

April 16, 2024

9-2024

NOT ADOPTED

AN ORDINANCE AMENDING CHAPTER 95, ENTITLED FLOOD DAMAGE PREVENTION OF THE MUNICIPAL CODE OF THE CITY OF ORANGE TOWNSHIP CREATING SECTION 95.89 ENTITLED SUMP PUMP REGULATIONS (Submitted by Councilmember-At-Large Adrienne Wooten & South Ward Councilmember Jamie Summers-Johnson)

WHEREAS, the basement is an essential aspect of your home's structure but is also extremely susceptible to water damage; and

WHEREAS, a sump pump is necessary in this situation; and

WHEREAS, a sump pump is essential to the security, longevity, and comfort of your house because of its ability to remove excess water and avoid basement flooding; and

WHEREAS, the prevention of basement flooding is a fundamental benefit of installing a sump pump; and

WHEREAS, substantial precipitation, groundwater seepage, and melting snow can all cause flooding in your basement; and

WHEREAS, the risk of flooding and property damage can be greatly reduced with the help of a reliable sump pump that removes this surplus water quickly; and

WHEREAS, excess moisture in your basement provides an ideal breeding ground for mold and mildew; and

WHEREAS, these fungal growths not only compromise the structural integrity of your home but also pose health risks to you and your family; and

WHEREAS, by keeping your basement dry, a sump pump effectively mitigates the growth of mold and mildew, ensuring a healthy living environment; and

WHEREAS, water damage can have a significant impact on the value of your property; and

WHEREAS, a basement prone to flooding or water-related issues is a red flag for potential buyers; and

WHEREAS, by installing a sump pump, you demonstrate your commitment to maintaining a safe and protected home, thereby preserving its value in the long run; and

WHEREAS, having a dependable sump pump installed in your basement gives you a priceless piece of mind; and

WHEREAS, sump pumps offer numerous advantages for homeowners. They protect against basement flooding during heavy rainfalls, ensuring that water does not seep into the foundation and cause damage; and

WHEREAS, sump pumps act as a barrier against sewer backups and pipe bursts, preventing contaminated water from entering your home; and

WHEREAS, having a functional sump pump can increase your property value, providing peace of mind to potential buyers; and

WHEREAS, the City of Orange Township desires to control sump pump discharges in the Township of Orange.

NOW THEREFORE BE IT ORDAINED, that Section 95.89 of the Municipal Code of the City of Orange Township entitled “Sump Pump Regulations” is created.

SECTION 1:

95.89 SUMP PUMP REGULATIONS

DEFINITIONS

DISCHARGE - The end of the pipe from the sump pump where water becomes unconfined and reverts to gravity flow.

PIPE DRAIN – a pipe that drains water without the use of a pump using gravity flow.

STORM SEWER - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township or other public body, and is designed and used for collecting and conveying storm water.

STORMWATER – Water resulting from precipitation (including rain and snow) that runs off the surface of the land, is transmitted to the subsurface, and is captured by storm sewers or other drainage facilities.

SUMP PUMP - A pump, with related valves, pipe and fittings, installed for the purpose of evacuating water, usually from a basement area.

SECTION 95.89 SUMP PUMP REGULATIONS

95.90 Sump pump and pipe drain installations made on or after March 1, 2024

95.91 Sump pump and pipe drain installations made before March 1, 2024

95.92 Violations and penalties

95.90 Sump pump and pipe drain installations made on or after March 1, 2024

Sump pumps and pipe drains installed on or after March 1, 2024, shall comply with the following conditions:

A. The sump pump or pipe drain discharge shall preferably be directed onto an absorbent surface as grass, mulch, rock or soil so that the discharge will be dissipated and not immediately drain to the Township right-of-way or adjacent properties. The discharge location shall be as approved by the Engineer or Public Works Director or his/her designee. In the event that it is not feasible to direct discharge on to an absorbent surface, the discharge may be directed to a storm sewer, swale, ditch, detention basin, drainage basin or other drainage facility or location as approved by the Engineer, Public Works Director or his/her designee. If a connection to the storm sewer is approved, a permit will be required from the Engineer, Public Works Director prior to installation.

B. The discharge location shall not create a public nuisance which is anything, condition or act which is or may become injurious or hazardous to the public.

C. The discharge shall not create a build-up of icing, standing water or algae growth on the street, sidewalk or public right-of-way.

D. The discharge shall not be directed towards an adjacent property in such a manner as to cause damage to the adjacent property or create a nuisance.

E. No person shall connect, or cause or permit to be connected, any sump pump, pipe drain, floor drain, surface drain, subsoil drain or leader pipe with the house sanitary sewer, or to use the sanitary sewer connection or any pipe or drain connected therewith for the purpose of receiving and discharging drainage of any kind other than from plumbing fixtures.

F. Sump pump and pipe drain discharges may not be directed into a Township street or right-of-way unless permission is granted by the Engineer, Public Works Manager or his/her designee.

95.91 Sump pump and pipe drain installations made before March 1, 2024

Sump pumps and pipe drains installed prior to March 1, 2024, shall comply with the following conditions:

A. An existing sump pump or pipe drain discharge may continue at the location where the discharge was made on March 1, 2024, as long as such discharge does not:

(1) Create a public nuisance which is anything, condition or act which is or may become injurious or hazardous to the public, and

(2) Create a build-up of icing, standing water, algae growth or cause erosion on the street, sidewalk or public right-of-way.

B. An existing sump pump or pipe drain discharge that is causing a public nuisance or is creating a build-up of icing, standing water, algae growth or cause erosion on the street, sidewalk or public right-of-way shall be corrected by the owner to bring the sump pump or pipe drain discharge into compliance with the requirements of 95.90.

C. The Public Works Director or his/her designee may require the following:

(1) That the sump pump or pipe drain have a point of discharge that is located a minimum of ten feet or greater, as directed by the Public Works Manager or his/her designee, from any property line or Township right-of-way.

(2) That the discharge be directed within the limits of the owner's property onto an absorbent surface as grass, mulch, rock or soil so that the discharge will be dissipated and not immediately drain to the Township right-of-way or adjacent properties.

95.92 Violations and penalties

Any person who violates any provision of this section, shall upon conviction thereof, be punished by a fine not exceeding five hundred dollars (\$500.00)

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

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

SECTION 5: PURPOSE

The purposes of this article is to establish regulations controlling sump pump discharge to control flooding, creation of nuisances in the form of build-up of icing, standing water, algae growth and erosion of the street, sidewalk or public right of way

SECTION 6: FISCAL IMPACT

Minimal

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Approved by:

Dwayne D. Warren, Esq., Mayor

Dated: _____

