

**BOROUGH OF FRANKLIN LAKES BOARD OF HEALTH
ORDINANCE NO. BH2022-2**

**AN ORDINANCE OF THE BOARD OF HEALTH OF THE
BOROUGH OF FRANKLIN LAKES SUPPLEMENTING CHAPTER 554
"SEWAGE DISPOSAL" OF THE CODE OF THE BOROUGH OF
FRANKLIN LAKES TO AMEND SETBACK REQUIREMENTS**

BE IT ORDAINED by the Board of Health of the Borough of Franklin Lakes, County of Bergen, and State of New Jersey, as follows:

Section 1. Section 554-6 "Required setbacks" of Article I "Individual Subsurface Sewage Disposal Systems" of Chapter 554 "Sewage Disposal" of the Code of the Borough of Franklin Lakes" is hereby supplemented by the addition of the following:

§554-6 Required setbacks.

In addition to compliance with the distances established by N.J.A.C. 7:9A-4.3, all disposal fields and seepage pits for new systems or alterations with an expansion of use shall be located no less than 25 feet from a rear or side property line adjacent to a developable property. This requirement shall not apply to property lines adjoining roadway rights of way. In no instance shall the municipal requirement be less stringent than the State regulation. This requirement does not apply to alterations without expansion of existing systems.

Where a property owner demonstrates to the Board that the enforcement of this requirement would create a substantial hardship, the Board of Health may grant a variance from this requirement where said variance will not have a detrimental impact on health, safety or welfare or create a hardship on adjacent properties. Said variance shall be granted in the minimum amount necessary to relieve said hardship.

Section 2. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section 3. Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The Board of Health of the Borough of Franklin Lakes declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

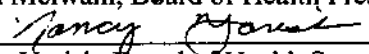
Section 4. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED:


Rajan Melwani, Board of Health President

ACCEPTED:


Nancy Yarish, Board of Health Secretary

Introduced: 10/20/2022

Adopted: 11/07/2022