

**REQUIRED CONNECTION OF SEPTIC SYSTEMS TO SANITARY SEWERS IN
ADOPTED SEWER SERVICE AREAS
MODEL ORDINANCE
August 19, 2009**

The following model ordinance is not designed to be a stand alone ordinance. Rather, it is intended to be added to the existing municipal code requiring sanitary sewer connection when sanitary sewers are installed to serve existing development.

ARTICLE (insert #). Required Connection of Septic Systems to Sanitary Sewers in Adopted Sewer Service Areas

In areas where public sanitary sewers are not physically available and operational, but are intended to be the means of wastewater management according to the adopted Water Quality Management Plan applicable to an area, interim use of individual subsurface sewage disposal systems (ISSDSs) by existing and proposed development is allowed. However, at such time as the sanitary sewers are made available and operational, connection of buildings or structures served by ISSDSs to the sewers is required in accordance with this Article.

Definitions [add to definitions section of entire ordinance, if appropriate]

“Adopted sewer service area” means the area designated in the applicable adopted Water Quality Management plan, as updated by modifications adopted in accordance with the Water Quality Management Planning rules at N.J.A.C. 7:15, within which wastewater that is generated is to be conveyed to the wastewater treatment facility associated with the sewer service area.

“Individual subsurface sewage disposal system” or “ISSDS” means a system for the disposal of less than or equal to 2,000 gallons per day of sanitary sewage into the ground. Typically such systems are designed and constructed to treat sanitary sewage in a manner that will retain most of the settleable solids in a septic tank and discharge the liquid effluent to a disposal field, but similar designs are also included (for example, those that include seepage tanks or pits for effluent disposal and cesspools that may have been constructed prior to current codes).

“Sanitary sewage” means any wastes, including wastes from humans, households, commercial establishments, industries, that are discharged to or otherwise enter a domestic treatment works.

Connection Required

Except as otherwise provided in this Article, an owner of a building or structure equipped with an ISSDS located on a property abutting any street or sewerage easement in which a gravity sanitary sewer line is operational and available, shall promptly connect thereto in a manner complying with the *(insert reference to applicable rules and regulations regarding such connections)*, and cause all sewage on such premises to be discharged into said sanitary sewer, provided that the building or structure is located within the adopted sewer service area of the

wastewater treatment facility to which the sanitary sewer line is connected, and discontinue use of the ISSDS.

Exceptions

This Article shall not apply to buildings or structures for which a sanitary sewer line is considered not to be available in accordance with N.J.A.C. 7:9A-1.6(e) as amended or supplemented or is not operational in accordance with a valid Treatment Works Approval. Sanitary sewers which are considered not available or not operational for the purpose of this Article include:

1) Those connections to the sanitary sewer line that can not be accomplished without requiring the installation of a pumping station; blasting of bedrock; the acquisition of an easement or right-of-way to cross an adjoining property; or the crossing of a watercourse, railway, major highway or other significant obstacle;

2) Where the sanitary sewer line is located 100 feet or more from the building or structure to be served;

3) Where the sanitary sewer has received a Stage II “construction only” treatment works approval in accordance with N.J.A.C. 7:14A-22.9 and has not yet received a Stage III treatment works approval, which is an approval to operate the treatment works in accordance with N.J.A.C. 7:14A-22.10, until such time as the Stage III treatment works approval is approved; or

4) Where the sanitary sewer line or receiving sewage treatment plant is subject to a sewer connection ban in accordance with N.J.A.C. 7:14A-22.17, until such time as the sewer connection ban is lifted.

Time Limit for Connection

Such connection shall be accomplished on or before the expiration of 90 days following the date the sanitary sewer line becomes available and operational or the effective date of this Article, whichever should occur later.

Pumping and Filling of Septic Tank Upon Connection to Sanitary Sewer

Upon connecting to the sanitary sewer, the ISSDS shall be pumped and all its contents removed by a licensed septic cleaner. The lid of the septic tank and/or cesspool shall then be broken or removed and the tank and/or cesspool backfilled with clean fill.

Violations and Penalties

In the event of non-compliance with the terms of this Article; the (*insert name of municipal health department or applicable agency*) is authorized to order such connection by written notice signed by the (*insert applicable authorized person by title*) and served either upon the owner(s) personally or by mail. If, following service of such an order in the manner described above, the owner(s) should fail to connect within 30 days or receipt of the aforesaid order, the owner(s) shall be subject to a fine of (*insert fine amount*).