

ORDINANCE NO. 466

AN ORDINANCE AMENDING CHAPTER 191 OF THE MUNICIPAL CODE OF THE BOROUGH OF BUENA ENTITLED "SEWERS" FOR THE PURPOSE OF EXEMPTING CERTAIN RESIDENTIAL PROPERTIES FROM CONNECTING TO THE MUA'S SEWER LINE EXTENSION, AND FOR THE FURTHER PURPOSE OF PROHIBITING THE CONNECTION OF SUMP PUMPS TO THE SANITARY SEWER SYSTEM

WHEREAS, the Borough of Buena Municipal Utilities Authority (hereinafter the "Authority") operates a sanitary sewer system in the Borough of Buena which is limited in the volume of effluent which it may treat; and

WHEREAS, the Authority intends to expand its sewer lines along certain streets in the Borough of Buena; and

WHEREAS, the Authority has recommended that residential properties with new septic systems be exempted from hooking up to the extended sewer lines until an on-site septic system is eight (8) years old; and

WHEREAS, in order to avoid the unnecessary treatment of clean water, and to avoid overloading the Authority's sanitary sewer system, the Authority has adopted a regulation prohibiting the connection of sump pumps and other similar devices to its sanitary sewer system; and

WHEREAS, the pumping of clean water into the sanitary sewer system has the potential to overload the system, resulting in the discharge of raw and inadequately treated sewerage into the waters of the State of New Jersey; and

WHEREAS, such overload has the potential to result in violations of the Authority's permitting limits with respect to the volume of water which it is permitted to discharge; and

WHEREAS, the public health, safety and welfare requires an Ordinance making it illegal to connect sump pumps and other similar devices to the Authority's sanitary sewer system.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Buena, in the County of Atlantic, State of New Jersey, as follows:

SECTION 1: Article 1 of Chapter 191 of the Municipal Code entitled "Mandatory Connection", shall be amended by adding the following exemption to Section 191-1:

§191-1. Connection Required.

A. The owner of every existing house, building or structure and the owner of every house, building or structure hereafter to be constructed or acquired, which may be occupied or used by human beings, located on a street along the line of a sewer created pursuant to the provisions of the Municipal Utilities Authorities Law, Laws of 1957, Chapter 183, as amended and supplemented, or Title 40, Chapter 14B, of the New Jersey Statutes Annotated, now or hereafter constructed or acquired in the Borough of Buena, where such house, building or structure is located not more than two hundred (200) feet from said sewer line, shall, within ninety (90) days after the date on which the service of such sewer is made available to such house, building or structure, connect and hook up the sewerage facilities emanating from such house building or structure to such sewerage systems.

B. Upon the Authority's extension of its sewer lines, any house, building or structure along the Authority's extended sewer line with a new septic system shall not be required to connect to the Authority's extended sewer line, nor to pay a

connection or usage fee until the septic system servicing said property is eight (8) years old. Within ninety (90) days after the septic system servicing said house, building or structure has reached eight (8) years old, the owner of said property shall connect and hook up the sewerage facilities emanating from such house, building or structure to the Authority's extended sewer line, and shall commence paying usage fees. The owner shall also pay the connection fee then in effect, provided that such connection fee may be paid in monthly installments, with interest, over a three-year period.

C. Upon the Authority's extension of its sewer lines, houses, buildings or structures with septic systems which have serviced such property for eight (8) year or more shall be required to connect to such extended system within ninety (90) days after service is made available in accordance with subparagraph A. of this section, and shall commence paying usage fees. The owner shall also pay the connection fee then in effect, provided that such connection fee may be paid in monthly installments, with interest, over a three-year period.

**SECTION 2:** Chapter 191 of the Municipal Code entitled "Sewers" is hereby amended by creating "Article II" entitled "Sump Pumps Prohibited."

**SECTION 3:** Section 191-4, entitled "Connection of Sump Pumps Prohibited", within Article II of Chapter 191 shall provide as follows:

**§191-4** The owner, lessee or occupant of every house, building or structure in the Borough of Buena, which is connected to the sanitary sewer system operated by the Borough of Buena Municipal Utilities Authority in accordance with Section 1 of this Chapter, is hereby prohibited from connecting or allowing any person to connect sump pumps or similar devices, either directly or indirectly, to the Authority's sanitary sewer system.

**SECTION 4:** Section 191-5 entitled "Penalties" shall provide as follows:

**§191-5** Each day on which the owner, lessee or occupant of any house, building or structure, or any person acting on behalf of such owner, lessee or occupant, causes a sump pump or similar device to be connected to the sanitary sewer system operated by the Borough of Buena Municipal Utilities Authority shall constitute a separate violation. Any person, firm, corporation, partnership, limited liability company or other entity who violates the provisions of §191-4 shall, upon conviction, be punished by a fine of not more than \$1,000.00 for each violation, or by imprisonment for a term not exceeding ninety (90) days for each violation, or by both fine and imprisonment for each violation.


**SECTION 5:** Effective Date. This Ordinance shall take effect immediately upon passage and publication as provided by law.


Passed first reading: August 16, 1999

Passed second reading: September 7, 1999

ATTEST:

BOROUGH OF BUENA

  
MARLENE SASDELLI, CLERK  
OF THE BOROUGH

BY:   
JOSEPH BARUFFI, PRESIDENT OF  
COUNCIL