

Chapter 412

WATER SUPPLY AND SEWERAGE FACILITIES

GENERAL REFERENCES

Board of Health — See Ch. 55.

Sewer connections — See Ch. 404.

Sewage disposal systems — See Ch. 400.

§ 412-1. Certification required in certain instances. [Amended 9-4-1974]

No building permit for the construction of a realty improvement shall be issued nor shall the construction of any realty improvement commence, unless the same is serviced by an approved water supply and an approved sewerage system, and no sewerage system shall be altered, repaired, extended or supplemented, until:

- A. Written application for the particular installation or construction has been made to the Board of Health in form furnished or approved by the said Board or by the New Jersey Department of Health.
- B. A fee of fifteen dollars (\$15.) has been paid to the township, which fee shall accompany the application.
- C. The Board of Health shall have certified that the proposed water supply system and sewerage facilities are in accordance with the requirements of N.J.S.A. 58:11-24 et seq. and the standards for construction of such water supply and sewerage facilities promulgated by the State Department of Health and those established by this chapter.

§ 412-2. Requisites for certification; form; duration.

- A. The Board of Health shall issue certifications as provided in § 412-1 hereof if the Township Engineer certifies to the Board that the application and accompanying engineering data are in compliance with N.J.S.A. 58:11-24 et seq. and the standards established by that act and this chapter.
- B. The certification shall be in the form of a permit to construct a potable water supply system and sewage disposal system. The permit shall be valid for a period of one (1) year from date of issue. In the event that construction has not been completed and the potable water supply system and the sewage disposal system have not been approved during the life of the permit, a new application must be made as set forth in § 412-1.
- C. All certifications and permits for potable water supply systems and sewage disposal systems issued prior to the adoption of this amendment shall expire within one (1) year of the effective date of this amendment.
- D. Any applicant constructing an individual water supply system under this chapter shall be required to furnish a copy of the water analysis to the Board of Health, which analysis shall include a test for coliform, and the Board of Health shall not issue a certificate of compliance unless said water analysis indicates that organisms of the coliform group are absent from the water.

- E. For each reinspection of the individual sewage disposal system or individual water supply or part thereof caused by the failure of the applicant to comply with the requirements of this chapter and N.J.S.A. 58:11-24 et seq. and the standards for construction of such water supply and sewerage facilities promulgated by the State Department of Health, a reinspection fee of ten dollars (\$10.) shall be charged.

§ 412-3. Time for certification; denial; hearing.

The Board of Health shall issue or deny certification within fifteen (15) days after receiving an application for certification, except that where the Board finds the data submitted by an applicant incomplete, the time for acting thereon shall be extended by fifteen (15) days beyond the date of submission of adequate supplemental or amendatory data. Denial of certification shall be supported by a statement of reasons for such action. In the event of such denial, upon request of the applicant within ten (10) days from the date of such denial, a hearing shall be held thereon before the Board within fifteen (15) days, and upon such hearing the Board shall affirm, alter or rescind its previous determination, which action shall be taken within fifteen (15) days after the date of such hearing.

§ 412-4. Change in conditions of land.

If any change in the physical conditions of the lands of a realty improvement, which change will materially affect the operation of the water supply system or sewerage facilities covered by any certification issued under this chapter, shall occur after certification, the certification shall become null and void, and a new certification shall be obtained before construction may proceed.

§ 412-5. Inspection of system.

No septic tank, tile field, seepage pit or system or structure designed to provide sewerage facilities to any realty improvement shall be covered from view until the same has been inspected by an authorized representative of the Board of Health and permission to cover the same has been given by the Board or its authorized representative.

§ 412-6. Applicable standards; amendments.

All proposed water supply systems and sewerage facilities for the proposed realty improvements shall be in compliance with the standards for the construction of water supply systems and sewerage facilities for realty improvements promulgated by the State Commissioner of Health pursuant to N.J.S.A. 58:11-36, except as follows:

- A. To Section 3.2, Chapter 199, shall be added "The distance between the septic tank and seepage pit shall be a minimum of six (6) feet."
- B. In those areas of the township where building lines have been established on streets by the erection of dwellings or other structures and said building line is less than that which would be required in order to obtain conformance with the requirements of the Zoning Ordinance of this municipality,¹ and where such conformance would impose undue hardship on an individual property owner insofar as front yard setback is concerned, or in all waterfront property, the sewage disposal system shall be constructed between the proposed new building or structure to be erected and the street, unless previous construction on adjoining

1. Editor's Note: See Ch. 335, Zoning.

land or lands would make such erection of the new sewage disposal system first referred to in this section conflict with other provision or provisions of this chapter or any other ordinance of this municipality or with the state law. The minimum distances may be reduced as follows:

- (1) Seepage pit to property line on street, five (5) feet.
 - (2) Seepage pit to new structure on same lot, ten (10) feet.
- C. To Section 9.2, Chapter 199, shall be added "In those areas in which a high water table exists and it is not practical to make a percolation test as required by Section 9 of Chapter 199, P.L. 1954, the seepage area shall be based on a percolation rate determined from an analysis of the soil conditions."
- D. The soil borings shall be made by the Engineer for the applicant and shall extend to a depth which will penetrate pervious material. However, in no case shall the depth of the borings be less than twenty (20) feet.
- E. To Section 13.8, Chapter 199, shall be added "Where, in the opinion of the administrative authority, conditions and experience have clearly indicated that the use of tile fields or disposal beds is impractical, the administrative authority shall grant special permission allowing seepage pits to be built and extend into the water table. These seepage pits shall be constructed having a depth sufficient to penetrate the meadow sod, mud or impervious material. There shall be a minimum of eighteen (18) inches between the inlet pipe invert and the groundwater table."
- F. Job-site-constructed sewerage facilities will require individual design details as part of the application and exhibit.

§ 412-7. Words and phrases.

As used in this chapter, unless the context clearly indicates otherwise, all words and phrases shall have the same meanings as defined by N.J.S.A. 58:11-24.

§ 412-8. Violations and penalties.

Any person or corporation violating any provision of this chapter or any of the provisions of N.J.S.A. 58:11-23 et seq., except as modified herein, shall be liable to a penalty of two hundred dollars (\$200.) for each offense and an additional penalty of twenty-five dollars (\$25.) for each day of continuance of violation after notice of the violation shall have been given to such person or corporation by the State Department of Environmental Protection or the Board of Health of the Township of Lacey, to be collected and enforced by summary proceedings for the collection of penalties pursuant to the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.).

§ 412-9. Additional remedies.

The enforcement and penalty provisions of this chapter shall be in addition to those remedies provided by N.J.S.A. 58:11-23 et seq.

§ 412-10. Copy to be filed.

A copy of this chapter shall be filed with the State Department of Health within ten (10) days after the adoption hereof.