

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE #23-03

**AN ORDINANCE TO AMEND AND REVISE CHAPTER 262 OF THE
BOROUGH CODE OF THE BOROUGH OF ALLENDALE ENTITLED
“WATER”**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 262, Water, of the Code of the Borough of Allendale, be and hereby is amended and revised in its entirety to read as follows:

Article I. Storm Sewers

§ 262-1. Diversion of water into storm sewers.

After the effective date of this article, no person shall cause or permit the connection of any pipe or conduit or cause the development or diversion of any brook, ditch or other waterway to any storm sewer, catch basin or other appurtenances thereof or cause the diversion of any rain- or surface water by pipe or other conduit to the public roads and streets within the Borough of Allendale, except in conformance with the regulations herein contained.

§ 262-2. Permit required; application and sketch.

A. Prior to the doing of any act or acts described in § **262-1** hereof, the owner, tenant or occupant or contractor thereof shall make application to the Borough Engineer/Engineering Department for a permit. The application for said permit shall be in writing.

B. A deposit in the amount of \$500 shall be established as an escrow account to defray the costs to the Borough of Allendale for the services of the Borough Engineer in review of the application, inspection of the work to be done and written approval of the same at the completion of the work. If the funds are depleted prior to completion of the project, the applicant shall deposit additional escrow funds to cover the remainder of the work. Upon completion, any balance remaining will be returned to the applicant upon request, in writing, to the Engineering Department.

C. The application shall state the name of the applicant and be signed by him and shall describe the property or properties upon which the improvement recited in § **262-1** hereof is intended to be located, by reference to lot and block of the assessment map and by reference to public streets.

D. The application shall state the proposed date of commencement and completion of said improvement, and the permit, if issued, shall be limited to a time interval appearing thereon, not exceeding that recited in the application.

E. The application shall describe the type of material intended to be used and the name and address of the contractor, if other than the applicant.

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F. The application shall be accompanied by a written sketch, accurately sealed, showing reference points and showing the location and extent of the sanitary sewage disposal system on the property and that of the nearest adjacent property if the intended improvement shall be located within 40 feet thereof, as well as invert elevations of proposed improvement and point of connection as well as the proposed location of the improvement. The plan as set forth in said sketch shall locate said improvement not closer than 20 feet to any part of any sanitary sewage system. Any underground pipe connecting to an underground sewer shall be provided with a six-inch-diameter lamp hole at the property line. Top of lamp hole shall be flush with finished grade and be suitably closed.

§ 262-3. Inspection of connections; certified prints.

All piping and connections to sewers must be inspected by the Borough Engineer or his designated agent before being covered. On completion of the work, the applicant must give the Engineering Department two certified prints of the work performed as installed.

§ 262-4. Correction of unsafe and unsanitary conditions.

Upon the finding that an unsafe or unsanitary condition exists as the result of discharge of effluent and upon notification, in writing, by the Chief of Police, Superintendent of Public Works, Borough Engineer or Sanitary Inspector, the owner of property shall correct such condition or stop the discharge within 24 hours.

§ 262-5. Subdivisions.

The minimum requirements hereinabove set forth shall be applicable to subdivisions, though the procedure herein required shall not apply thereto.

§ 262-6. Issuance of permit; definitions.

A. The permit herein provided shall be issued by the Construction Code Office only upon approval, in writing, by the Borough Engineer of the application and sketch, which approval shall be granted or denied by the Borough Engineer within 10 days after delivery of the same.

B. Definitions. As used in this article, the following terms shall have the meanings indicated:

APPLICANT or PERSON

Includes any natural person, corporation or partnership.

Article II. Water Supply

§ 262-7. Lien for unpaid charges.

The owner of the property on which water service is furnished shall be liable for the payment of water service related charges, incurred prior to November 30, 2022, in accordance with the laws of the State of New Jersey, be a lien on the premises until paid and satisfied, irrespective of whether or not the unpaid charges were incurred prior to, or during, such owner's period of ownership, and,

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in case of nonpayment thereof, the premises may be sold to pay and satisfy the same in the manner provided by law.

§ 262-8. Curtailment of water usage during periods of shortage.

A. If it shall appear that for any reason the water supply system is or may be unable to furnish sufficient water for all uses and if, as a result, the Borough shall determine that a condition exists that constitutes an emergency requiring the conservation of water for the protection of public health and safety, the Borough, to conserve water, may by resolution prohibit, partially prohibit or limit to certain hours and/or certain areas of the Borough the use of water for the sprinkling or watering of lawns, trees, gardens, flowers, shrubbery or similar plant life, the use of water for the washing of cars, buildings, sidewalks and other structures or things and for any other nonessential, nonsanitary purposes.

B. In the event of the existence of any condition covered by § **262-23A** and if the condition is of such a nature that action cannot be delayed until a regular or special meeting of the Mayor and Council can be convened, the Mayor or, in case of his absence or illness, the President of the Council shall have the power to take any action which could be taken by the Borough pursuant to § **262-23A**. Any prohibition, partial prohibition or limitation so imposed by the Mayor or by the Council President shall have the same force and effect as action by the full Borough Council and shall remain in effect until modified or annulled by the Borough Council at a duly convened regular or special meeting.

C. Notice of any prohibition or limitation of the use of water imposed by this section shall be given:

(1) By publishing the same on the Borough of Allendale website;

(2) By activating the Borough's emergency notification system; or

(3) By posting notices in Borough Hall.

(4) Where time does not permit the use of the methods described in Subsection **C(1)**, **(2)** or **(3)**, by any other method which, under the circumstances, will notify as many customers as possible.

§ 262-9. General regulations.

A. No person, corporation, firm, company, consumer or property owner or agent thereof shall keep, within 50 feet of any part of the water supply system, any explosives, acids or other substances likely to injure or damage the system or any part thereof.

B. No person, corporation, firm, company, consumer or property owner or agent thereof, except an agent or employee of the Borough, shall enter upon any property owned or controlled by the Borough of Allendale and used by the Borough in connection with the water supply system; nor

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shall any person tear down, break, destroy or tamper with any of the structures, machinery, mains, valves or any other part or portion of the water supply system.

C. Any person wishing to install an underground water sprinkling system for lawns, shrubs or other vegetation on any property shall, prior to installation, apply for a permit therefor to the Allendale plumbing subcode office. If such installation, partially or otherwise, shall be made in the public easement (right-of-way easement, sewer, water or other types of municipal easements), the application shall so note. All such installations in public easements are subject to removal by the Borough in the event that the public easement area shall be required for other authorized public purposes and installations or to maintain existing public installations such as, but not by way of limitation, water service lines, sewer lines, drainage pipes and like installations. In the event of such removal by the Borough, the cost of removal shall be charged against the property owner. The restoration of surface conditions shall be optional with the Borough, and, if completed by the Borough, the cost of such restoration shall also be charged against the property owner unless otherwise provided by law or prior separate easement agreement.

§ 262-10. Filling of pools.

No person, firm or corporation shall fill a pool having a capacity of more than 10,000 gallons with water from the public water supply system unless he or it shall have obtained a permit therefor from the Borough. The Borough Council may by resolution adopt regulations for the issuance of such permits and for the filling of pools by persons holding such permits in order to prevent the imposition of excessive demand upon the water system. No person, firm or corporation shall fill a pool between October 1 and March 31 in any year.

§ 262-11. Private wells.

No person, firm or corporation shall drill, sink, dig or otherwise create a well, nor shall any existing but unused well be placed in operation, unless notice thereof has first been given to the Borough, together with such information with respect thereto as the Borough may require.

§ 262-12. Violations and penalties.

For each and every violation of any provision of this article, the consumer, owner, firm, company, contractor or other persons interested as agents or employees or any other persons who commit, permit, allow, take part or assist in any violation of this article, who fail to comply with any requirements of this article or who shall maintain any building or premises or uses on land where a violation of this article shall exist shall, for each and every violation, be punished as provided in **§ 1-18** of Chapter **1**, General Provisions. Each and every day that such violation continues shall be considered a separate and specific violation of this article.

§ 262-13. Effective date.

This article shall take effect immediately, and upon publication as required by law.

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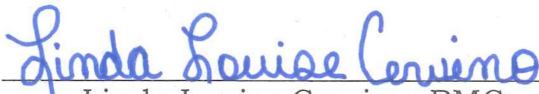
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§ 262-14. Enforcement.

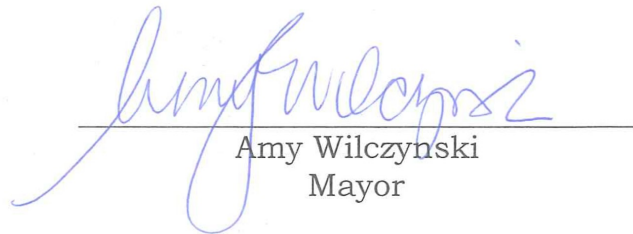
This chapter shall be enforced by the Police Department, Borough Engineer and other Code Officials of or contracted by the Borough of Allendale.

Council	Motion	Second	Yes	No	Abstain	Absent
Homan	✓		✓			
Lovisolo			✓			
O'Connell			✓			
O'Toole			✓			
Yaccarino		✓	✓			
Daloisio			✓			
Mayor Wilczynski	-----	-----				

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on March 9, 2023.



Linda Louise Cervino, RMC
Municipal Clerk



Amy Wilczynski
Mayor