacey by mailing the same by certified mail to the last known post office address of said owner as the same appears on the last tax duplicate of the Township of Lacey.
 - (3) Upon connection to the waterline and receipt of the notice under Subsection E(1) and (2), the property owner must discontinue and disconnect any water service from a water well located on his or her property or adjacent thereto. The property owner shall also be required to seal the well. The Township of Lacey, through its Board of Health or the Ocean County Board of Health, shall make the necessary inspections to ensure compliance with the requirement that any water well be disconnected and sealed.
 - (4) The properties subject to the provisions of Subsection E(1), (2) and (3) are as follows:

Block	Lot
1543	All lots
1544	All lots
1545	All lots
1546	All lots
1550	All lots
1551	All lots
1552	All lots
1553	All lots
1554	All lots
1555	All lots
1556	All lots
1557	All lots
1562	All lots

Block	Lot
1563	All lots
1564	All lots
1565	All lots
1566	All lots
1567	All lots
1568	All lots
1837	Lots 7 and 8
1837A	Lot 1
1851	All lots

- (5) All wells which are required to be sealed by the provisions of this chapter shall be sealed in compliance with the requirements of the Department of Environmental Protection, Division of Water Resources, and in accordance with the standard specifications for sealing abandoned wells which have been adopted by that agency.

§ 329-3. Applicable regulations.

Every connection required by this chapter shall be made in accordance with the ordinances of the Township of Lacey and Township Board of Health, as well as with the rules and regulations of the Lacey Municipal Utilities Authority and the State Uniform Construction Code. The size of the waterline connecting the building with the water distribution line shall be in accordance with the requirements of the Lacey Municipal Utilities Authority and the State Uniform Construction Code.

§ 329-4. Notice to make connection; extension of connection date. [Amended 5-28-1992 by Ord. No. 36-92]

- A. Upon the availability of any waterline to serve buildings on any property in the township, each owner of property affected thereby shall be notified of the fact by the Lacey Municipal Utilities Authority and shall be directed in said notice to connect each building on said property with said waterline within ninety (90) days of the date of the notice, in accordance with the terms of this chapter.
- B. Any person who is unable to connect to the waterline within the ninety-day period set forth in Subsection A above may make application to the Lacey Municipal Utilities Authority for an extension of the connection date. Where the Lacey Municipal Utilities Authority deems sufficient reason and cause exist to grant an extension from the connection date, the Authority shall authorize any such extension by formal action at a public meeting.

§ 329-5. Contents and service of notice.

All notices shall be addressed to the owners of said property as the names of said owners appear in the last tax duplicate of the Township of Lacey, shall describe the property by lot and block designation, as the same appears on the Tax Map of the Township of Lacey, and by the street address, if a street address exists, and shall state that, by order of the Township of Lacey, the owner is required to connect each building on said property to the waterline in accordance with

the terms of this chapter on or before the connection date with respect to such building or, if such connection date shall have passed, within thirty (30) days of service of such notice as hereinafter provided, and said notice shall also describe the penalty which may be imposed hereunder for failure to comply with said notice and order in accordance with the terms of this chapter. Said notice may be served on the owner personally or by leaving it at his usual place of abode with a member of his family above the age of eighteen (18) years. Said notice may also be served within or without the limits of the Township of Lacey by mailing the same by certified mail to the last known post office address of said owner as the same appears on the last tax duplicate of the Township of Lacey.

§ 329-6. Prohibited connections. [Added 4-22-1993 by Ord. No. 93-31]

- A. No person shall connect or be allowed to be connected to any part of the municipal water system without a water meter being installed by the Lacey Municipal Utilities Authority.
- B. No person shall connect or be allowed to be connected to any part of the municipal water system without first having a properly installed backflow prevention device approved by the Lacey Municipal Utilities Authority.

§ 329-7. Application for service; fees. [Added 4-22-1993 by Ord. No. 93-31]

Applications for connection to the municipal water system shall be made to the Lacey Municipal Utilities Authority of the Township of Lacey on forms provided by the Lacey Municipal Utilities Authority. The application fee and connection fee as set forth in the user charge schedule shall accompany the application.

§ 329-8. Permit required for service and connection. [Added 4-22-1993 by Ord. No. 93-31]

No unauthorized person shall uncover, make any connection into, use, alter or disturb any municipal water service or appurtenances thereof without first obtaining a written permit from the Lacey Municipal Utilities Authority.

§ 329-9. Meters. [Added 4-22-1993 by Ord. No. 93-31]

- A. Meters required. All water taps made and services installed must be metered.
- B. No person, other than an employee of the Lacey Municipal Utilities Authority, shall remove, replace or in any manner interfere or tamper with a meter attached to a water pipe used or intended to be used to supply water to any building. This applies whether the meter is set within or without a building. Any plumbing configuration intended to bypass the meter is prohibited and shall be considered theft of service.

§ 329-10. Curb stops. [Added 4-22-1993 by Ord. No. 93-31]

Under no circumstances shall curb stops be opened or closed by any person without authorization of the Lacey Municipal Utilities Authority, except that a licensed plumber may open or close a curb stop to test his work or to make emergency repairs. Any unauthorized person who shall turn on water at the curb for any other purpose shall be liable for such fine or penalty as determined for violation of this chapter.

§ 329-11. Injury to property. [Added 4-22-1993 by Ord. No. 93-31]

No person shall break, damage, destroy, uncover, deface or tamper with any structure, meter, line or appurtenance or any equipment which is part of the municipal water system.

§ 329-12. Fire hydrants. [Added 4-22-1993 by Ord. No. 93-31]

No unauthorized person shall tamper with, operate or cause to be operated any municipal water system fire hydrant without first having obtained a permit from the Lacey Municipal Utilities Authority.

§ 329-13. Maintenance of equipment. [Added 4-22-1993 by Ord. No. 93-31]

Representatives of the Lacey Municipal Utilities Authority shall have the power to enter, at all reasonable times and after reasonable notice, any premises on which municipal water equipment is installed for the purpose of reading meters and inspecting, rehabilitating, improving, repairing, replacing or upgrading such equipment.

§ 329-14. Violations and penalties. [Amended 4-22-1993 by Ord. No. 93-31¹]

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not more than one thousand dollars (\$1,000.) or by imprisonment for a term not to exceed ninety (90) days, or by both such fine and imprisonment, in the discretion of the Judge. The continuation of such 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 provided above for each separate offense.

§ 329-15. Additional remedies. [Amended 4-22-1993 by Ord. No. 93-31]

In addition to the penalties hereinabove provided, if the owner of any property in the Township of Lacey shall fail or refuse to make any connection or installation required by this chapter within the time or times herein provided, the Township of Lacey may direct the Lacey Municipal Utilities Authority to make such connection or installation or cause the same to be made and charge and assess the cost thereof against such property in the same manner as ad valorem taxes are assessed.

1. Editor's Note: Amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I.