

**TOWNSHIP OF CEDAR GROVE  
CEDAR GROVE, ESSEX COUNTY**

**AGENDA ITEM: #4(b)**

**MAY 6, 2024**

**PASSED ORDINANCE NO. 24-931**

**AN ORDINANCE AMENDING CHAPTER 217 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE ENTITLED SEWERS**

**WHEREAS**, the Township has not amended Chapter 217 of the Code of the Township of Cedar Grove since 2017; and

**WHEREAS**, the Township's current code provisions within Chapter 217 contain inconsistencies and are in need of revision; and

**WHEREAS**, the fee for providing sewer services to the residents, business, and facilities of Cedar Grove has not been amended since 2017; and

**WHEREAS**, the Township funds these operations through the Sewer Utility which, as a utility, must be self-liquidating and sustainable; and

**WHEREAS**, if the Sewer Utility is not self-liquidating, taxpayers must cover the difference through their tax dollars; and

**WHEREAS**, the Township has experienced great increases in the costs of providing sewer services to the residents, businesses, and facilities of Cedar Grove; and

**WHEREAS**, the Township has commissioned CP Engineers of Sparta, New Jersey, to conduct a rate study to review the operational and capital needs of the Sewer Utility; and

**WHEREAS**, the study, posted on the Township's website, recommended rate increases between 15% and 20% to sustain the utility as well as language amendments to remove inconsistencies.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey that:

- 1) Chapter 217 of the Code of the Township of Cedar Grove is amended to include the provisions contained herein.
- 2) The Township Clerk shall publish this Ordinance in accordance with methods proscribed by law.
- 3) Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.
- 4) Each section of this ordinance is independent and the holding of any section or part

thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

- 5) This ordinance shall take effect immediately upon final passage and publication as provided for by law.

INTRODUCED BY: Councilman Maceri  
SECONDED BY: Deputy Mayor Skabich

COUNCILMEMBER	YES	NO	ABSTAIN	ABSENT
Maceri	X			
Mega	X			
Zazzali				X
Skabich	X			
Peterson	X			

## Chapter 217

### SEWERS

- |          |  |           |   |
|----------|--|-----------|---|
| § 217-1. | Definitions and word usage.                                  | § 217-10. | Guarding and restoring excavations.                           |
| § 217-2. | Discharge of polluted material without treatment prohibited. | § 217-11. | Compliance with other requirements.                           |
| § 217-3. | Connections with sanitary sewer required; exceptions.        | § 217-12. | Regulations of use.   |
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| § 217-8. | Specifications for sewer materials.                          | § 217-17. | Meters and measuring devices.                                 |
|          |  | § 217-18. | Right of entry by inspectors; Right to Take Necessary Actions |
| § 217-9. | Inspection of sewer before connection                        | § 217-19. | Enforcement   |
|          |  | § 217-20. | Violations and penalties.                                     |

**[HISTORY: Adopted by the Township Council of the Township of Cedar Grove 3-30-1953, Ch. 18, Art. 2, of the former Revised Ordinances; amended in its entirety 3-4-1963; amended in its entirety XX-XX-2024 Subsequent amendments noted where applicable.]**

#### GENERAL REFERENCES

Uniform construction codes — See Ch. 119.

Public health nuisances — See Ch. 179.

Public improvement specifications — See Ch. 201.

Individual sewage disposal systems — See Ch. 213.

Streets and sidewalks — See Ch. 230. Subdivision of land —

See Ch. 234. Water — See Ch. 259.

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**§ 217-1. Definitions and word usage. [Amended 12-21-1970 by Ord. No. 70-25; 2-5-2007 by Ord. No. 07-666]**

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2. All current definitions in N.J.A.C. 7:14A-1.2, even if not included in this section, are hereby adopted by reference.

**BOD** (denoting "biochemical oxygen demand") — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C.), expressed in milligrams per liter.

**BUILDING SEWER** — The conveyance which carries wastewater from the building to the sanitary sewer system owned and operated by the Township of Cedar Grove.

**CHLORINE DEMAND** — The quantity of chlorine which must be added per unit volume to produce a residual chlorine concentration of 2.0 milligrams per liter after 15 minutes under standard laboratory conditions, expressed in milligrams per liter.

**COD** (denoting "chemical oxygen demand") — The quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures, expressed in milligrams per liter.

**DOMESTIC WASTEWATER**—Wastewater from humans or common household or office operations (bathrooms, kitchens, laundries), which do not include industrial wastewater.

**EQUIVALENT DWELLING UNIT (EDU)** - A standardized measure of a contributing source's demand or impact on public utility facilities, based on the source's comparison with a typical single family residential dwelling.

**GARBAGE** — Solid waste(s) generated by the preparation, cooking, and disposal of foods or from the handling, storage, and sale of produce.

**ILLICIT CONNECTION** — Any physical or nonphysical connection that discharges domestic or industrial wastewater, or contact or noncontact cooling water into the Municipal Separate Storm Sewer System owned and operated by the Township of Cedar Grove, unless that discharge is authorized under an NJPDES permit other than the Township's Tier A municipal stormwater general permit (NJPDES Permit No. NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

**INDUSTRIAL WASTEWATERS** — Non-Domestic Wastewater, including, but not limited to, wastewater containing pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act [33 U.S.C. § 1317(a), (b), or (c)].

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)** — A system designed for and intended for the collection and conveyance of stormwater (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned and operated by the Township of Cedar Grove or other public body.

**NATURAL OUTLET** — Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

**NJPDES PERMIT** — A permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

**NONCONTACT COOLING WATER** — Water used to reduce temperature for the purpose of

cooling equipment. Such waters do not come into direct contact with any pollutant, raw material, intermediate product (other than heat) or finished product. Noncontact cooling water may, however, contain algaecides biocides or corrosion inhibitors periodically added to the water to control fouling of equipment such as heat exchangers.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

pH — The logarithm of the reciprocal of the hydrogen ions concentration in moles per liter.

PROCESS WASTEWATER — Any water which, during manufacturing or processing operations, comes into direct contact with, or results from the production or use of, any pollutant, raw material, intermediate product, finished product, by-product, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than noncontact cooling water.

PUBLIC SEWER — A sewer which is controlled by public authority.

SANITARY SEWER — A sewer which receives and conveys sewage as defined in this section.

SANITARY SEWERAGE SYSTEM — All of the components of a system which collects, transmits, treats, and disposes sewage, such as sewers, pumping stations, and sewage treatment plants.

SEWAGE — A combination of Domestic Wastewaters and Industrial Wastewaters, generated by residences, commercial buildings, institutions, and industrial establishments.

SEWAGE TREATMENT PLANT — A facility containing devices and structures designed for and utilized for treating sewage.

SEWER — A pipe or conduit for carrying sewage or stormwater.

STORM SEWER or STORM DRAIN — A sewer or drain which is designed for and utilized for the receipt and conveyance of stormwater..

STORMWATER — Water resulting from precipitation (including rain and snow) that runs off buildings, properties and the land's surface to surface or ground waters or a storm sewer system.

SUSPENDED SOLIDS — Solids that either float on the surface of, or are suspended in, water, sewage, or other liquids, and which are removable by laboratory filtering.

WATERCOURSE — A channel in which a flow of water occurs, either continually or intermittently.

### **§ 217-2. Discharge of polluted material without treatment prohibited.**

It shall be unlawful to discharge into any natural outlet within the Township, or in or upon any area under the jurisdiction of the Township any domestic or industrial wastewater or any other polluted waters, except where suitable treatment has been provided in accordance with this chapter, and an appropriate NJPDES Permit has been obtained.

### **§ 217-3. Connections with public sanitary sewer required; exceptions.**

- A. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the Township and abutting on or having a permanent right of access to any street, alley or right-of-way in which there is located a public sanitary sewer of the Township, shall at their expense:
- (1) Install suitable sanitary facilities therein.
  - (2) Connect such facilities directly to the sanitary sewerage system via a building sewer in accordance with the provisions of this chapter, within ninety (90) days after the date of official notice from the Township Manager to so do, provided that said public sewer is within 100 feet of any property line.

- (3) For new construction or alterations where additional sanitary facilities are being added, the property shall install a peep hole cleanout at the curb if none exists.
  - (4) The owner is solely responsible for the proper construction, operation, and maintenance of the building sewer for its entire length from the building to its connection at the sanitary sewerage system,
- B. At such time as a public sewer becomes available to a property served by an individual sewage disposal system, as provided in Chapter 213, Sewage Disposal Systems, Individual, a direct connection shall be made to the sanitary sewerage system in compliance with this chapter, within 90 days and any septic tanks, cesspools, and similar individual sewage disposal facilities shall be taken out of service and removed or filled with suitable, clean material as directed by the Health Officer within thirty (30) days thereafter.
- C. Notwithstanding the foregoing provisions of Subsection B, the Township Council may, for a period of one (1) year and at its discretion from year to year thereafter, waive the requirements thereof relating to immediate sewer connections of dwellings with the sanitary sewerage system. Such waiver by the Council shall be based upon the following conditions:
  - (1) The owner has submitted evidence of substantial hardship.
  - (2) The Health Officer finds that the existing septic tank system is working properly.
  - (3) The Health Officer and the Township Manager recommend the requested waiver.

**§ 217-4. Permit required.**

- A. It shall be unlawful to make any connection to the sanitary sewerage system without first obtaining a written permit from the Department of Public Works as provided in § 217-15, and such connections shall be made by a licensed plumber, or firm whose credentials and experience are acceptable to the Township Engineer, under the direction and supervision of the Township Engineer or their representative in the manner hereinafter set forth.
- B. It shall be unlawful to make any street opening or improvement of a public road without first obtaining a permit in accordance with Chapter 230-6.

**§ 217-5. Costs. [Amended 5-16-1977 by Ord. No. 77-45]**

- A. All costs and expenses incident to the installation of the building sewer, and connection of the building sewer to the sanitary sewerage system shall be borne by the owner of the property. The owner shall indemnify the Township from any loss or damage that may indirectly or directly be occasioned by the installation of the building sewer. The maintenance of the building sewer shall be the responsibility of the owner of the property served.
- B. The Township may, however, choose to repair structural damage to that portion of any building sewer which lies under a public roadway, provided that such structural damage is not caused or contributed to by any act or omission of the owner of the property served.
- C. The Township assumes no responsibility for any other damages or consequential damages which may be related to the structural defect or repair.
- D. The Township Engineer shall preliminarily determine, from all facts and information made available to them, whether the building sewer malfunction is of a maintenance nature or the result of structural damage before any work is undertaken by the Township. The property owner shall bear the responsibility of demonstrating to the Township that the malfunction of the building sewer is not of a maintenance nature but rather a structural failure that is not due to any actions or activities of the owner. The substantiation shall be by a licensed plumber or by a firm whose credentials and experience are acceptable to the Township Engineer, and the cost shall be borne by the owner. The

determination of a maintenance failure or structural failure shall be made before any work is undertaken to repair such damage. If work is performed before such determination, the entire cost thereto shall be the responsibility of the property owner, regardless if such determination thereafter made would have produced a different outcome had work not begun before such determination.

- E. In the event that the Township undertakes excavation and it is later determined that the malfunction is not such structural failure for which the Township is responsible, the owner shall bear the cost of the work done, including labor and materials provided by the Township:
1. The amount to be charged to the property owner shall be determined based upon the actual cost incurred by the Township. The Superintendent of the Department of Public Works shall prepare a certification of this cost and submit the same to the property owner within 30 days from the date that the cost is incurred;
  2. The amount charged shall be paid by the property owner within 15 days of the date of receipt of the statement from the Superintendent of the Department of Public Works. If the charge remains unpaid for a period of 30 days, the Superintendent shall immediately transmit a copy of the same to the office of the Tax Collector, who shall enter the Superintendent of Department of Public Works certification as a lien on the subject property.
- F. The Township shall have the right to proceed against third parties for any structural repair made at its expense to recover all associated costs and expense.

**§ 217-6. Separate sewer required for each building; exceptions.**

A separate and independent building sewer shall be provided for every building; except that, where one building stands at the rear of another on an interior lot and no building sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. In the case of multiple housing units, it is not necessary to have a separate and independent building sewer for every building, but instead the sewage from the various principal buildings shall be gathered together into one or more building sewers of a size satisfactory to the Township Engineer and carried out to the nearest sanitary sewer adjacent to the property.

**§ 217-7. Use of old building sewers.**

Old building sewers may be used in connection with new buildings constructed on the same lot only when they are found, on examination and test by the Township Engineer or their representative, to meet all the requirements of this chapter.

**§ 217-8. Specifications for sewer materials.**

- A. Pipes. The building sewer shall be of sufficient size and constructed of appropriate materials, as reviewed and approved by the Township Engineer.
- B. Size and Slope. The size and slope of the building sewer shall be subject to review and approval of the Township Engineer.
- C. Location. Whenever possible, the building sewer for new construction shall be brought to the building at an elevation below the basement floor. In existing buildings where no plumbing facilities are provided in the basement, the building sewer may be above the cellar floor. Building sewers shall not be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Where required, a standpipe with a brass plug shall be furnished at the curb. The proposed configuration must be submitted to the Township Engineer for review and

approval prior to construction.

- D. Sewage Pump. In all buildings in which any building drain is too low to permit gravity flow through the building sewer to the sanitary sewerage system, sewage carried by such drain shall be lifted to the building sewer by a sewage pump of a size and type acceptable to the Township Engineer.
- E. Trench Work. All excavations required for the installation of a building sewer shall be open trench work or another method approved by the Township Engineer which would permit proper inspection. Pipelaying and backfill shall be performed according to the manufacturer's recommendations; however, no blocking of pipes will be allowed except under fittings. Backfill shall be carefully placed and tamped to a height one foot above the pipe. No backfill shall be placed until the piping has been inspected by the Township. Any trench work that encroaches onto a public street or the Township Right of Way must be accompanied by a road opening permit set forth in Chapter 230 of the Code of the Township of Cedar Grove.
- F. Joints and Connections. All joints and connections shall be made gastight and watertight utilizing materials, adhesives, and techniques approved by the Township Engineer.

**§ 217-9. Inspection of sewer before connection**

The holder of the building sewer permit shall notify the Department of Public Works when the building sewer, and its connection to the sanitary sewerage system, will be ready for inspection. This notice shall be provided to the Township Engineer as far in advance as possible.

**§ 217-10. Guarding and restoring excavations.**

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Township Engineer.

**§ 217-11. Compliance with other requirements.**

In addition to the requirements of this Chapter, where the applicant for the building sewer permit must connect to the sanitary sewerage system that discharges into the sanitary sewerage system of an adjacent municipality, the provisions of any ordinances, rules, and regulations of such municipality concerning the connection to its sanitary sewerage system shall govern and apply, as well as the applicable terms of any agreement in connection herewith entered into between the Township and such adjoining municipality..

**§ 217-12. Regulations of use. [Amended 12-21-1970 by Ord. No. 70-25]**

- A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, sump pump discharge, subsurface drainage, cooling water, or unpolluted industrial wastewater to the sanitary sewerage system.
- B. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described wastewaters to the sanitary sewerage system:
- C. Any liquid or vapor having a temperature higher than 150° F.
  - (1) Any wastewaters which may contain more than 100 milligrams per liter of fat, oil, or grease.
  - (2) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, gas or vapor.
  - (3) Any garbage.
  - (4) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics,



wood, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or interference with the proper operation of the sanitary sewerage system.

- (5) Any wastewaters having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the Township.
- (6) Any wastewaters containing chemicals or chemical compounds of a strength which would impair metal, concrete, wood or painted structures, or of a poisonous or toxic nature, in sufficient quantity to injure or interfere with any sewage treatment process, cause a violation of the sewage treatment plant's NJPDES Permit, constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant. These include, but are not limited to, per-fluoroalkyl and poly-fluoroalkyl substances (PFAS), arsenic and arsenicals, copper and copper salts, mercury and mercurials, silver and silver compounds, zinc, toxic dyes (organic and minerals), sulfonamides, phenols and their derivatives, creosols, alcohols, formaldehydes, chlorine in excess of 25 parts per million, iodine, fluorine, bromine, all strong oxidizing agents, such as peroxides, chromates, dichromates, permanganates, etc., compounds producing hydrogen sulfide or any other toxic, inflammable or explosive gases, either upon acidification, alkalization, reduction or oxidation and strong reducing agents, such as nitrates, sulfites, sulfides, etc.
- (7) Any waters or wastes containing a concentration of 350 milligrams per liter or greater of suspended solids or containing suspended solids of such constituency that extraordinary attention or expense is required to handle such materials at the sewage treatment plant.
- (8) Any waters or wastes containing inert (nonvolatile) solids in either suspended, dissolved or colloidal state, of such constituency and/or quantity as to adversely affect sewage treatment processes.
- (9) Any wastewaters from industrial, hospital or laboratory procedures which contains viable pathogenic organisms.
- (10) Any radioactive wastes or isotopes of such half-life or concentration as will adversely affect treatment processes or, after treatment of the composite sewage, fail to meet requirements of state, federal or other public agencies having jurisdiction over the receiving waters.
- (11) Any wastewaters which contain materials which exert or cause discoloration within the sewage treatment plant or in the receiving waters or exhibit a true color of more than 100 units on the platinum-cobalt scale.
- (12) Any unusual volume of flow or concentration of wastes resulting in shock or slug loads at the sewage treatment plant.
- (13) Any wastewaters having an average daily flow greater than 10,000 gallons; provided, however, that the Council may waive such requirements by contract with any user if it is the best interests of the Township .
- (14) Any wastewaters having a five-day biochemical oxygen demand concentration greater than 300 milligrams per liter.
- (15) Any wastewaters having a chemical oxygen demand concentration greater than 250 milligrams per liter.
- (16) Any wastewaters having a chlorine demand concentration greater than 20 milligrams per liter.

(17) Any noxious or malodorous gas or substance capable of creating a public nuisance.

**§ 217-13. Interceptors. [Amended 8-27-1979 by Ord. No. 79-105]**

- A. Grease, oil and sand interceptors shall be provided, when necessary, in the opinion of the Health Officer or Township Engineer, for the proper handling of wastewaters containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units.
- B. When the need for such an interceptor is determined, a plumbing permit shall be obtained prior to its installation. All interceptors shall be of a type and capacity approved by the Plumbing Inspector for adequate removal of grease, oil, sand or other ingredients which may be harmful to the sanitary sewer system, with proper installation certified by the Plumbing Inspector. Interceptors shall be located for ready accessibility and ease of cleaning and inspection. The owner shall furnish design data indicating required interceptor capacity and installation detail with the permit application. An interceptor shall be of substantial construction, watertight and equipped with easily removable covers, which, when bolted in place, shall be gastight and watertight.
- C. Interceptors shall be maintained and regularly cleaned by the owner.
- D. If the owner fails to provide a required interceptor or fails to regularly clean an installed interceptor, the general penalty provisions in the Township Code shall apply.

**§ 217-14. Facilities to be provided and maintained by owner.**

- A. Where preliminary treatment facilities are provided for any wastewaters, they shall be maintained continuously in satisfactory and effective operation by the owner at their expense.
- B. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Cedar Grove any domestic wastewater, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater). [Added 2-5-2007 by Ord. No. 07-666<sup>1</sup>]
- C. Where necessary, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manholes, when required, shall be accessibly and safely located and shall be constructed in accordance with plans reviewed and approved by the Township Engineer. The manholes shall be installed by the owner at their expense and shall be maintained by them so as to be safe and accessible at all times.

**§ 217-15. Connection Permit; fee. [Amended 3-21-1966 by Ord. No. 66-4; 1-9-1978 by Ord. No. 77-64; 4-20-1987 by Ord. No. 87-293; 11-7-1988 by Ord. No. 88-326; 9-20-1993 by Ord. No. 93-428; 3-4-2019 by Ord. No. 19-838]**

The property owner or their agent shall make application for a permit to connect to the sanitary sewerage system on a form furnished by the Township. The permit application shall be supplemented by any plans, specifications or other information considered pertinent and necessary by the Township Engineer. A non-refundable connection fee shall be paid to the Township at the time the application is filed in the amount of \$4,000 per Equivalent Dwelling Unit (EDU) for any new or increased capacity connection to the sanitary sewer system. An EDU for the purposes of this section shall be a use with a design flow of 250 gallons per day. However, each and every residential dwelling unit, whether it be attached or detached housing, shall be considered as one EDU regardless of design flow. In all the other cases, the design flow shall be calculated using the design flow criteria established by the New Jersey Department of Environmental Protection in N.J.A.C. 7:14A-23.3. In determining the number of EDUs for purposes of computing the connection fee, the EDUs shall be computed by dividing the design flow in gallons per day for the building, structure or premises by 250 gallons per day and the quotient

shall be the number of EDUs assigned to the particular building, structure or premises. The number of computed EDUs shall be rounded to the next highest 1/4. In no event shall the EDUs assigned to a building, structure or premises be less than one EDU. The connection permit shall expire 12 months after the date of issue.

**§ 217-16. Service charges.**

- A. There is hereby established a sewerage service charge for the use, operation, maintenance and construction of the sanitary sewerage system of the Township, to be imposed upon the owners of properties served thereby at the rates hereinafter set forth.
- B. Properties served by the sanitary sewerage system of the Township shall pay a quarterly sewerage system service charge in accordance with the fee schedule established by Ordinance of the Township Council. Said fee schedule shall be sufficient to cover the costs of the necessary and proper operation, maintenance and improvement of the sanitary sewerage system, including staffing, equipment, supervision, professional services assistance, overhead and other related costs.
- C. The quarterly charge will be \$5.50 per thousand gallons of consumption.
- D. The minimum bill per quarter will be \$90.75.
- E. Properties using water from sources other than the Township water system and served by the Township sanitary sewerage system shall pay a quarterly sewerage system service charge based on the consumption of the water from those other sources. This sewerage system service charge will be determined by the quantity of water used by such properties. The Township Engineer can require the owner of each such property to install, without cost to the Township, a meter or meters to measure the quantity of water received from such other source or sources and discharged into the Township sanitary sewerage system. No meters shall be installed or shall be used for such purposes without the review and approval of the Township Engineer. The sewerage system service charge based on such quantity of water shall be the same as is required to be paid by the owners of property receiving the same amount of water from the Township. If the owner of said property is not required to install an approved meter or meters, the Township Engineer may alternatively make an estimate of the quantity of such water used by said property and discharged into the Township's sanitary sewerage system from said property.
- F. Whenever a property upon which a sewerage system service charge is hereby imposed uses water for an industrial or commercial purpose or for irrigation of lawns and gardens or filling swimming pools, or other consumptive uses, such that the water so used is not discharged into the sanitary sewerage system of the Township, the quantity of water so used and not discharged into the Township's sanitary sewerage system shall be excluded in determining the sewerage system service charge of said property, provided that the quantity of water so used and not discharged into the Township's sanitary sewerage system is measured by a device or devices, meter or meters approved by the Township Engineer and installed without cost to the Township.. The sewerage system service charge to be paid by the owner, occupant or applicant for service of said property shall be computed at the rates hereinabove provided, based upon the quantity of water received less the quantity which is not discharged into the Townships sanitary sewerage system. **[Amended 5-18-1992 by Ord. No. 92-401]**
- G. All sewerage system service charges shall be due and payable at the same time that water system service bills are due and payable and shall be subject to the same penalties for non-payment as the charges for water. Said payments shall apply to all properties subject to the payment of sewerage system service charges without regard to the source of water used by them.
- H. The Tax Collector is hereby charged with the duty of collecting all sewerage system service charges.
- I. Whenever the sanitary sewerage service to any property begins after the first day or terminates

before the last day of any calendar quarter, the sewerage system service charge for such property for such quarter shall be for that portion of the quarter during which the said property is served but shall never be less than the minimum herein established

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**§ 217-17. Meters and measuring devices.**

All meters or other measuring devices installed or required to be used under the provisions of this chapter shall be approved by the Township Engineer. The owner of the property upon which any such measuring device is installed, which shall be at said owner's expense, shall be responsible for its maintenance and safekeeping; and all repairs thereto shall be made at the owner's cost, whether such repairs are made necessary by ordinary wear and tear or other causes. Charges for such repairs, if made by the Township, shall be due and payable at the same time, collected in the same manner and be subject to the same penalties as the sewerage system service charge.

**§ 217-18. Right of entry by inspectors; Right to Take Necessary Actions.**

- A. Duly authorized employees of the Township, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this chapter.
- B. The Township reserves the right to enter upon all properties, after due notice to owner, and take whatever affirmative actions it deems necessary to abate, mitigate, or eliminate an emergency or serious condition or situation that could impact the sanitary sewerage system, other public infrastructure or public health or safety. The Township assumes no responsibility for any other damages or consequential damages related to the necessary actions taken, and shall have the right to proceed against third parties to recover all associated costs and expense.

**§ 217-19. Enforcement. [Added 2-5-2007 by Ord. No. 07-666<sup>3</sup>]**

This chapter shall be enforced by the Police Department, Township Engineer, Zoning Official, Code Enforcement Official, Township Manager, and/ or other authorized municipal officials of the Township of Cedar Grove.

**§ 217-20. Violations and penalties. [Amended 7-30-1984 by Ord. No. 84-222; 10-23-2006 by Ord. No. 06-656]**

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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**CERTIFIED TO BE A  
TRUE COPY OF THE ORIGINAL**



**TOWNSHIP CLERK  
CEDAR GROVE, NJ**

