

Chapter 430. Sewers and Sewage Disposal

Article II. Public Sewer System Connections

[Adopted by BOH Ord. No. 1999-1 as Ch. 17.28 of the 1998 Code]

§ 430-18. Definitions.

[Amended by Ord. No. 2000-9]

As used in this article, unless a different meaning clearly appears from the context, the following terms shall have the meanings indicated:

BUILDING

Any building or structure heretofore or hereafter constructed and designed or used for residential, business or industrial purposes, either temporary or permanent, or for other use or occupancy by persons or property in which liquid wastes originate.

CONNECTION DATE

When used with respect to a building constructed prior to the date of the initial operation, as part of any sanitary sewage treatment and disposal system in the Township owned or operated by the Township or the Montville Township Water and Sewer Department, of a sewer available to serve said building, means the 180th day next ensuing after said date of initial operation. When used with respect to a building constructed after the date of initial operation, as a part of any sanitary sewage treatment and disposal system owned or operated by the Township or said Water and Sewer Department, of a sewer available to serve said building, "connection date" means the 30th day after the date of completion of construction or the date of initial occupancy of said building, whichever of said dates shall be earlier in point of time.

SEWER

Any public sewer line or main designed or used for collection or disposal of sanitary sewage within the Township.

§ 430-19. Connection to public sewer required.

The owner of each property along the line of any public sewer now or hereafter constructed in the Township shall connect each building on such property with the sewer line prior to the connection date with respect to said building.

§ 430-20. Connection specifications.

Every connection required by this article shall be made with soil pipe of cast iron, caulked and leaded, extending from inside the building foundation to a sewer. All soil pipes shall be not less than four inches in diameter, and every connection required by this article shall be made in a manner to discharge into said sewer all sanitary sewage originating in the building and in all other respects as

required by any Plumbing Code and amendments thereto adopted by the Township or the Township Board of Health.^[1]

[1] *Editor's Note: See Ch. 129, Construction Codes, Uniform.*

§ 430-21. Order to connect; exemption.

[Amended by Ord. No. 2000-9]

Upon receipt by this Board of notification from the Montville Township Water and Sewer Department or from the Township that any sewer is available to serve buildings on any properties in the Township, the Board of Health shall order each owner of property along the line of said sewer to connect each building on such property with said sewer in accordance with the terms of this article, except that where the topography of the land in relation to the line of the public sewer requires the installation of pumping equipment to dispose of sewage rather than by gravity flow, or for reasons inimical to the individual property, a hardship exists, then the owner may make application by letter addressed to the Board of Health for relief from the terms of this article. If after hearing by the Board of Health it is determined that a hardship exists as to the individual property owner, then an order may be entered by the Board of Health granting an exception to the provisions hereof as to the individual property. The determination of hardship as to each individual property shall lie exclusively with the Board of Health.

§ 430-22. Notice to property owner.

The Board of Health shall designate one of its proper officers to give notice to the owner of property with respect to which an order is issued pursuant to § 430-21. Such notice shall be addressed to the owner of said property as the name of said owner appears in the last tax duplicate of the Township of Montville, shall describe the property by lot and block designation as the same appears on the Tax Map of the Township of Montville and by the street address if a street address exists, and shall state that by order of the Board of Health the owner is required to connect each building on said property with a sewer in accordance with the terms of this article on or before the connection date with respect to such building or, if such connection date shall have passed, within 30 days after service of such notice as hereinafter provided, and said notice shall also describe the penalty which may be imposed hereunder for failure to comply with said notice and order in accordance with the terms of this article. Said notice may be served on the owner personally or by leaving it at his usual place of abode with a member of his family above the age of 18 years. Said notice may also be served within or without the limits of the Township of Montville by mailing the same by registered mail to the last known post office address of said owner as the same appears on the last tax duplicate of the Township of Montville.

§ 430-23. Violations and penalties.

[Amended by Ord. No. 2000-9]

- A. Any person or corporation who shall not comply with any order issued in accordance with the provisions hereof within 30 days after notice by the proper officer of the Board of Health as hereinabove provided shall, upon complaint by the Montville Township Water and Sewer Department or any other person, be fined, upon conviction, not less than \$50 nor more than \$1,000 for each violation.

[Amended 2-28-2006 by Ord. No. 2006-09; 5-10-2010 by Ord. No. BOH-2010-01]

- B. Each day that a violation continues shall constitute a separate offense.