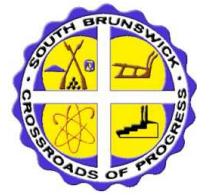


# South Brunswick Township

540 Ridge Road  
Monmouth Junction, NJ 08852  
Telephone: (732) 329-4000



## ORDINANCE 2020-4

### **Amending and Supplementing Chapter 114-38 Sewer Service, of the Township Code of the Township of South Brunswick Regarding Fees for Installing Curb Area Cleanout**

WHEREAS, Chapter 114-38 of the South Brunswick Code related to Sewer Service sets forth guidelines for maintenance of sewer service facilities within the Township; and

WHEREAS, the Sewer Division Supervisor has made certain recommendations to fees charged for installation of a curb area cleanout; and

WHEREAS, N.J.S.A. 40A:26A-1, et seq., and N.J.S.A. 40A:31-1, et. seq., permit the Township to take such action;

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

I. Chapter 114, Utilities, Sec. 114-38, Sewer Service, of the Code of the Township of South Brunswick, shall be and is hereby amended as follows, with additions in underline and deletions in strikethrough:

#### **Sec. 114-38. - Sewer service.**

(i) *General regulations. General sewer service regulations shall be as follows:*

(6) Township's responsibility . The township shall be responsible for maintaining all domestic laterals four to five inches in diameter located in a dedicated public right-of-way provided that a curb area cleanout, as described in subsection (i) (2) of this section, is provided by the property owner at his expense. The property owner is responsible for maintaining the sewer lateral cleanout standpipe as well as the rest of the lateral up to the house. In circumstances where the curb area cleanout is located outside of the dedicated public right-of-way, the user owns and is responsible for the service lateral and cleanout up until the point where the dedicated public right-of-way begins. The township will install a cleanout at the property owner's request for a fee of ~~\$950.00~~ \$2,575.00, if there is not already an existing cleanout. The installation fee may be paid in full or may be paid in ~~three~~ five installments, ~~the first two at \$325.00 each and the final installment of \$300.00~~ 515.00, which will be added to the sewer account. Any unpaid balance of each installment will be subject to all the rules of nonpayment. Following installation of the curb area cleanout, the township will assume full responsibility for the care, cleaning, repair or replacement of the service lateral between the sewer main and the edge of the dedicated public right-of-way, but not including the service lateral cleanout standpipe. The township reserves the right to deny this request if the depth of the lateral, soil conditions, groundwater conditions, and/or surrounding obstacles in the location of the cleanout excavation site make it impractical for the township to perform such work.

(7) System improvements. The township may install a curb area cleanout without the property

owner's request when portions of the collection system are being upgraded or replaced. The property owner will be assessed a minimum cost of ~~\$120.00~~ \$300.00 which shall be added to his sewer account and may be paid in full or in three equal installments of ~~\$40.00~~ \$100.00 each. Any unpaid balance of each installment will be subject to all the rules on nonpayment.

II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

III. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of South Brunswick held on January 28, 2020, and will be considered on second and final reading and final passage at a meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, at 6:00 p.m. on February 25, 2020, at which time and place any person having an interest therein will be given an opportunity to be heard.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Josephine "Jo" Hochman, Councilwoman
<b>SECONDER:</b>	Archana "Ann" Grover, Councilwoman
<b>AYES:</b>	Ken Bierman, Joseph Camarota, Archana "Ann" Grover, Josephine "Jo" Hochman
<b>ABSENT:</b>	Charlie Carley

This is to certify that the foregoing is a true copy of a Ordinance Adopted at the South Brunswick Township Council meeting held on February 25, 2020.

  
Barbara Nyitrai, Township Clerk