

SEWAGE DISPOSAL SYSTEMS, INDIV.

Chapter 79A

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[HISTORY: Adopted by the Board of Health of the Township of Barnegat 12-3-75 as Ord. No. 1975-3. Amendments noted where applicable.]

GENERAL REFERENCES

Sewerage Authority agreement — See Ch. A25.

Be it ordained by the Board of Health of the Township of Barnegat, in the County of Ocean and State of New Jersey:

§ 79A-1. Code adopted by reference.

A code regulating the location, construction, use and maintenance, and the issuance of permits to locate and construct individual sewage disposal systems and fixing penalties for the violation thereof is hereby adopted pursuant to Chapter 188 of the Public Laws of 1950 (N.J.S.A. 26:3-69.1 to 3-69.6), except, however, Section 16 thereof. A copy of said code is annexed hereto and made a part hereof without inclusion of the text thereof herein.

§ 79A-2. Title of code.

The said code established and adopted by this ordinance is described and commonly known as the "Individual Sewage Disposal System Code of New Jersey (1963)."

§ 79A-3. Copies of code on file.

Three (3) copies of the said Individual Sewage Disposal System Code of New Jersey (1963) have been placed on file in the office of the Secretary, Clerk or other similar officer of this Board of Health upon the introduction of this ordinance and will remain on file in said office for use and examination by the public.

§ 79A-4. Permit required; condition for issuance.

No person shall locate, construct or alter any individual sewage disposal system until a permit for the location, construction or alteration of said sewage disposal system shall have been issued by the Board of Health.

- B. The Board of Health may issue a permit if an application for the same is accompanied by a certificate, made by an engineer licensed to practice professional engineering in New Jersey, stating that the design of the individual sewage disposal system, as proposed, is in compliance with the code.

§ 79A-5 SEWAGE DISPOSAL SYSTEMS, INDIV. § 79A-5

§ 79A-5. Certificate of compliance.

- A. New individual disposal systems shall not be placed in operation, nor shall new dwellings or buildings or additions**

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thereto be sold or occupied, which must rely on such a system for sewage disposal, until the Board of Health shall have issued a certificate indicating that said disposal system has been located and constructed in compliance with the terms of the permit issued and the requirements of the aforesaid code. Issuance of such certificate shall not be required for alterations to an existing individual sewage disposal system.

- B. The Board of Health may issue such a certificate if an engineer licensed to practice professional engineering in New Jersey submits a statement, in writing, signed by him to the Board of Health that the said disposal system has been located and constructed in accordance with the terms of the permit issued and the requirements of the aforesaid code.
- C. Prior to resale or refinancing of any property containing an individual sewerage disposal system, the owner of said property shall obtain a satisfactory inspection of said system. [Added 7-21-86 by Ord. No. 1986-24]

§ 79A-6. Denial of permit; hearing.

In case any permit or certification required by this ordinance is denied by the Board of Health, a hearing shall be held thereon before the Board within fifteen (15) days after request therefor is made by the applicant, and, upon such hearing, the Board of Health shall affirm, alter or rescind its previous determination and take action accordingly within fifteen (15) days after the date of such hearing.

§ 79A-7. Stop-work order.

The Board of Health may order all further work in and about any individual sewage disposal system, which is being erected or installed in violation of the code, to be stopped forthwith, except such work as shall be necessary to remedy such violation, and, thereafter, the work continued without any violation of any of the

provisions of the code; and after issuance of any such order and the service of a copy thereof upon any person connected with or working in and about the erection or installation of any such disposal system, or any part thereof, no further work shall be done thereon except as aforesaid.

§ 79A-8. Fees.

The following fees and charges are herewith established:

- A. For the filing of an application and plans for a permit to locate and construct an individual sewage disposal system: twenty dollars (\$20.).
- B. For the filing of an application and plans for a permit to alter an existing individual sewage disposal system: five dollars (\$5.). [Amended 6-3-81 by Ord. No. 1981-2j]
- C. For each reinspection of individual sewage disposal system, or part, thereof, caused by the failure of the permittee to locate, and construct or alter the same in accordance with the terms of the permit issued or the terms of the aforesaid code, an inspection fee of ten dollars (410.) shall be charged [Added 84-76 by Ord. No. 1976-3]
- D. For individual sewerage disposal system reinspections in connection with a resale or refinance, there shall be an inspection fee of twenty-five dollars (\$25.). [Added 72186 by Ord. No. 986-24]

§ 79A-9. Violations and penalties.

- A. Any person or persons, firm or corporation violating any of the provisions of or any order promulgated under ordinance or the Individual Sewage Disposal System Code of New Jersey (1963) made a part hereof shall, upon conviction thereof, pay a penalty of not less than two dollars (\$2.) nor more than one hundred dollars (\$200.) for each violation. Each day a particular violation continues shall constitute a separate offense.

§ 79A-10 SEWAGE DISPOSAL SYSTEMS, INDIV. § 79A-12

§ 79A-10. Repealer.

All ordinances, codes or parts of same inconsistent with sy of the provisions of this ordinance and the code established hereunder are hereby repealed to the extent of such inconsistency.

§ 79A-11. Severability.

In the event that any section, sentence or clause of this ordinance or code shall be declared unconstitutional by a court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement of the remaining provisions.

§ 79A.12. When effective.

This ordinance and the code herein established shall take effect thirty (30) days after the first publication of the ordinance, in accordance with provisions of N.J.R.S. 26:3-69.