

**Borough of Hamburg  
17-2024**

**AN ORDINANCE AMENDING CHAPTER 164 – SEWERS - OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO PROVIDE FOR NEW ARTICLE XIII ENTITLED SUMP PUMP INSPECTIONS AND CERTIFICATES.**

BE IT ORDAINED by the Mayor and Council of the Borough of Hamburg, County of Sussex, State of New Jersey, that Chapter 164 – Sewers is amended to provide for new Article XIII – Sump Pump Inspections and Certificates which shall provide as follows:

1. Section 164-88 – Inspection and Certificate required upon sale of residential or non-residential buildings or structures. No owner shall sell any residential or non-residential building or structure within the Borough of Hamburg without first obtaining from the Borough Department of Public Works a Certificate stating that no sump pump or other device is connected to the Borough sanitary sewer system. No purchaser shall purchase a building or structure unless the Seller has obtained the required certificate of sump pump compliance prior to closing.

2. Section 164-89 – Application for Certificate upon sale procedures. Certificates of sump pump compliance shall be issued in accordance with the following procedures.

3. Section 164-90 – Application Fee. Application for certificates of sump pump compliance shall be filed with the Borough Department of Public Works by the seller of the building or structure at least 10 days prior to the change in ownership. Applications shall be submitted on the form provided by the Department of Public Works and shall be accompanied by a fee of \$25.00.

4. Section 164-91 – Inspection. Upon receipt of a completed application for a certificate a designee of the Borough Department of Public Works shall conduct an inspection of the property to determine compliance with the standards set forth in this Article.

5. Section 164-92 – Notice of Violation. If a violation is discovered during the inspection the owner shall be informed of the violation and remedial action needed for compliance and no certificate for sump pump compliance shall issue until the sump pump connection is brought into compliance. Re-inspection requests shall be subject to a fee of \$25.00 for each inspection.

6. Section 164-93 – Penalties for Failure to Obtain Certificate or timely remediate violation. Any owner who fails to apply for and obtain a certificate of sump pump compliance or fails to remediate as required by this Article prior to sale shall be subject to the penalties and fines provided in Chapter 1, General Provisions, Article III.

This Ordinance is deemed divisible and in the event any provision is determined to be invalid by a Court of competent jurisdiction the rest and remainder shall remain in full force and effect.

This Ordinance shall take effect upon final passage and publication as provided by law.

## **CERTIFICATION**

NOTICE is hereby given that the above ordinance was introduced and passed on first reading of a meeting of the Mayor and Council of the Borough of Hamburg, held on Monday, August 5, 2024 at 7 p.m. and will be considered for a final passage at a regular meeting of the Mayor and Council to be held on Wednesday, September 4, 2024 at 7 p.m. or as soon thereafter as same can be considered, in the Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the member of the general public who request the same.

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Beth Martin  
Deputy Municipal Clerk