

**Borough of Wildwood Crest  
Sanitary Sewer Rules, Regulations and Standards  
August 5, 2020**

**Adopted pursuant to Ordinance No. 1330**

**SECTION 1 - DEFINITIONS; WORD USAGE**

Unless the context specifically indicates otherwise, the following terms and phrases as used in these Rules, Regulations and Standards, shall have the meanings hereinafter designated:

**ACT OR "THE ACT"** - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

**ADMINISTRATIVE ORDER** - An official enforcement document which directs a user to undertake or to cease activities and which carries specific legal action for continued non-compliance.

**APARTMENT** - One of a series of attached rented one family dwelling units each having a common or party wall or walls between it and neighboring units, and which shares its attached neighboring dwelling units such facilities as pedestrian walks, gardens, lawns, utilities, sanitary systems, and recreation areas.

**APPLICANT** - The individual requesting sewerage service at one residence or business, whether owner or tenant, and who provides a completed application, therefore.

**APPROVAL AUTHORITY** - The New Jersey Department of Environmental Protection.

**AUTHORIZED REPRESENTATIVE OF A SIGNIFICANT INDIRECT USER** - (1) If the User is a corporation a responsible corporate officer is: (i) a president, secretary, treasurer or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively. (3) If the User is a local, state, or federal governmental agency: a director or higher appointed official designated to oversee the operation and performance activities of the facility, or their designee. (4) A duly-authorized representative of the individual designated in (1) through (3) above if: (i) the authorization is made in writing by the individual described in (1) or (2); (ii) the authorization specifies either an individual or a position having overall responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, or a position of equivalent responsibility, or having overall responsibility for

environmental matters for the company; and (iii) the written authorization is submitted to the Borough.

**BIOCHEMICAL OXYGEN DEMAND (BOD)** - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures, five (5) days at 20 degrees Celsius, expressed in terms of weight and concentration, [milligrams per liter (mg/l)].

**BOROUGH** - Means the Borough of Wildwood Crest, Cape May County, New Jersey, a Municipal corporation of the State of New Jersey.

**CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY** - The Publicly Owned Treatment Works in which the Borough of Wildwood Crest discharges wastewater for treatment and final disposal; abbreviated as the CMCMUA.

**CATEGORICAL PRETREATMENT STANDARD & CATEGORICAL STANDARDS** - Any regulation containing pollutant discharge limitations promulgated by the EPA in accordance with Section 307 (b) and (c) of the "Act" and which appear in 40 CFR Chapter I, Subchapter N, or 40 CFR Parts 401-471.

**CERTIFICATE OF AUTHORITY** - A written notice which authorizes issuance of certificate of occupancy.

**COMMERCIAL ESTABLISHMENT** - Any structure or any portion thereof intended to be used wholly or in part for the purposes of carrying on a trade, business or profession or for social amusement, religious, educational, charitable or public uses, and which contains plumbing for kitchen, toilet or washing facilities. Hotels, motels and boarding or rooming houses shall be included in this definition.

**COMMERCIAL WASTEWATER** - The liquid or water borne wastes (not including domestic sewage flow) from premises used partially or entirely for commercial purposes with wastewater varying in composition, quantity, or quality from the characteristics or proportions exhibited by sanitary wastewater generated from typical domestic activities.

**COMPATIBLE POLLUTANT** - A pollutant for which the Cape May County MUA Wastewater Treatment Plant was specifically designed to treat and remove such as Biochemical Oxygen Demand (BOD5), Total Suspended Solids (TSS), Ammonia Nitrogen (NH3-N), Total Phosphorus (P), and to a lesser degree Oil and Grease.

**CONDOMINIUM / COOPERATIVE APARTMENT UNIT** - An apartment building in which the units are owned individually.

**CONNECTION FEE** - Charge paid by applicant to the Borough for the right to connect directly or indirectly to the Borough's sewer system, based on the number of EDCU/EDU'S.

**CONTRIBUTING MUNICIPALITY** - A municipal body which owns and/or operates central

collection sewers which discharge into the Borough of Wildwood Crest wastewater collection system.

**CONTROL AUTHORITY** - The term "Control Authority" shall refer to the New Jersey Department of Environmental Protection (NJDEP) and its duly authorized representatives, until such time that the Cape May County MUA or the Borough has an approved pretreatment program under the provisions of 40 CFR 403.11.

**COOLING WATER** - The water discharged from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

**DIRECT DISCHARGE** - The discharge of treated or untreated wastewater directly to the waters of the State of New Jersey.

**DOMESTIC CONSUMER UNIT (DCU)** - A dwelling or structure normally occupied by a single family. The associated daily flow is based on 3 persons per dwelling X 100 gallons per day or 300 gallons per single family dwelling, which includes infiltration.

**DOMESTIC SEWAGE / WASTEWATER** - Normal water borne fluid wastes from residences, commercial establishments, institutions, and industrial establishments, limited to the wastes from kitchens, bathrooms, water closets, lavatories, and laundries.

**ENFORCEMENT REMEDIES** - Enforcement of these Rules & Regulations, or the Wildwood Crest Sewer Use Ordinance, by the Borough and CCMUA which ensures compliance. A description of the remedies can be found in the above-mentioned ordinance, these Rules and Regulations, a Categorical Pretreatment Standard, or any other applicable law.

**ENVIRONMENTAL PROTECTION AGENCY** - The U. S. Environmental Protection Agency, or where appropriate, the term may be also be used as a designation for the Administrator or other duly authorized official of said agency.

**EQUIVALENT DWELLING CONSUMER UNIT (EDCU) or EQUIVALENT DOMESTIC UNIT (EDU)** - Any source of wastewater into the Borough 's sewer system.

**EXISTING SOURCE**- Any User of the Borough 's wastewater collection system which commenced operation prior to the publication by the EPA of proposed Categorical Pretreatment Standards, which will be applicable to that User after final EPA promulgation of such standards, is accordance with Section 307 of the Act.

**GRAB SAMPLE** - A sample which is taken from a waste stream on a onetime basis over a period of time not to exceed fifteen minutes, with no regard to the flow in the waste stream.

**HOLDING TANK WASTE** - Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.

**IMPROVED PROPERTY** - Shall mean any property upon which is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which wastewater shall be or may be discharged.

**INDIRECT DISCHARGE** - The discharge or the introduction of pollutants from any non-domestic source into the system as outlined in 40CFR 403.3(g) and Section 307(b), (c), and (d) of the Act.

**INDUSTRIAL ESTABLISHMENT** - Shall mean any structure intended to be used wholly or in part for manufacturing, fabricating, processing, cleaning, laundering or assembly of any product, commodity or article.

**INDUSTRIAL WASTEWATER** - The liquid or water-borne wastes from industrial or manufacturing processes (not including domestic sewage flow).

**INDIRECT USER** - Any non-domestic source of discharge to the Borough's sewer system including all categorical industrial users and significant dischargers.

**INTERFERENCE**- A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the wastewater collection and treatment system treatment processes, operations, or its biosolids processes, use or disposal, and therefore is a cause of a violation of any requirement of the Cape May County MUA NJPDES permit, including an increase or duration of the violation. The term includes prevention of biosolids use, biosolids processes, or disposal by the receiving treatment facility in accordance with any of the following statutory/regulatory provisions or permits issued there under (or more stringent state or local permits): Section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, Marine Protection Research and Sanctuaries Act or more stringent State criteria, including those contained in any State biosolids management plan prepared pursuant to Title IV of SWDA applicable to the method of disposal or use employed by the receiving treatment facility.

**LATERAL**- Portion of wastewater conveyance piping system located between the sewer main connection and the building.

**MAIN** - Borough owned or leased piping and appurtenances, in or along public highways and streets, or along privately owned right-of-way, used for the collection of domestic sewage or industrial wastewater. Does not include building drain, building sewer or any additional lateral fittings or piping.

**NATIONAL CATEGORICAL PRETREATMENT STANDARDS** - Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U. S.C. 1317), or CFR Part 403 which applies to a specific category of Industrial Users.

**NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM OR NPDES PERMIT** - A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

**NATIONAL PROHIBITIVE DISCHARGE STANDARD, PROHIBITIVE DISCHARGE STANDARD OR PROHIBITED DISCHARGE STANDARD** - A regulation developed under the authority of Section 307 (h) of the Act and 40 CFR Section 403.5.

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP)** - Governing agency of environmental regulations and programs for New Jersey.

**NEW JERSEY POLLUTION DISCHARGE ELIMINATION SYSTEM OR NJPDES PERMIT** - A permit issued pursuant to the latest New Jersey Department of Environmental Protection regulations.

**NEW SOURCE** –

a. Any User of the Borough’s wastewater collection system which commenced operation after the publication by the EPA of proposed Categorical Pretreatment Standards, which will be applicable to that User after final EPA promulgation of such standards in accordance with Section 307 of the Act, provided that:

- (i) The building, structure, facility, or installation from which the discharge originates is constructed at a site at which no other source is located, or
- (ii) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of the pollutants at an existing source, or
- (iii) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site.

b. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of this Section (a) above but otherwise alters, replaces, or adds to existing process or production equipment.

c. Construction of a New Source as defined under this section has commenced if the owner or operator has:

- (i) any placement, assembly, or installation of facilities or equipment; or
- (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
- (iii) entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable period of time.

**pH** - A measure of the acidity or alkalinity of a solution expressed in standard units.

**POLLUTANT** - Any dredged spoil, solid waste, incinerator residue, sewage, garbage, biosolids, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.

**POLLUTION** - The manmade or induced alteration of the chemical, physical, biological and radiological integrity of water

**PRETREATMENT OR TREATMENT** - The reduction of the amount of pollutants, the elimination of pollutants, the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such pollutants into the Borough's wastewater collection system. The reduction or alteration can be obtained by physical, chemical or biological processes, or by process changes, by other means, except as prohibited by 40 CFR Section 403.6 (d).

**PRETREATMENT REQUIREMENTS OR PRETREATMENT STANDARDS** - Any substantive or procedural requirement related to pretreatment imposed on a User by the Control Authority including, but not limited to, prohibited discharge standards, categorical pretreatment standards and local limits.

**SANITARY SEWAGE** - Same definition as Domestic Sewage / Wastewater listed previously.

**SEWER** - A pipe or conduit used or usable for wastewater collection services.

**SEWER MAIN** - All temporary and permanent facilities at any time, and from time to time, owned and operated by the Borough and used or usable for, or in connection with, the collection, treatment and disposal of Sanitary Sewage.

**SEWER SUPERINTENDENT / SUPERVISOR** - The individual(s) responsible for implementing and enforcing the requirements contained herein, and as supplemented by additional regulations regarding the discharge of domestic, industrial, and commercial wastewater into the Borough's sewer system.

**SIGNIFICANT INDIRECT USER –**

1. Any user including, but not limited to, any significant industrial user as defined in 40 CFR 403.3 but excluding municipal collection systems, who discharges wastewater into the Borough of Wildwood Crest collection system where:
  - (i) The user is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40CFR Chapter I, Subchapter N and does not meet the criteria for being a Non-Significant Categorical Industrial User as set forth in 40 CFR 403;

- (ii) The user's average volume of process wastewater exceeds 25,000 gallons per day;
  - (iii) The amount of BOD, COD or Suspended Solids in the industrial process wastewater discharge exceeds the mass equivalent of 25,000 gallons per day of the domestic waste of the CMCMUA;
  - (iv) The volume of industrial process wastewater in the discharge exceeds five percent or more of the average daily dry weather flow of the CMCMUA;
  - (v) The user's discharge of process wastewater contributes, five percent or more of the daily mass loading of any of the pollutants listed in N.J.A.C. 7:14A- 4, Appendix A Tables II through V;
  - (vi) The user is designated as an SIU by the control authority on the basis that the user has a reasonable potential for adversely affecting the local agency's operation;
  - (vii) The user is designated as an SIU by the control authority on the basis that the user has been in violation of any Federal, State, or local pretreatment standard or requirement, including, but not limited to, significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii); or
  - (viii) The control authority determines it would be consistent with the intent of the Pretreatment Act or State Act to require a permit for the indirect user.
2. Any user in areas of the State in which NJDEP is the control authority where:
- (i) The user is determined to be a hazardous waste facility that received a permit in accordance with N.J.A.C. 7:26G-12;
    - a. The user's discharge consists of landfill leachate, which is either pure, treated, or diluted; or
    - b. The user's discharge consists of 25,000 gallons per day or more of process wastewater and/or polluted ground water which is pumped from the ground in order to decontaminate an aquifer; however
  - (ii) Upon finding that any user in the State has no reasonable potential for adversely affecting the local agency's operation or for violating any Federal, State, or local pretreatment standard or requirement, the control authority may at any time, on its own initiative or in response to a petition received from a user or a local agency, and in accordance with 40 CFR 403.8, determine that any user specified in paragraphs 1 or 2 above is not a significant indirect user.

**SIGNIFICANT INDIRECT USER PERMIT** - A permit issued by the to an industrial/commercial user in accordance with these Rules and Regulations.

**SINGLE FAMILY DWELLING** - A building on a lot designed and occupied exclusively as a residence for one family, considered to be an average of 3 persons.

**SLUG DISCHARGE OR SLUG LOAD** - Any intentional or accidental discharge at a flow rate or concentration which could cause a violation of any Prohibited Discharge Standard set forth in these Rules and Regulations, or in Section 403.5 of the General Pretreatment Regulations.

**SLUG CONTROL PLAN** - Significant Indirect Users may be required to submit to the Control Authority a Slug Control Plan which meets the criteria set forth in these Rules and Regulations.

**STANDARD INDUSTRIAL CLASSIFICATIONS (SIC)** - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget 1972.

**STATE** - State of New Jersey

**STORM WATER** - Any flow occurring during or following any form of natural precipitation and resulting exclusively there from.

**TOTAL SUSPENDED SOLIDS OR SUSPENDED SOLIDS** - The total suspended matter that floats on the surface or is suspended in water, wastewater, or other liquids, and which is removable by laboratory filtering.

**TOWNHOUSE** - One of a series of attached one family dwelling units each having common or party wall or walls between it and neighboring dwelling units and having an individual rear yard contiguous to the dwelling unit designed as an integral part of each one family dwelling unit and from the occupants of the dwelling shall have the right to exclude the public. Each townhouse shall have a separate and individual utilities system.

**TOXIC POLLUTANT** - Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the Clean Water Act, or other acts promulgated by the federal or state governments.

**USER** - Any person who contributes, causes, or permits the contribution of wastewater into the Borough's collection system, including those person(s) who distribute drinking water in the Borough's service area.

**WASTEWATER** - The liquid and water-carried industrial or domestic wastes from dwelling, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and water that may be present, whether treated or untreated which is contributed into or permitted to enter the collection system.

**WASTEWATER COLLECTION SYSTEM;** Same as SEWER MAIN

**WATERS OF THE STATE** - All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulation of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

## **ABBREVIATIONS**

The following abbreviation shall have the designated meaning:

BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CWA	Clean Water Act
DEP/NJDEP	New Jersey Department of Environmental Protection
EPA	US Environmental Protection Agency
mg/l	Milligrams per liter
NJPDES	New Jersey Pollutant Discharge Elimination System
NPDES	National Pollutant Discharge Elimination System
O & M	Operation & Maintenance
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 USC 5901, et. seq.
TSS	Total Suspended Solids
USC	United States Code

## **SECTION 2. GENERAL REQUIREMENTS**

### **2.0 Regulations**

#### **2.1 Federal Categorical Pretreatment Standards**

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial sub-category, the Federal Standard, if more stringent than limitations imposed under these Rules and Regulations for sources in the sub-category, shall immediately supersede the

limitations imposed under these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards. Each User or Significant Indirect User shall be responsible to notify the Borough and the Contributing Municipality of changes to his status under the Federal, State, or local regulations. The National Categorical Pretreatment Standards found in 40 CFR Part 405-471 are hereby incorporated into these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards.

- A. Where a categorical pretreatment standard is expressed only in terms of the mass or the concentration of a pollutant in wastewater, the Control Authority may impose equivalent concentration or mass limits in accordance with 40 CFR Part 403.6(c).
- B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Control Authority shall impose an alternate limit using the combined waste stream formula in 40 CFR Part 403.6(e).
- C. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR Part 403.13, that factors relating to its discharge are fundamentally different from the factors considered by the EPA when developing the categorical pretreatment standard.
- D. A user may obtain a net gross adjustment to a categorical standard from the EPA in accordance with 40 CFR Part 403.15.

## **2.2 Modification of Federal Categorical Pretreatment Standards**

Where the Cape May County MUA wastewater treatment plant achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Borough may apply to the Approval Authority for modifications of specific limits in the Federal Pretreatment Standards. “Consistent removal” shall mean the reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403- “General Pretreatment Regulations for Existing and New Sources of Pollution” promulgated pursuant to the Act. The Borough may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR Part 403, Section 403.7 are fulfilled, and prior approval from the Approval Authority is obtained.

## **2.3 Specific Pollutant Limitations**

All wastewater entering either the Borough or one of the contributing municipality’s collection systems shall be pretreated to typical domestic levels unless otherwise stated in writing by the Control Authority.

Typical domestic levels for compatible pollutants shall be:

<u>Parameter</u>	<u>Maximum Concentration (mg/l)</u>
Biochemical Oxygen Demand (BOD <sub>5</sub> )	350
Total Suspended Solids (TSS)	300
Oil and Grease	100

## **2.4 Borough’s Right of Revision**

The Borough reserves the right to require each of the contributing municipalities to establish by ordinance and/or Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards, limitations or requirements as least as stringent as the Borough for Users whose wastewater is ultimately treated at the Cape May County MUA wastewater treatment plant, in order to comply with the objectives presented in these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards.

## **2.5 Dilution**

No User or Significant Indirect User shall ever increase the use of processed water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal Categorical Pretreatment Standards, or with any other pollutant-specific limitation developed by the Control Authority, one of the contributing municipalities, State, or Federal agencies.

## **2.6 Accidental or Slug Discharge**

Each Significant Indirect User shall provide protection from accidental or slug discharge of prohibited materials or other substances that have the potential to cause interference or pass through at the wastewater treatment facility and are regulated by these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the User’s or Significant Indirect User’s own cost and expense. In the case of an “accidental discharge”, it is the responsibility of the User to immediately telephone and notify the Borough Superintendent and the CMCMUA. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions taken to minimize and eliminate the violation.

In addition, the Borough and CMCMUA may evaluate whether a Significant Indirect User needs to develop or update a Slug Control Plan. Detailed Slug Control Plans showing facilities and operating procedures to provide slug control protection shall be submitted to the Borough and CMCMUA for review prior to implementation. A Slug Control Plan shall contain, at a minimum, the follow information:

- A. a description of discharge practices, including routine or non-routine batch discharges;

- B. a description of new and spent chemical storage procedures;
- C. procedures for immediately notifying the Borough and the CMCMUA Treatment Plant Manager of any accidental or slug discharge, including personnel responsible for such notifications;
- D. procedures to prevent adverse impact from an accidental or slug discharge. Such procedures shall include, but are not limited to, inspection and maintenance of chemical storage areas, handling and transferring of raw and finished products and chemicals, control of site runoff, worker training, building of containment structures, available containment equipment, and contacted environmental services which assist the User fulfill these plans.

## **2.7 Written Report**

Within five (5) days following an accidental discharge, the Significant Indirect User shall submit to the Borough and CMCMUA, a detailed written report which shall contain the following information:

- A. the cause of the accidental discharge;
- B. the anticipated time that this condition had occurred and when it has been corrected;
- C. the steps taken by the User to reduce and minimize the impact of the accidental discharge;
- D. the steps taken by the User to prevent a re-occurrence of the conditions which caused or led to the accidental or slug loading, to mitigate any expense, loss, damage or other liability which may have incurred as a result of damage to the Borough and CMCMUA facilities or aquatic life or any other damage to person or property.

Such report shall not relieve the Significant Indirect User of any fines, civil penalties, or other liability which may be imposed as described in this article, or any other applicable law/regulation.

## **2.8 Notice to Employees**

A notice shall be permanently posted on the Significant Indirect User's bulletin board or other prominent place advising employees who to call in the event of an accidental or slug discharge. Employers shall ensure that all employees who may be involved with hazardous materials or may cause such a discharge are aware of such emergency notification procedures.

## **SECTION 3.0            SIGNATORY REQUIREMENT**

All reports, applications, or other information required to be submitted under these Rules and Regulations shall be signed by an authorized representative of the user.

### **3.1 Sampling Requirements**

All measurements, tests, and analyses required for determining the characteristics of waters and wastewaters to which reference is made in these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards shall be performed in accordance with 40 CFR Part 136.

### **3.2 Inspection and Sampling**

The Borough, CMCMUA, or Control Authority may inspect the facilities of any User to ascertain whether the purpose of these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Borough representative ready access during all working hours to all parts of the premises for the purpose of inspection, sampling, records examination and/or copying, or in the performance of any of his duties.

### **3.3 Pretreatment**

Users and Significant Indirect Users shall provide necessary wastewater treatment as required to comply with both these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards and any applicable Federal Categorical Pretreatment Standards within the time limitations as specified by the Control Authority or in the Federal Pretreatment Regulations. Any equipment or facilities required to pretreat wastewater to a level acceptable to the Control Authority shall be provided, operated, and maintained at the User's expense. The Control Authority may require that detailed plans showing the pretreatment facilities and operating procedures be submitted for review and shall be deemed acceptable to the Borough and CMCMUA before construction of the facility. The review of such plans and operating procedures will in no way relieve a User from the responsibility of modifying his facility as necessary to produce an effluent acceptable to the Borough and CMCMUA under the provisions of these Rules and Regulations. Any subsequent changes in the pretreatment facilities or method of operation, or any change which may result in a new or increased discharge of pollutants, shall be reported to and be accepted by the Borough, CMCMUA, and Control Authority prior to the User's or Significant Indirect User's initiation of the changes.

Users with the potential to discharge oils and grease in amounts greater than those specified in these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards, must have installed, at the owner's expense, grease traps to prevent such a discharge from occurring. Grease traps must be cleaned and maintained on a regular basis by the owner.

### **3.4 Recordkeeping Requirements**

Users subject to the recordkeeping requirements of this section shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring or reporting requirements required in these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards, including any monitoring activities undertaken by the User independent of these requirements. Records shall include the exact date and time of sampling, the date and time of analysis, the name of the person(s) collecting and analyzing all samples, the methodology used in analyzing the samples, and the results of these analyses. These records should be made available for a minimum of five years. In the matters of litigation between the User and the Borough, CMCMUA, or Control Authority, or where specifically requested by the EPA, the retention period is extended.

### **3.5 Confidential Information**

Information and data on a User or Significant Indirect User obtained from reports, monitoring programs, and from inspections shall be available to the public or governmental agencies without restriction unless the User or Significant Indirect User specifically requests and is able to demonstrate to the satisfaction of the Borough, CMCMUA, and Control Authority that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the User or Significant Indirect User.

When requested by the person furnishing a report, those portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available, upon written request, to governmental agencies for uses related to these Rules and Regulations, the NJPDES Permit, biosolids disposal/re-use forms and/or the General Pretreatment regulations. Any such portions of a report shall also be available for use by any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

### **3.6 Falsifying Information**

Any person who knowingly makes any false statements, representations, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards may be punished as provided by law and shall be subject to the fines set forth in the General Pretreatment Regulations.

## **SECTION 4.0 TRAPS, VENTS AND RISERS**

Grease, oil, and sand interceptors (traps) shall be provided when, in the opinion of the Borough, CMCMUA, or the Control Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in such amounts as to cause obstruction to the flow in a sewer main or other interference with the operation of the wastewater treatment facilities; or contain flammable wastes, sand, or other harmful ingredients, except such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Borough, CMCMUA, or the Control Authority and shall be located a to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the captured materials shall not be discharged into the Borough wastewater collection system. The owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Borough, CMCMUA, or the Control Authority. Any removal and hauling of the collected materials not performed by owner's (owners') personnel must be performed by currently licensed waste disposal firms. Provide traps, vents and risers as shown on detail located in appendices.

## **SECTION 5.0 SIZE AND KIND OF LATERAL**

The Borough reserves the right to determine the size and kind of sewer main connection piping for all new installations. All new piping sections shall conform to the applicable plumbing code.

## **SECTION 6.0 LOCATION**

Unless otherwise approved by the plumbing inspector, no sewer main connection piping shall be laid in the same trench with any gas pipe, water service, or any other facility of any public service company, nor within three feet of any open excavation, vault, or meter pit. Sewer main connection piping shall not be aligned under driveways or parallel running sidewalks.

All sewer main connection piping provided for future construction shall be extended two (2) feet beyond the property line. Existing building sewers may be used in connection with new buildings only when they are found, upgraded to meet the requirements of these Rules and Regulations, and found to be acceptable to the Borough of Wildwood Crest plumbing inspector.

## **SECTION 7.0 ELEVATION OF SANITARY FIXTURES**

Under no circumstances shall any new sanitary fixtures be installed in a building at an elevation lower than the grade at the mushroom cap or top of fresh air inlet whichever is higher unless special precautions are incorporated into the new fixture installation to prevent surcharging of the new fixture from the sanitary sewer main because of high flows or a blockage. Prior to installation of any fixture which may be lower than the elevation heretofore specified, the property owner shall obtain the approval of the Borough Plumbing Inspector on the type of precautions that will be taken to eliminate the potential flooding of premises with sewage. In the event a fixture is found

to be installed at any point lower than heretofore specified, the Borough may revoke the sewer connection permit or discontinue service until the fixture is removed or positive control measures such as a properly maintained check valve are instituted to eliminate any potential surcharging of the building with sewage.

## **SECTION 9.0 LATERAL TESTING**

See Section D. Technical Requirements and Design Standards for testing procedure.

## **SECTION 10 APPLICATION PROCEDURES; FEES AND CHARGES**

### **10.0 General provisions**

Persons proposing any one of the following:

- (1) Sewer main extensions for subdivisions and/or site development.
- (2) An individual dwelling sewer main connection extension.
- (3) A use change in an existing facility.
- (4) Any modification to the existing Borough sewer main system.
- (5) Ownership change of property;
- (6) Shall prepare applications described in this section with the necessary supporting documents.

### **10.1 Applications for Service in General**

An application for service will not be approved by the Borough until the applicant has paid all fees and charges, which were due by the applicant for any prior services.

An approved application constitutes a contract between the Borough and the applicant, obligating the applicant to pay to the Borough its rates as established from time to time and to abide by and comply with its Rules and Regulations.

- A. Prior to the submission of an application for service, it is the responsibility of the owner to inspect and examine all laterals, pipes, fixtures and treatment works on the owner's property to determine whether they are in good condition. An application for service constitutes a representation by the owner that the inspection has been made and that all such items have been found to be in good condition. The Borough is not liable for any accident, breaks, leakage or damage to the property, which may result from sewerage services supplied to the premises.

- B. All nonresidential owners that apply for service must provide the following information to the Borough, in addition to other information required by the various applications:
1. Detailed description of the type and size of buildings.
  2. The nature of the business to be conducted in each building.
  3. The number and type of fixtures in each building.
  4. The type, volume and chemical characteristics of the wastewater to be discharged.
  5. Three (3) copies of plans showing:
    - a. The boundaries of the property,
    - b. The location within the property of the building to be served,
    - c. The location and profile, with respect to finished grade, of the service, and
    - d. Details of the proposed connection to the sewerage system.
  6. Other information as may be required by the Borough's Rules, Regulations and Standards.
- C. Completed applications for sewer service will be approved on a first-come, first-served basis. The obligation of the Borough to approve completed applications for sewer permits is contingent upon the availability of capacity, both at the treatment plant and in the mains.
- D. The Borough will not approve S-3 sewer permit applications until the Borough is in receipt of all necessary approvals from the NJDEP or any other municipal, State, or Federal agency which may be required (except for a municipal building permit).

## **10.2 Applications for New Service**

- A. All applicants for new service must submit a complete application for service to the Borough. As used in these Rules and Regulations, "a complete application" includes and is defined as the following:
1. S-1 Application. Preliminary Planning Board or Zoning Board approval is required prior to submission of the S-1 application to the Borough. The fully completed S-1 "Application for Sewerage Service" must be submitted

in triplicate, and have attached three (3) copies of all conceptual engineering plans and reports, including projected flow, and be accompanied by an application fee and a conceptual review fee in the amounts stated in the Rate Schedule for each equivalent dwelling unit receiving sewer service. The conceptual engineering plans and reports which are required to be submitted with the S-1 application are to be in accordance with the Rules & Regulations of any State or Federal agency asserting jurisdiction over sewer services. The plans are to be in a minimum scale of one-inch (1") equals forty feet (40'). Upon submission to the Borough of a completed S-1 application, the Borough will approve or disapprove the application within forty-five (45) days of the date that the application is certified as completed. The application will not be considered as complete until all applicable fees and escrow deposits are made.

2. S-2 Application. The application for construction of treatment works must be submitted on an S-2 "Application for Approval of Sewer Construction Plans." The engineering plans which are required to be submitted with the S-2 application must be in accordance with the Rules & Regulations of any State or Federal agency asserting jurisdiction over sanitary sewer services. All submitted plans are to be in a minimum scale of one inch (1") equals forty feet (40'). All submitted profiles are to be in a minimum scale of one inch (1") equals four feet (4') feet in the vertical direction and one inch (1") equals forty feet (40') in the horizontal direction. The S-2 application must be accompanied by sufficient additional escrow fees, as well as three (3) copies of the sewer construction plans and profiles, prior to being determined complete. The plans and profiles must also include all underground utilities and appurtenances such as water and sewer mains, storm sewers, gas and electric as may be applicable. Additional escrow fees must be posted according to the Rate Schedule.

- B. Upon submission to the Borough of a completed S-2 application, the Borough will approve or disapprove the application within ninety (90) days of the date that the application is certified as completed. The application will not be considered as complete until all applicable fees and escrow deposits are made.
- C. The Borough reserves the right to extend the time for approval or disapproval for a period not to exceed thirty (30) days. This extension shall only be granted by written notification from the Borough.
- D. Failure of the Borough to approve or disapprove the application for construction within such time constitutes approval of the application and consent of the Borough to the construction of the treatment works. In the event that the Borough fails to approve or disapprove the application within time, the application will be marked "Approved Because of Failure to Act Within the Time Limitation Imposed by Law." This approval is not binding upon any State or Federal agencies which may

assert jurisdiction over the review and approval of plans. In the event that the application is rejected by any State or Federal agency, the applicant must submit an amended application to the Borough for review and approval containing the changes, modification or corrections requested by the Federal or State agency. If this occurs, the time limitations for approval by the Borough of the amended application begin again, after the application is certified as complete by the Borough.

- E. An application for TWA will not be sent to NJDEP for approval until both the S-2 and TWA application have first been approved by the Borough.
- F. The applicant must obtain all S-1 and S-2 approvals, all TWA from NJDEP, and all other necessary approvals from NJDEP or any other municipal, State or Federal agency which may be required (except for a municipal building permit) before the applicant can submit an application for S-3 connection permits to the Borough.
- G. Notwithstanding anything contained in these Rules and Regulations or Chapter 61, in the event that an application for new service is made for sewer service for property which abuts existing sewer mains, and TWA from NJDEP is not necessary, the Borough reserves the right to waive the requirements of the S-1, or S 3 procedures. In such case, the applicant may proceed with the submission of S-3 applications for permits with payment of appropriate fees.

### **10.3 Applications for Additional Capacity**

- A. An application for additional capacity must be made by an existing nonresidential owner whenever there is any physical or operational change associated with an increase in estimated, projected flow of either water to, or sewer from, any building, facility or structure for which a building permit, site plan, subdivision or other municipal approval is required.
- B. If an application for additional capacity does not require that TWA be issued by NJDEP, then the Borough may, in its discretion, waive the S-1 procedures and allow the applicant to submit S-2 applications with engineering plans, reports, and required fees as a condition precedent to submission of S-3 applications.
- C. An additional connection fee will be charged to the applicant based upon the increase in estimated flow associated with the physical or operational change.

### **10.4 Notification of Change in Ownership**

Whenever a change in ownership occurs, the new owner must notify the Borough of this change. At the discretion of the Borough, the new owner may be required to follow S-1, S-2, and S-3 application procedures.

## **10.5 Notification of Reinstatement of Service**

- A. A notification for reinstatement of service must be made whenever a customer is renewing a previous service that had been abandoned or terminated or when replacing a structure which has been demolished or substantially totally destroyed.
- B. In the event that sewer service was terminated by the Borough because of improper construction, maintenance or use of any connection to the Borough's sewer system, the customer must correct the deficiency before service can be reinstated.
- C. In the event that a notification is made to reinstate a service for a structure that was previously terminated, or abandoned when the prior structure was demolished or substantially totally destroyed, no connection fee will be due provided that the owner has previously paid all applicable fees demonstrating that the flow from this property has been accounted in the overall capacity of Borough's sewer system. If there will be an increase in the estimated water or sewer usage of the building, then the notification will also be considered as an application for additional capacity and an additional connection fee will be due on the amount of the increase in the estimated water or sewer usage.

## **10.6 S-3 Sewer Connection Permits**

- A. An application for an S-3 sewer connection permit must be made whenever there is an application for a new service or for additional capacity or for reinstatement of a service for which a connection fee is due.
- B. An S-3 sewer permit which is issued for any residential unit will be valid for a period of twelve (12) months from the date of issue, and an S-3 sewer permit which is issued for any industrial or commercial unit will be valid for a period of twelve (12) months from the date of issue, unless physical connection is made within the appropriate period. Physical connection means that the sewer facilities within the building for which service is requested are capable of being used and that a sewer use permit has been issued.
- C. In the event that physical connection is not made within the appropriate period, the permit will automatically expire and is void and of no force and effect. The Borough will retain the full amount of the connection fee paid for each expired permit as a charge for administrative expenses and loss of service revenue. By the submission of an application, the applicant agrees that this charge is reasonable in amount and is to be considered as liquidated damages, and not as a penalty, since actual damages would be difficult to calculate and this amount is reasonable as liquidated damages. In the event, however, that the applicant submits a written request for withdrawal of the sewer connection within sixty (60) days after the sewer permit is issued, the full amount of the connection fee paid for the sewer

permit will be refunded, less 25% of the connection fee for administrative reimbursement for each permit withdrawn.

- D. Upon the date of physical connection, the Borough will charge, and the applicant agrees to pay, sewer service charges for the unit connected.

## **SECTION 11. SUPPORTING DOCUMENTATION FOR APPLICATIONS**

### **11.1 S-1 Application**

An S-1 application for conceptual approval of proposed treatment works is to be submitted to the Borough for a review of the outlined system, route of construction, estimated volumes of flow and whether an individual or comprehensive study of the sewerage system is required to be submitted by the applicant. No application will be considered unless a professional engineer registered in the State of New Jersey is in charge of the planning and design of the proposed treatment works and has affixed his or her seal and signature to the plans and reports that are submitted.

### **11.2 S-2 Application**

- A. Engineer's Report. A complete engineer's report, stating the basis of design, is to be submitted to the Borough by the applicant for each project. The report must contain the following minimum data:
  - (1) For Sewer Systems
    - a. a description of the geographic area to be served;
    - b. existing and predicted population of the areas to be served;
    - c. terrain data in sufficient detail to establish general topographic features of the area to be served;
    - d. proposed minimum and maximum grades;
    - e. required pump stations;
    - f. intended use of the proposed realty improvements and the characteristics of sewage expected from such use;
    - g. effect of the proposed sewerage facilities on existing or proposed sewerage systems;
    - h. amount of infiltration expected and its effect on design flow;
    - i. estimated daily flow and descriptive formula utilized in calculating such estimates;
    - j. description of materials to be used in the construction of all treatment works and a statement that materials being used in the construction of the treatment works comply with the Borough's standard materials of construction;
    - k. preliminary cost estimates of the treatment works to be constructed;

- l. other relevant factors which would affect design and use of the sewerage system, including a downstream capacity study of the existing collection system;
- m. any other information which may be required by NJDEP;
- n. any other information which may be required by the Borough's Rules & Regulations; and
- o. the basis of design, stating that all sanitary sewers have been designed:
  - 1) to carry four (4) times the average flow estimated for twenty-five (25) years in advance. In lieu of other values determined by the Borough, average flow may be assumed to one hundred (100) gallons per person, per day, including infiltration and three (3) persons may be assumed per equivalent dwelling unit;
  - 2) on a "separate system" basis in which all water from roofs, basements, streets and any other areas are not discharged to the sanitary sewer system. No bypasses or overflows, which allow raw sewage to be discharged from sewers, are permitted to be installed; and
  - 3) to flow with a minimum velocity of not less than two feet (2') per second and force mains at not less than three feet (3') per second based on Manning's formula for full pipe flow using an "n" factor of 0.013 for ductile iron pipe and 0.010 for polyvinyl chloride pipe. Inverted siphons are not permitted.

(2) For Pump Stations

- a. operational characteristics of the station at minimum, maximum and average flows (both present and future);
- b. provisions for emergency standby power consistent with standard specification requirements of the Borough and handling of sewage in the event of the complete failure of the station;
- c. provisions for permanent safety equipment, noise control equipment and odor control equipment as consistent with the Rules & Regulations of the Borough;
- d. preliminary cost estimates for construction and annual operating costs;
- e. other relevant factors which would affect design and use of the sewerage system; and
- f. any other information which may be required by NJDEP.

- B. General Map or Conceptual Plan of the Entire Project. A general map of the entire project must be furnished, showing existing and proposed sewers and pumping stations.
- C. Construction Plans, Profiles, and Specifications of all Proposed Sewer Mains. Plans are to be of uniform size, 24" x 36", with a ½" border on top, bottom, and right side, and a two inch (2") border on the left side, the last one for binding. Three (3) sets of plans must be submitted. The plans must show the following:
  - (1) Details. The plans must show existing and proposed treatment works and contours, all existing and proposed streets, surface elevations at all breaks in grade and street intersections, tributary area with population per acre, the true or magnetic meridian, boundary line, title, data, and scale. Any area from which sewage is to be pumped must be clearly indicated. All sheets are to be numbered.
  - (2) Symbols. Proposed sewer mains and other treatment works to be constructed are to be shown by solid lines. Existing sanitary sewer mains and team works are to be shown by dashed lines and labeled accordingly. All topographical symbols and conventions are to be those used by the United State Geological Survey.
  - (3) Elevations. All elevations must be related to NGVD 1929 Datum. All benchmarks must be shown. Elevations of street surfaces are to be noted. The elevations of sewer inverts at ends of lines and at changes of grades are to be written parallel with the sewer lines and between the street lines. The elevations of street surfaces should be shown to the nearest 0.1 foot, the sewer inverts to the nearest 0.01 foot. Sufficient benchmarks must be permanently established for the area.
  - (4) Distances, Grades and Sizes. Distances between manhole, pipe gradients, sewer main and lateral sizes and pipe material must be shown on the plans. Arrows should show the direction of the flow.
  - (5) General Site Plan. All plans for treatment works must include a general site plan showing property boundaries, contours, proposed improvement with capacities, underground piping, underground wires, and are to include the items referred to in the Engineer's Report that are related to the design drawing.

## **SECTION 12 NJDEP TREATMENT WORKS APPROVAL (TWA)**

- 12.1** All applications for TWA from NJDEP are to be prepared by the applicant at its sole expense and are subject to review and approval by the Borough and its consulting engineer. All applications will be submitted to NJDEP in the name of the Borough as the applicant. All rights or entitlement contained in a TWA issued by NJDEP will belong to the Borough and not to the applicant. The Borough has the right to withhold the submission of a TWA application to NJDEP for good cause.

- 12.2 TWA must be secured for each section of a development or for each project or facility, whenever necessary, before the applicant can apply for S-3 sewer connection permits from the Borough.
- 12.3 Final Planning or Zoning Board approval must be obtained prior to the submission of a TWA application to the Borough for approval.
- 12.4 TWA applications will only be sent to NJDEP after approval by the Borough of the S-2 application.

## **SECTION 13 TECHNICAL REQUIREMENTS AND DESIGN STANDARDS**

### **13.1 General**

All sewers must be designed on a "separate system" basis in which all storm water from roofs, cellars, streets and any other areas must not be conducted to the sanitary sewer system. No bypasses or overflows, which allow raw sewage to be discharged from sewers, shall be installed. The system design and all detail designs must comply with the latest State of New Jersey Department of Environmental design requirements and regulations.

### **13.2 Sewer System**

The Engineer's Report, prepared by the Applicant's Engineer, shall contain the following minimum data and shall conform to the format as listed below:

- A. Description of geographic area to be served.
- B. Terrain data in sufficient detail to establish general topographic features of the area to be served.
- C. Minimum and maximum grades proposed.
- D. Pump stations required.
- E. Intended use of the proposed realty improvements and the characteristics of sewerage expected from such use.
- F. The effect of proposed sewerage facilities on existing or proposed sewerage systems.
- G. The estimated average and peak daily flow.
- H. Description of materials to be used.

- I. Preliminary cost estimate of proposed sanitary sewer facilities.
- J. Any other factors which would affect design and use of the sewerage system.

### **13.3 Sewer Design Standards**

- A. Minimum sewer main diameter shall be 8". All sanitary sewers shall be designed to carry four times the average flow estimated for twenty-five years in advance.
- B. Minimum lateral diameter shall be 6" from the main to the cleanout.
- C. Sewers and force mains shall be designed to flow with a minimum velocity of not less than two feet per second at full flow based on Mannings's formula with  $n = 0.013$ . Inverted siphons shall not be permitted unless approved by the Borough Engineer.

### **13.4 Sewer materials standards.**

Materials used in the construction of sewer, and force mains, shall be as follows:

- 1. Gravity sewer mains shall be constructed of one the following materials:

- a. PVC:

- Piping and Fittings:

4" - 15" diameter: SDR 35 conforming to ASTM D3034. Fittings shall be provided with Table No. 2 socket dimensions.

18-27" diameter: SDR 35 conforming to ASTM F794 with minimum pipe wall thickness T-1.

Pipe Cell Classification: 12454B.

- Joint Design: Conforming to ASTM D3212.
- Joint Material: Elastomeric ring rubber gasket conforming to ASTM F477.

- b. Ductile Iron:

- Pipe: Minimum Class 52 with push on joints conforming to AWWA C151.
- Fittings: Mechanical joint short body fittings conforming to AWWA C153.

- Lining: Pipe fittings and lining shall conform to AWWA C104.
2. Inverted siphons shall consist of not less than two pipes with provisions for rodding and flushing. Flow control gates shall be provided on the chambers. Force mains and inverted siphons shall be constructed of the following:
- a. Less than 4" Diameter: As approved by the Engineer.
  - b. 4" Diameter and Greater: Ductile iron conforming to the following:

Pipe:

Below Grade: Minimum Class 52 with push on joints conforming to AWWA C151.

Above Grade or Exposed: Minimum Class 53 with flanged joints conforming to AWWA C115. Uniflanges are not acceptable.

Fittings:

Below Grade: Mechanical joint short body conforming to AWWA C 153.

Above Grade or Exposed: Flanged conforming to AWWA C110, pressure Class 250.

Lining: Pipe and fittings lining shall conform to AWWA C104.

3. Manholes/Wet Wells/Valve Chambers: shall be constructed in accordance with the following:
- a. All structures shall be precast reinforced concrete. Circular structures shall conform to ASTM C478 and rectangular/square structures shall conform to ASTM C913.
  - b. All structures shall be designed to withstand an AASHTO H-20: S16 live truck loading and groundwater level at finished grade.
  - c. Joints: Conforming to ASTM C443.
  - d. Joint Gaskets: Conforming to ASTM C361. If gaskets are not available due to manufacturer's recommended construction process provide two stands of butyl rubber tape around the entire circumference of each joint. Tape shall be suitable for application at 10 degree F without the supplying of a temporary heat source.
  - e. Pipe Connections to Structures:

- New Structures:
 

Rubber Gasket Pipe to Manhole Seal: Conforming to ASTM C923. Gasket shall be cast integrally in manhole wall.
  - Existing Structures: Pipe shall be provided with an elastomeric plastic concrete manhole adapter as manufactured by Fernco or equal.
- f. Castings: Conforming to ASTM A 48, Class 30 B.
  - g. Brick: Conforming to ASTM C-32.
  - h. Force Main Manhole Liners: Existing manholes that receive flow from a new force main shall be lined with a PVC liner as directed by Borough. Proposed manholes which will receive flow from a force main shall be lined with a manhole painting system as directed by Borough.

### **13.5 Pump stations – technical standards.**

#### **A. General**

1. All Borough owned pump stations shall be the submersible type provided with emergency generator and automatic transfer switch. All Borough owned pump stations shall be designed based on criteria provided by the NJDEP and Engineer.
2. Provide three (3) copies of the pump station operations and maintenance guide including, but not limited to:
  - a. Certified pump curves.
  - b. As-built plans of the pumping station.
  - c. Suggested maintenance schedule.
  - d. Complete and detailed schematics of all electrical systems and controls.
3. Provide minimum eight hours of manufacturer's training to Borough personnel.

### **13.6 Site Plans**

- A. Landscaping shall be provided consistent with the site restoration/landscaping plan, preferably with vegetation of the evergreen species.

- B. Provide minimum driveway length of 40' from right-of-way line to gate. Minimum driveway width shall be 16'.

## **SECTION 14 PLANS, PROFILES, AND SPECIFICATIONS OF ALL PROPOSED FACILITIES**

### **14.1 Format**

Plans shall be of uniform size 18" x 24", 24" x 36" or 30" x 48" with a 1/2" border on top, bottom and right side, and a 2" border on the left side, the last one for binding. All sheets shall be numbered. Drawing scale shall be 1" = 30' or larger (i.e., 1"=20').

### **14.2 General**

The following is a list of information that must be shown on the plans as a minimum:

- A. Existing and proposed sanitary sewers.
- B. Existing and proposed storm sewers.
- C. Existing and proposed utilities.
- D. Topography.
- E. Existing and proposed streets.
- F. Tributary areas.
- G. True and/or magnetic north.
- H. Outbound line/property line.
- I. Title, date and scale.
- J. Areas from which sewage is to be pumped shall be labeled clearly.
- K. Pipe profiles.
- L. Manhole and pipe trench details.

### **14.3 Elevation**

All elevations shall be based on U.S.G.S. datum and tied into a minimum of one U.S.G.S. monument.

### **14.4 Distances, Grades and Sizes**

The distance and stationing between manholes, grades, sewer pipe sizes, elevations and materials shall be shown on the plans. Arrows shall show the direction of the flow.

## **SECTION 15 PROPERTY TRANSFER**

Applicant shall provide legal description for property to be transferred to the Borough, if applicable. All property corners to be set with concrete monuments. Applicant shall file easements with County. Minimum sanitary sewer easement width is 25'.

## **SECTION 16 INSTALLATION STANDARDS**

Install materials in accordance with the following:

- A. All materials shall be installed in accordance with the details included in the appendices.
- B. All materials shall be as-built and tested in accordance with Section 7 of the Rules and Regulations.
- C. The general sewer main installation notes listed in the appendices shall be incorporated into each drawing set showing sewer main work.
- D. The interior of all pipe shall be thoroughly cleaned before being lowered into trench.
- E. All sewer mains systems shall be watertight with all visible leaks being repaired.
- F. After cutting PVC pipe, provide beveled angle on spigot end of pipe.
- G. Unless otherwise approved by the Engineer, no pipe couplings are permitted between gravity sanitary sewer system manholes. For new construction, no changing of pipe materials is permitted between manhole sections.
- H. Under no circumstances shall pipe be laid when trench conditions or the weather is unsuitable for such work.
- I. All gravity sewer mains shall be installed with the aid of a laser.
- J. Within pump station wet wells all bolts and nuts shall be either Type 304 or 316 stainless steel.
- K. Minimum compressive strength for concrete shall be 4,000 psi. Concrete thrust blocks shall be installed on all force main bends greater than 10 degrees and at all tees, wyes, caps, valves, reducers and wherever else required.
- L. Connection to Existing Manholes: Core new opening in manhole, place the pipe stub to the inside face of the manhole and make a watertight seal around the stub with non-shrink grout. Modify the existing channel to accommodate the new pipe.

- M. All work shall be conducted in accordance with both OSHA Regulations and confined space procedures.
- N. All excavations shall be adequately guarded so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough.

## **SECTION 17 INSPECTION AND TESTING OF INSTALLED FACILITIES**

### **17.1 Inspection of sewerage facilities distribution system during course of construction.**

- A. All sewerage system construction (including sewer main connections) in the Borough of Wildwood Crest shall be monitored by the Engineer/Borough personnel to ensure compliance with the approved plans and specifications.
- B. All systems (Borough owned and privately owned) are subject to the testing procedures specified herein.
- C. A temporary plug shall be installed in the manhole furthest downstream in any sewer main under construction and shall remain intact and unloosened until written permission is received from the Engineer to remove same. Owner's representative shall maintain the manhole and upstream piping in a clean and dewatered condition.
- D. Owner shall provide all necessary labor, gas detectors, safety equipment, materials and other equipment to assist the Engineer during testing. Owner shall provide for maintenance of traffic during testing.

## **SECTION 18 AS-BUILT REQUIREMENTS**

The following procedure defines the minimum requirements imposed on the owner when submitting as-built sewer main and force main drawings. The owner shall meet all the requirements listed under the preliminary submittal requirements section before commencing witnessed testing of any sewer main or force main. Any submittals not meeting all the minimum requirements listed in the following procedure will not be reviewed by the Engineer.

### **18.0 Preliminary as-built submittal requirements**

#### **18.1 General**

- A. This submittal consists of utilizing the approved drawing set with the design information distinguished from the corresponding as-built information. Methods such as circling or drawing a thin line through the design information shall be utilized. The design and as-built information shall be legible.

- B. Each submittal shall consist of one (1) electronic copy and three (3) copies of each drawing included in the as-built transmittal. All drawings shall be signed and sealed by a State of New Jersey licensed surveyor.
- C. If the alignment of the sewer main or force main has been revised during construction the as-built alignment shall be shown.
- D. All titles to easements shall be based on the as-built alignment of the piping. All easements shall be recorded with Cape May County Clerk by the applicant. Documentation substantiating that this has been accomplished shall be submitted to the Borough Engineer.

**18.2 Sewer Mains: As-builts shall comply with the following:**

- A. As-built manhole rim elevations shall be provided.
- B. As-built invert elevation of all pipes penetrating each manhole shall be provided.
- C. As-built pipe lengths measured from manhole centerline to manhole centerline shall be provided.
- D. As-built pipe slopes shall be calculated by the applicant.
- E. As-built pipe diameter and pipe material shall be provided.
- F. The as-built length from each sewer main connection to the downstream manhole shall be provided. In addition, the as-built length from the last sewer main connection to the upstream manhole shall be provided.
- G. Any sewer main connection deviating from the standard wye connection and 1/4" per foot slope shall be noted.
- H. Any sewer main connection left for a future connection shall have the pipe cover and three (3) tie dimensions taken at the end of the lateral (i.e. measurement from a permanent object; corner of house, inlet, manhole, hydrant, etc.).
- I. All as-built concrete encasements and concrete cradles shall be noted.
- J. The as-built manhole frame and cover manufacturer's name and model number shall be listed.
- K. All the above information shall be shown on a plan drawing.

**18.3 Force Mains: As-builts shall comply with the following:**

- A. As-built invert elevation at each bend shall be provided. In addition, the invert elevation at the force main as-built high point shall be provided.
- B. At each bend three (3) tie dimensions shall be taken.
- C. The dimensions for each thrust block shall be provided.
- D. When restrained joints are provided the dimension to the first unrestrained joint shall be provided.
- E. Manufacturer's data on air relief valves, gauges and all valves shall be provided separately.
- F. As-built drawings of any air relief and blow off chambers shall be provided.
- G. The as-built pipe length between bends shall be provided.
- H. As-built pipe diameter and pipe material shall be provided. References to ductile iron pipe being cement/non-cement lined shall be included.
- I. All the above information shall be shown on a plan and profile. The profiles shall show the location of all crossing utilities and their invert elevation.

#### **18.4 Final As-Built Submittal Requirement**

The final submittal is the record plan which consists of the entire project on one (1) 1"=100 feet scale plan view with the streets outlined and labeled, and the as-built sewer main and force main information shown. For smaller projects the record plan scale may be adjusted or the original drawings utilized as a background. The drawing size shall be twenty-four inches (24") by thirty-six inches (36"). Unless other arrangements are made by the owner, the Engineer shall prepare the final as-built submittal.

### **SECTION 19.0 TESTING OF COMPLETED SYSTEM**

#### **19.1 General**

All gravity sewer mains and force mains are required to pass the following tests to insure there will be neither exfiltration or infiltration:

Gravity Sewer Mains:

Exfiltration, Infiltration and Lamping Tests

Deflection Testing (PVC gravity sewer mains only.)

Video Taping

Gravity Sewer Main Connections:

Exfiltration Test

Force Mains:

Exfiltration

Manholes:

Vacuum

No testing will be witnessed by the Engineer until the requirements provided in the as-built section are met.

## **91.2 Method of Testing-Exfiltration Test For Gravity Sanitary Sewer Mains**

### **A. General Information:**

- (1) Perform all tests in presence of the Borough Engineer.
- (2) Conduct exfiltration test when all utilities (including gas, water, telephone, sewers, manholes, and laterals) have been installed.
- (3) Establish test section between consecutive manholes.
- (4) All testing requirements shall be met prior to acceptance of sewer facilities by the Engineer.

### **B. Procedure for exfiltration test (low pressure air test, 3.5 lb.):**

- (1) Plug test section of sewer line at each end. Tap one (1) plug and provide air inlet connection for filling pipe from air compressor.
- (2) Cap or plug all service laterals, stubs and fittings connecting to sewer test section, brace same against internal pressure to prevent air leakage by slippage and blowouts.

- (3) Connect air hose to tapped plug selected for air inlet. Connect other end of air hose to portable air control equipment used for controlling air entry rate to sewer test section and monitoring air pressure in pipeline.
- (4) Air control equipment shall include shut-off valve, pressure regulating valve, pressure reduction valve and monitoring pressure gauge having pressure range from 0 to 10 psi and an accuracy of 1/2 percent.
- (5) Connect another air hose between air compressor (or other source of compressed air) and air control equipment. This completes test equipment set up.
- (6) Supply air to test section slowly, filling pipeline until constant pressure of 4.0 psig (greater than average groundwater back pressure) is maintained.
- (7) When constant pressure of 4.0 psig is reached, throttle air supply to maintain internal pressure above 4.0 psig for at least two (2) minutes, permitting temperature of entering air to equalize with temperature of pipe wall. During this stabilization period, check all capped and plugged fittings with a soap solution to detect leakage at connections.
- (8) If leakage is detected, release pressure in line and tighten all leaky caps and plugs. Start test operation again by supplying air. When necessary to bleed off air to tighten or repair faulty connection, a new two-minute interval shall be allowed after pipeline has been refilled.
- (9) After stabilization period, adjust air pressure to 4.0 psig (greater than average groundwater back pressure) and shut off or disconnect air supply. Observe gauge until air pressure reaches 3.5 psig. At 3.5 psig commence timing with a stop watch which is allowed to run until the line pressure drops to 3.0 psig. The time required, as shown on the stop watch, for a pressure loss of 0.5 psig is used to compute air loss.
- (10) If the time, in minutes and seconds, for the air pressure to drop from 3.5 to 3.0 psig is GREATER than that shown in Table 1 for designated pipe size, the section undergoing test shall have passed.
- (11) If the time, in minutes and seconds, for 0.5 psig drop is LESS than shown in Table 1 for designated pipe size, the section of pipe shall have failed the test. Necessary repairs shall be made by the Contractor and the line retested.

**TABLE 1**

**TIME REQUIREMENTS FOR SEWER MAIN AIR TESTING MAIN**

Sewer Main Diameter Inches*	Time, Minutes
4	2
6	3
8	5
10	7
12	11
14	15.5
15	17
16	20
18	25
20	32
21	34
24	45
27	57
30	71

\*Multi Pipe Sizes: When sewer line undergoing test is 8 inch or larger diameter pipe and includes different sized laterals, the test time shown for the sewer line shall be utilized and no time adjustments for the laterals shall be considered.

C. Procedure for air pressure correction due to groundwater:

- (1) Air pressure correction is required when prevailing groundwater is above sewer line being tested. Under this condition, air test pressure shall be increased 0.433 psi for each foot groundwater level is above invert of pipe.
- (2) Establish height of groundwater (in feet) above pipe invert:
  - a) During Sewer And Manhole Construction, install one-half inch diameter pipe nipple (threaded one or both ends, approximately ten inches long) through manhole wall directly on top of one of the sewer pipes entering manhole, with threaded end of nipple extending inside the manhole.
  - b) Seal pipe nipple with a threaded one-half inch (1/2") cap.
  - c) Immediately before air testing, determine groundwater level by removing the threaded cap from nipple, blowing air through the pipe nipple to remove any obstructions, and connecting clear plastic tube to pipe nipple.
  - d) Hold plastic tube vertically permitting water to rise to groundwater level.

- e) After water level has stabilized in plastic tube, measure vertical height of water, in feet, above invert of sewer pipe.
- (3) Determine air pressure correction, which is added to 4.0 psig normal starting pressure of test, by dividing the vertical height in feet by 2.31. The result gives air pressure correction in pounds per square inch to be added:

Example: If the vertical height of water from the sewer invert to the top of the water column measures 11.55 feet, the additional air pressure required would be

$$\frac{(11.55)}{2.31} = 5 \text{ psig}$$

Starting pressure of the test would be 4.0 plus 5 or 9.0 psig, and the one-half pound drop becomes 8.5 psig. There is no change in the allowable drop (0.5 psig) or in the time requirements established for the basic air test.

### 19.3 Method of Testing - Infiltration Test for Gravity Sanitary Sewer Mains

#### A. General:

- (1) All work relating to infiltration testing shall be performed in the presence of the Engineer. The weir will be provided by the Engineer.
- (2) All requirements of this specification shall be met prior to acceptance of sewer facilities.

#### B. Procedure for infiltration test:

- (1) Examine the sanitary sewer system for infiltration at the downstream end of the system after construction has been completed.
- (2) In the event that there is infiltration and water is flowing at the downstream end of the system, then the source and volume of flow shall be determined by an infiltration test.
- (3) The test shall consist of isolating the source of infiltration by plugging the first upstream manhole and observing to see if the flow stops. This procedure is repeated one manhole at a time until each source has been isolated.
- (4) When the infiltration has been isolated to a section or area, the volume of flow shall be determined using a ninety-degree (90°) v-notch weir inserted into the pipe.

- (5) The actual infiltration rate will be determined by the Engineer based on weir measurements. This rate will be compared with the allowable infiltration rate of 50 gallons/inch diameter/mile of pipe/per day (24 hours).
- (6) If the allowable infiltration rate is greater than the actual infiltration rate, the infiltration test passes. If the actual infiltration is greater than the allowable infiltration rate then the infiltration test fails.
- (7) In the event the infiltration test fails, the section of the pipe involved shall be repaired as necessary and the test repeated.

#### **19.4 Method of Testing - Lamping for Gravity Sanitary Sewer Mains**

A. General:

- (1) Lamping shall be performed on all gravity sanitary sewer mains.
- (2) Lamping will be performed by the Engineer. The owner shall provide all necessary labor, gas detectors and safety equipment to assist the Engineer during the lamping inspection.

B. Procedure for Lamping:

- (1) Lamping consists of visually examining the inside of the pipe between two consecutive manholes using light and mirror.
- (2) The light is shown from one manhole towards the other manhole.
- (3) A mirror is held at the invert of pipe and adjusted so that light and barrel of pipe can be seen.
- (4) The barrel of the pipe shall have no vertical deflection and at least seventy-five percent (75%) of the barrel shall be visible in the horizontal direction.
- (5) In the event that lamping shows the pipe not laid to line and grade within the acceptance limits specified above, then it shall be repaired and relamped as necessary until the lamping complies with the acceptance limits.
- (6) No lamping shall be performed until all gravity lines have been jet cleaned and vacuumed.

#### **19.5 Method of Testing - Deflection Test for Gravity Sanitary Sewer Mains**

A. General:

For pipe conforming to the requirements of ASTM D 3034, F 679 and F 794 maximum allowable pipe deflection (reduction in vertical inside diameter) shall be 7 1/2%.

For pipe conforming to the requirements of ASTM D 2241, AWWA C-900 and AWWA C-905 maximum allowable pipe deflection (reduction in vertical inside diameter) shall be 5%.

B. Procedure for Deflection Testing:

Deflection tests shall be successfully performed on the complete installation by means of one of the following methods prior to the acceptance of construction.

- (1) "Go-No-Go" mandrel properly sized.
- (2) Calibrated television.

**19.6 Method of Testing - Video Taping Test for Gravity Sanitary Sewer Mains**

A. General

- (1) Owner to submit one original and one copy of the Inspection and Work Report specified in this Section.
- (2) Owner to submit two (2) copies of the video taping.
- (3) Reports and video tapes shall be reviewed and approved by the Engineer prior to system activation.

B. Television Inspection:

- (1) Owner's representative to perform closed circuit television inspection of pipe.
- (2) Engineer shall have access to view television monitor screen at all times.
- (3) Owner's representative to provide pulling cable or rod for camera with footage meter so point of observation will be known at all times.
- (4) Owner's representative shall provide temporary water to insure a minimum of 1/4" depth of water is flowing through the piping during the television inspection work.

- (5) The location of all laterals shall be determined during the television inspection, and included in the Inspection and Work Report to be furnished.
  - (6) If videotaping and reports indicate a deficiency in the installation of the sanitary sewer main, the owner shall correct the deficiency and re-televise the new sanitary sewer main.
- C. Video Tapes / Discs:
- (1) Provide extra high quality video (VHS) tapes or discs (DVD) which clearly show conditions as they appeared on the television monitor screen.
  - (2) Provide specific views as the Engineer may request during television inspection and repair operations.
  - (3) Coordinate all video tapes with the specified Inspection and Work Report.
- D. Inspection and Work Report:
- (1) Submit bound, typewritten reports to the Engineer outlining all work accomplished. Reports shall include:
  - (2) Results of television inspection, including a description of all noteworthy areas.
  - (3) Listing of lateral locations. Coordinate report with the video tapes showing other views as required by Engineer.
  - (4) Any additional information as required by Engineer.
  - (5) All noted items shall be identified by station. The centerline of the downstream manhole in each section shall be considered Station 0+00.

### **19.7 Method of Testing - Exfiltration Test for Laterals**

Prior to initiating the final connection of a lateral at the main, the lateral shall be pressure tested. The lateral shall be made tight from the point of connection at main to the lowest cleanout in the building and pressure tested under a ten foot head of water. The water level at the top of the test head shall not drop for at least 15 minutes. All other applicable plumbing code testing shall be completed.

## **SECTION 20 SANITARY FORCE MAIN INSPECTION AND TESTING**

## **20.0 Sanitary Force Main Inspection and Testing**

- A. Once both construction and the as-builts have been completed on the force main and all its appurtenances, the Contractor may request testing.
- B. The Contractor will be responsible for supplying all equipment, tools, safety equipment and personnel to perform the necessary tests. He will also provide personnel, as required to assist the Engineer during his visual inspection. The Engineer shall be present at all times during pressure testing of a force main.
- C. A visual inspection of all terminations and manholes will be performed to insure that construction on this force main system meets all the drawing and specifications requirements, and in addition, all clean-up work has been completed.

## **20.1 Method of Exfiltration Test**

- A. Perform all tests in presence of the Engineer.
- B. Conduct exfiltration test prior to backfilling trench.
- C. Establish test sections between valves, or as directed by the Engineer.
- D. Sections of main shall be tested before connection to existing mains. At connections to existing mains, existing static pressure shall be applied for test. No joints shall be covered until tested in presence of Engineer.
- E. All visible leaks shall be repaired regardless of the amount of leakage. Defective joints, pipe and fittings shall be removed and replaced by the Contractor.
- F. All requirements of this specification shall be met prior to acceptance of force main by the Borough.

## **20.2 Procedure for exfiltration test:**

- A. Expel air from pipe through blow-offs, or taps required for release of air from high points. Taps for release of air and blow-offs for filling pipe and releasing air shall be provided by the owner's representative.
- B. Fill each pipe section slowly with water, and subject pipe to hydrostatic pressure of 150 psi for two (2) hours.

C. When test pressure is reached, measure amount of make-up water required to maintain this pressure during the two (2) hour test period. Pressure shall remain constant on the pipe and shall not drop more than 5 pounds nor be increased more than 5 pounds during the test period.

D. The maximum amount of makeup water that can be added shall be as follows:

Test Pressure	Nominal Pipe Diameter (Inches)	Allowable Leakage Per 1000 feet of Pipe (GPH)
150 PSI	3	0.28
	4	0.37
	6	0.55
	8	0.74
	10	0.92
	12	1.10
	14	1.29
	16	1.47
	18	1.66
	20	1.84
	24	2.21
	30	2.76
36	3.31	

E. Acceptance shall be determined based on the amount of makeup water to be added to the pipe being tested. If any test of pipe has leakage greater than the specified amount the owner’s contractor shall locate and make repairs as necessary until the leakage is within the specified allowance.

**SECTION 21 MANHOLE TESTING**

**21.0 General**

- A. All gravity sewer and force main manholes shall be tested.
- B. Testing of “Live Doghouse” type manholes is waived
- C. Regardless of test results all visible leaks shall be eliminated.

**21.1 Method of Test**

- A. Each manhole shall be tested immediately after assembly and prior to backfilling.

- B. All lift holes shall be plugged with an approved non-shrink grout.
- C. No grout will be placed in the horizontal joints before testing.
- D. All pipes entering the manhole shall be plugged, taking care to securely brace the plugs from being drawn into the manhole.
- E. The test head shall be placed at the inside of the top of the cone section and the seal inflated in accordance with the manufacturer's recommendation.
- F. A vacuum of 10 inches of mercury shall be drawn and the vacuum pump shut off. With the valves closed, the time shall be measured for the vacuum to drop to 9 inches. The manhole shall pass if the time is greater than 60 seconds for a 48" diameter manhole, 75 seconds for 60", and 90 seconds for 72."
- G. If the manhole fails the initial test, necessary repairs shall be made from the manhole exterior with a non-shrink grout while the vacuum is still being drawn. Retesting shall proceed until a satisfactory test is obtained.

## **SECTION 22 CONFORMANCE WITH OTHER PROVISIONS**

- A. The applicant shall be responsible to comply with all federal, state, county and borough requirements and provisions.
- B. If applicable, the applicant shall be responsible for obtaining a borough street opening permit prior to a sanitary sewer connection approval and shall comply with all aspects of Chapter 67 Street Excavations.

## **SECTION 23 CONSTRUCTION NOTES AND DETAILS**

**SECTION 24 APPLICATIONS**

**BOROUGH OF WILDWOOD CREST  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 1330**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER  
61, SEWERS, OF THE CODE OF THE BOROUGH OF  
WILDWOOD CREST AND INCORPORATING CHAPTER 60,  
SEWERAGE, AS AMENDED AND SUPPLEMENTED HEREIN  
INTO CHAPTER 61 OF THE CODE OF THE BOROUGH OF  
WILDWOOD CREST**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is necessary and proper for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants to supplement and amend Chapter 61 of the Code of the Borough of Wildwood Crest 2015, which regulates sanitary sewers in the Borough of Wildwood Crest.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Borough of Wildwood Crest in the County of Cape May and State of New Jersey, as follows:

**Section 1.** Chapter 60, entitled Sewerage, of the Code of the Borough of Wildwood Crest 2015, as revised, amended and supplemented herein, shall hereinafter be designated as Article VIII in Chapter 61 of the Code. Chapter 60 shall be marked Reserved.

**Section 2.** Chapter 61, entitled Sewers, of the Code of the Borough of Wildwood Crest is hereby supplemented and replaced with the following:

**Chapter 61**

**SANITARY SEWERS**

**ARTICLE I**

**Terminology**

**§ 61-1. Definitions; Word usage.**

The terms, words and phrases used in this chapter shall be found in the Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards and shall have the meanings set forth therein, unless the context specifically indicates otherwise.

**ARTICLE II**

**General Provisions**

**§ 61-2. Scope, purpose, policy.**

- A. To prevent the introduction of pollutants into the Borough's wastewater collection and treatment system which will interfere with its operation, contaminate the biosolids generated at the wastewater treatment plant, or will otherwise be incompatible with the system.
- B. To prevent the introduction of pollutants into the Borough's wastewater collection and treatment system which will be inadequately treated and thus will pass-through the system into the receiving waters or the atmosphere.

- C. To protect the environment, the general public and Borough personnel against the hazards associated with discharges of toxic or otherwise incompatible pollutants into the sewer system.
- D. To improve the opportunity to recycle and reclaim industrial wastewaters and biosolids from the wastewater treatment system.
- E. To provide for equitable distribution of the cost for the development and implementation of the Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards and other improvements to the wastewater collection and treatment system.
- F. To help assure the Borough and Cape May County MUA joint compliance with the New Jersey Pollutant Discharge Elimination System (NJPDES) permit, biosolids use and disposal requirements, the Clean Water Act, the General Pretreatment Regulations, and any other state or federal laws which with the Borough and Cape May County MUA must comply.

**§ 61-3. The Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards adopted.**

- A. The Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards, (alternately referred to as “Rules, Regulations and Standards”) three (3) copies of which are on file in the Office of the Borough Clerk of the Borough being marked and dated July 15, 2020, is hereby adopted as the Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards, and each and all of the rules, regulations, provisions, penalties, conditions and terms of the Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards are hereby referred to, adopted and made a part hereof as if fully set out in this chapter.
- B. The Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards shall apply to persons located both within and outside the Borough’s political jurisdiction, including those in one of the contributing municipalities, who are Users or Significant Indirect Users of the collection system serviced by the Borough. Except as otherwise provided herein, the provisions of the Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards shall be administered and implemented by the Borough.
- C. Nothing contained in the Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards shall be construed as preventing any special agreement or arrangement between the Borough and any Users within the Borough or one of the contributing municipalities, allowing a waste of unusual strength or character to be accepted by the Borough through special agreements in writing, executed prior to such acceptance, containing safeguards, limitations, and conditions acceptable to the Borough or the CMCMUA. Any such agreement or arrangement shall not allow a discharge that exceeds Categorical Standards.

**§ 61-4. Applications and application procedures.**

The applications and application procedures shall be found in the Borough of Wildwood Crest Sanitary Sewer Rules, Regulations and Standards.

**§ 61-5. General provisions.**

- A. Transfer of service to new owners for existing connections.
  - (1) No transfer of service will be granted by the Borough until the owner has paid all charges due by the owner at any premises now or heretofore occupied by the owner.
  - (2) As sewer charges are municipal liens, all charges will be submitted by the Borough prior to the date of settlement and verified in written form to the title company or whatever authorized agent is processing the transfer of the property. The title company shall be obligated to clear all sewer charges outstanding on the property. In

the event that charges are not paid at settlement, those charges shall remain on the account as a lien against the property.

- (3) All search requests shall be presented to the Borough in writing at least 14 calendar days before the proposed settlement date.
- (4) The Borough shall charge a search fee on each account investigated. Failure on the part of the party requesting the search (title company or the proper authorized agent) to pay the search fees at settlement or within 20 days of presentation of the account information, whichever is shorter, will result in the discontinuance of Borough lien information to the requesting party.
- (5) No search fees will be charged for information in areas in which there is no existing sewer service.

B. Service to new owners in newly constructed dwellings. No Certificate of Authority approval will be given to the Construction Official for issuance of a Certificate of Occupancy until the Borough has verified that the sewer main connection has been installed in accordance with the Borough procedures, the water meter is operational, and the connection fees have been paid. The initial billing date of a newly constructed home/EDU will be according to Article VI of this chapter.

C. Landlord-Tenant Responsibility. All charges for sewer are a lien against the property and therefore the responsibility of the owner. Therefore, all bills will be sent to the property owner and not the tenant.

D. Mandatory Connection.

- (1) Whenever a sewer main either exists or is made available to an improved property a connection shall be made by the property owner within 30 days from the date after notice to such owner is provided by the Borough of Wildwood Crest. Mandatory connection and payment of the fees shall be paid in accordance with the fee schedule within the above specified time.
- (2) For the purpose of this section, exists or made available, shall mean the availability of a gravity main in any public road or public easement fronting any of the sides of a building lot or within property line of any point of their property. It is the owner's responsibility to pay for all expenses associated with extending and maintaining the public sewer main, as necessary, to connect their facility to the sewer up to the property line, in accordance with the Borough's standards.

E. Connection Fees and Time of Connection.

- (1) The fees for the right to connect directly or indirectly to the Borough's sanitary sewerage system shall include a connection fee as well as fees for application, administrative action, review, and inspection of work in keeping with the Borough's Sanitary Rules, Regulations and Standards. The owner is responsible for payment of all fees.
- (2) No unauthorized persons shall uncover, make any connections with or opening into, use, alter, or disturb the Borough's wastewater collection system or any appurtenance thereof without first paying a connection fee and complying with the Borough's connection procedures.
- (3) In cases of condominium ownership, each unit, whether residential or other than residential, shall be considered as separate entities for connection fee purposes.
- (4) Any connection must be made within twelve (12) months of the date the connection fee is paid unless a special exemption is provided by the Borough of Wildwood Crest. The sewer connection permit will become void at that time, but can be renewed for additional periods of one (1) month each upon payment of any increase in the amount of the connection fee over the fee paid at the time of issuance of the original sewer

connection permit and compliance with any change in the regulations governing connections.

- (5) The Borough reserves the right to adjust both the number of EDU's estimated and connection fee charged based on the actual consumption figures obtained for a one (1) year period after the initial connection to the Borough's sewer system. The Borough is under no obligation to refund connection fee monies due to lower than anticipated wastewater flows.
- F. Discontinuance of Service by Owners. Sewer service will not be considered a service subject to discontinuation. Discontinuation of service can only be authorized by the Borough. Requests for discontinuance of sewer service will be considered only in cases of demolition, fire, flooding, or by order of the Board of Health for abandonment to the building serviced for health reasons. The property owner will be responsible for the payment of all fees as established by the Borough until a written request for discontinuance is received. The owner will be responsible to hire a plumber to cap the applicable lines.
- G. Turnoff Without Authority. The owner shall not turn off or disconnect or remove the water/sewage meter or permit its disconnection or removal without the written consent of the Borough.
- H. Due to Emergency. As necessity may arise in the event of breakdown, emergency, or for any other unavoidable cause, the Borough shall have the right to cut off the sewer service temporarily in order to make necessary repairs, connections, etc., but the Borough will use reasonable and practicable measures to notify the owner of such discontinuance of service. In such case, the Borough shall not be liable for any damage or inconvenience experienced by the owner; or any claim against it at any time for interruption in service. When the service is to be temporarily interrupted, notice will be given when practicable, to all owners affected by the temporary interruption of service, stating the probable duration of the interruption, and the purpose of the interruption.
- I. Reserve Capacity. The Borough shall have the right to reserve sufficient capacity in its facilities to adequately collect sewage from all existing and contracted owners. The Borough may further restrict or regulate the quantity of wastewater discharge by the owner in case of scarcity of capacity, or whenever the public welfare may so require.
- J. Responsibility for Service.
- (1) It is agreed by the parties receiving service that the Borough does not assume any liability as insurer of property or person, and that the Borough does not guarantee any special service, capacity, or facility, other than is permitted by the ordinary and changing operating conditions of the Borough, as the same exists from day to day. It is agreed by the parties receiving service that the Borough shall be free and exempt from any and all claims for injury to any persons or property by reason of failure to provide collection or treatment capacity.
  - (2) In all contracts for general or special sewer service, it is expressly understood and agreed that no claims will be made against the Borough for damage to life or property, by reason of the breaking of any service pipe or appliance within the owner's premises, nor for any damage done due to the failure of the sewerage capacity for any cause beyond the Borough's control.
  - (3) No service will be furnished to any premises where any possibility exists of the mingling of storm water and sanitary waste; nor will the Borough permit its mains or service pipes to be connected in any way to any piping, tank, vat or other apparatus containing liquids, chemical, or any other matter which may flow back into the Borough's service pipes or mains, and consequently endanger the treatment process.
- K. Complaints. Complaints with respect to the character of the service furnished, or the reading of the meters or of the bills rendered, must be made at the Borough's office either orally, or in writing.

L. Reasonable Access. The properly identified authorized agents of the Borough shall have the right of access to the premises served, at all reasonable hours, for the purposes of reading meters, examining fixtures and pipes, observing the manner of use and discharge of water, and for any other purpose which is proper and necessary in the conduct of the Borough's business.

M. No Oral Agreements. No agent or employee of the Borough has authorization to bind it by any promise, agreement or representation not provided for in these rules.

N. Prohibited Actions.

- (1) No person shall place, shall discharge or shall permit to be placed or to be discharged upon public or private property any wastewater.
- (2) It shall be unlawful to discharge without an NJDES permit to any natural outlet within the Borough or in any area under its jurisdiction. Wastewater discharges to the wastewater facilities are not authorized unless in accordance with the provisions of this chapter.
- (3) Except as provided in this chapter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.
- (4) No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used or shall be maintained upon any improved property that has been connected to the wastewater collection system. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and shall be cleansed and shall be filled, at the expense of the owner of such improved property; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, not cleansed and filled, shall constitute a nuisance, and such nuisance may be abated, as provided by law, at the expense of the owner of such improved property.
- (5) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Borough or in any area under the jurisdiction of the Borough any human or animal excrement, garbage or other objectionable waste.
- (6) No private wastewater disposal system shall be permitted in the geographic areas of the Borough which have wastewater sewers provided.

**§ 61-6 to § 61-8 Reserved**

### **ARTICLE III**

#### **Use of Sewer System and Facilities**

##### **§ 61-9. General.**

No User or Significant Indirect User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will cause a pass-through or interference in the Borough's and/or Cape May County MUA'S wastewater collection and treatment system, will create a hazard to the environment, the general public or Borough personnel, or will cause the Borough and/or Cape May County MUA to violate any General Pretreatment Regulation, NJPDES permit or biosolids requirement. These general prohibited discharge standards apply to all such Users of a wastewater collection and treatment system, whether or not the User is subject to National Categorical Pretreatment Standards or any other national, State, or local pretreatment standards or requirements.

- A. No user shall introduce or cause to be introduced into the Borough of Wildwood Crest sanitary sewer collection system and CMCMUA the following pollutants, substances, or wastewater:

- (1) Pollutants which create a fire or explosive hazard in the Borough of Wildwood Crest sanitary sewer collection system or CMCMUA, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
- (2) Wastewater having a pH less than 5.5, or more than 9.5, or otherwise causing corrosive structural damage to the Borough of Wildwood Crest sanitary sewer collection system or CMCMUA equipment;
- (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the Borough of Wildwood Crest sanitary sewer collection system or CMCMUA resulting in interference;
- (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the CMCMUA;
- (5) Wastewater having a temperature greater than 150°F or 65°C, or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the Borough of Wildwood Crest sanitary sewer collection or CMCMUA in a quantity that may cause acute worker health and safety problems;
- (8) Trucked or hauled pollutants, except at discharge points designated by CMCMUA in accordance with the sewer use ordinance;
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating CMCMUA's NJPDES permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Superintendent;
- (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- (14) Medical wastes, except as specifically authorized by CMCMUA in a wastewater discharge permit;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the CMCMUA;

- (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l, containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F;
  - (18) Wastewater causing readings on an explosion hazard meter at the point of discharge into the Borough of Wildwood Crest sanitary sewer collection system, or at any point in the Borough of Wildwood Crest sanitary sewer collection system or CMCMA, of more than five percent [5 %] of the Lower Explosive Limit of the meter;
  - (19) Wastes containing phenolic compounds over 1.0 ppm, expressed as phenol.
  - (20) Any waters or wastes with BOD in excess of 350 mg/L;
  - (21) Any waters or wastes with suspended solids content in excess of 300 mg/L, or containing suspended solids of such character or gravity that unusual attention or expense is required to handle or treat such materials;
  - (22) Unusual volume or concentration of wastes being delivered in a “slug” manner by which it is meant that the normal concentration or loading shall not be exceeded by more than a 4.0 factor for any sixty minute period.
- B. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the Borough of Wildwood Crest sanitary sewer collection system or CMCMA.
- C. Nothing in the section shall be construed to prohibit a special agreement (including, but not limited to NJPDES permits) allowing discharge of wastewaters containing pollutant concentrations in excess of those noted above following review and approval by the Engineer and Control Authority.
- D. When one of the contributing municipalities or the Borough determines that a User or Significant Indirect User is contributing to the wastewater collection and treatment system any of the above enumerated substances in such amounts as to interfere with the operation or cause pass-through of the system, the Borough, in conjunction with the CMCMA and NJDEP, shall advise the User of the impact of such contribution on the wastewater collection and treatment system, and develop effluent limitations for such User to correct the violation.
- E. The Borough, in conjunction with the CMCMA and NJDEP, may also enact enforcement remedies against the non-complying User or Significant Indirect User, whether or not the User or Significant Indirect User was given prior notification of the violation by the Borough.

**§ 61-6. Wastewater discharges into sewer system.**

- A. Wastewater discharges into sewer system.

It shall be unlawful to discharge any wastewater to any sanitary sewer in any area under the jurisdiction of, or within the service area of, the Borough or one of the contributing municipalities, except as authorized in writing by the Borough in accordance with the provisions of the Rules, Regulations and Standards. The Borough may require any users of the sewer system to provide any information needed to determine compliance with the Rules, Regulations and Standards or other applicable local, state, or federal laws, rules, or regulations. These requirements include, but are not limited to:

- (1) Wastewater discharge peak rate and volume records over a specified time period.
- (2) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (3) Quantity and disposition of specific liquid, biosolids, oil solvent, or other materials which may impact the operations of the Borough or CMCMA system.

- (4) A plot plan of all sewer facilities on the User's property including the number and location of all sewer lateral connections to the Borough sewer system.
  - (5) Details of control measures taken by the User to prevent and control storm water, drainage, roof runoff, from entering the Borough sewer system.
  - (6) Details of any significant changes to the nature or quantity of their discharge, including increased flows of 25 percent or more, or the promulgation of a categorical pretreatment standard which applies to their discharge.
- B. All users must notify the Borough, CMCMUA, and the NJDEP of discharges to the sewer system which, if disposed of in any other manner, would be considered a hazardous waste under Federal regulations 40 CFR Part 261.
- C. Costs incurred for developing the information described above shall be paid by the User, and are in addition to all other sewer use fees charged by the Borough or one of the contributing municipalities.
- D. The User shall be responsible for obtaining and submitting all applicable Borough, CMCMUA, County, Regional, State, or Federal permits or planning documents required for approval of a sewer connection.

**§ 61-7 to § 61-14 Reserved**

**ARTICLE IV**

**Connections, Responsibilities**

**§ 61-15. Connection to wastewater sewer.**

Any person requesting connection to the wastewater facilities may only do so through the wastewater sewers owned by the Borough. No person may be permitted to directly discharge into the wastewater facilities owned by the CMCMUA unless prior written consent is received from the CMCMUA.

**§ 61-16. Installation costs and indemnification.**

All connections to sewer mains will be at the expense of the owner and shall include cleanout riser trap and vent, tapping, fittings, couplings, pipe, labor and related materials. Owner will be fully responsible for street excavation, restoration (including necessary permits) and the complete cost thereof. The owner(s) shall indemnify the Borough from any loss or damage that may directly or indirectly be occasioned by all connections.

**§ 61-17. Ownership, responsibilities.**

Responsibility for ownership, operation and maintenance of sewer main connections (including traps, vents and cleanouts) shall be as follows:

- A. Sewer main shall be the responsibility of the Borough.
- B. Sewer main connection fitting on main through lateral shall be the responsibility of the property owner being served
- C. Installation of sewer main connections shall be in conformance with the Uniform Plumbing Code, latest revision, and shall be under the jurisdiction of the Borough Engineer or Plumbing Inspector as applicable. Any construction not approved shall be immediately removed and

reconstructed in an approved manner. Any trench backfilled prior to inspection shall be re-excavated.

- D. All piping, traps, sewer vents, risers, check valves and fixtures owned by the property owners shall be maintained by him in good order. All leaks in the sewer main connection system must be repaired immediately by the owner of the premises. The property owner shall be responsible for obtaining both Borough Highway and Borough Plumbing Permits and notifying both the Borough and Plumbing Inspector of the party engaged by said owner to do any maintenance work, prior to work being commenced, and said party shall not backfill any trench until the work has been inspected and approved by both the Borough Plumbing Inspector and Borough. Any work not acceptable shall be immediately removed and replaced by work which is acceptable.

#### **§ 61-18. Borough not responsible.**

The Borough shall in no way be responsible for maintaining any portion of the sewer main connection system owned by the property owner, or for damage done by sewage escaping there from; or for lines or fixtures on the owner's property; and the owner shall at all times comply with applicable municipal regulations with respect thereto, and make changes therein, required by reason of changes of grade, relocation of mains or otherwise.

#### **§ 61-19. Blockages.**

- A. When notified of a blockage by the owner, the Borough will inspect the sewer main and take any action that is necessary to assure that the piping downstream of the lateral connection is clear. If the blockage remains, the Borough's delegate will determine to the best of his judgment the location of the blockage. If it is judged that the blockage is between the sewer main connection and the building, the owner will be notified that it is his responsibility.
- B. The Borough may provide emergency cleaning assistance should a sewer main blockage cause sewer effluent to backup into an owner's property. The Borough provides this assistance as a goodwill gesture only, and by doing so admits no liability for any damage which may have been caused. Before work commences, owner will be required to sign a statement indicating their understanding of the above. Owner will be advised of corrective measures which should be taken to prevent a re-occurrence of the problem. Except in extraordinary circumstances, emergency cleaning assistance will not be provided a second time at the same location or to the same owner.

#### **§ 61-20. Replacement of sewer main connection system.**

Where the replacement of the sewer main connection system from the main to the structure is found to be necessary, the property owner shall replace the service in the location as previously used, unless approved by the Borough Plumbing Inspector.

#### **§ 61-21. Prohibited connections.**

The following are prohibited connections into the sanitary sewers, either directly or indirectly:

- A. Foundation underdrains, sump pumps.
- B. Floor drains, (from other than kitchen drains followed by grease traps and rest rooms); area drains or yard drains.
- C. Rain conductor or downspouts.
- D. Drains from air conditioning and refrigeration equipment.
- E. Drains from storm water inlets or catch basins.

- F. Drains from pieces of equipment or manufacturing processes (without an MIPP permit).
- G. Privy vault, cesspool, sinkhole, septic tank or similar receptacle.

**§ 61-22. Property served by single service lateral.**

A separate and independent building sewer and lateral piping system shall be provided for each property. An individual sewer main connection system, shall not serve more than one property but any such property, upon proper application by the owner may be served by two or more service laterals, each of which, for billing purposes, shall be considered as being one customer account.

**§ 61-23 to § 61-24 Reserved**

**ARTICLE V**

**Grease Interceptors and Sewer Vent Caps**

**§ 61-26. Introduction of grease into sewer system prohibited.**

No person or business shall introduce or allow to be introduced any grease into the sewer system of the borough.

**§ 61-27. Installation of grease interceptor.**

Before any place of business which is situate in the borough shall sell prepared or cooked food which has been prepared or cooked on the premises where the same is sold, the owner of such business shall install a grease interceptor in the drainage system of such place of business.

**§ 61-28. Daily cleaning, waste of grease interceptor.**

- A. Grease interceptors shall be cleaned on a daily basis.
- B. No waste from a food-waste grinder shall be discharged into or through a grease interceptor.

**§ 61-29. Inspection of grease interceptor.**

The Plumbing Subcode Official or Construction Official shall inspect the installation of the grease interceptor. The Health Officer or Code Enforcement Officer shall inspect the maintenance of the grease interceptor. Such officials shall have the right of entry for inspection.

**§ 61-30. Sewer vent caps installation and maintenance.**

All property owners shall maintain a sewer vent cap on any sewer vent servicing their property. The property owner shall have the option of maintaining a sewer vent cap installed by the Borough, including its repair and replacement as necessary, or the option of the installation of a sewer vent cap of another type, after approval first obtained by the property owner from the Construction Official or the Plumbing Subcode Official.

**§ 61-31. Vent risers.**

Any property owner may install a vent riser covered by a mushroom cap, to vent no less than one (1) foot above ground. Vent risers shall be installed within limits of lot lines.

**§ 61-32. Inspection of Vent risers.** When the Borough inspection indicates that a trap vent or cleanout riser is missing a cap, is damaged, or is allowing inflow/infiltration into the system the owner will be notified that the deficiency must be repaired or replaced within ten days. After that time period, the Borough reserves the right to replace or repair the deficiency and the owner will be charged for parts and service.

**§ 61-33 to § 61-35 Reserved**

**ARTICLE VI**

**Sewerage Fee; Connection Fees; Billing; Payment**

**§ 61-36. Payment for sewerage services.**

All users of sewerage services in the Borough of Wildwood Crest, except as provided herein in Section 61-37, shall pay for such services on the basis of metered water consumption from the immediately preceding year as provided by the City of Wildwood Water Utility as follows:

- A. The formula for calculation shall include a fixed rate and a variable rate for the total annual sewerage charges.

The fixed rate is determined to be a charge of five dollars (\$5.) per one thousand (1,000) gallons of metered water consumption multiplied by the total nine (9) months consumption of the immediate preceding year, excluding the months of June, July and August.

- B. The total annual amount of revenue needed to cover wastewater treatment costs shall be calculated by the Chief Financial Officer. The total fixed rate generated in accordance with Section 61-36A above shall be deducted from the total annual revenues necessary to fund wastewater treatment.
- C. The dollar value difference from Section 61-36B shall be used to determine the variable rate by dividing said difference by the total metered water consumption of the three (3) month period (June, July and August) of the immediate preceding year.
- D. Notwithstanding the formula as established herein, no user of sewerage services in the Borough of Wildwood Crest shall pay less than one hundred twenty-four dollars (\$124.) per year or whatever the annual minimum fee may be as determined by resolution.
- E. Upon making the calculations defined herein, the Commissioner of Revenue and Finance shall submit the proposed sewerage rates and minimum charge to the Board of Commissioners of the Borough of Wildwood Crest for confirmation by resolution. The Borough Commissioners shall have the right to review these calculations and to take testimony from municipal officials and such other persons as the Commission may deem necessary to confirm proposed sewerage rates and minimum charge as submitted by the Commissioner of Revenue and Finance or as modified by the Board of Commissioners. Should the Board of Commissioners fail to act within twenty (20) days of the submission of the proposed rates, the proposed rates shall be conclusively deemed to have been confirmed as submitted. No bills for annual sewerage charges shall be issued until the charges are confirmed by the Board of Commissioners or the twenty (20) day period has expired.

**§ 61-37. Industrial Properties.**

In the event that an industrial property utilizes or operates with an outflow meter installed by the property owner to monitor water discharge, the sewer charge shall be billed quarterly based upon the current outflow meter reading. The cost of the meter and installation shall be paid by the property owner and all maintenance pertaining to said outflow meter, including replacement thereof, shall be paid by the property owner. A violation of this provision shall subject the property owner, upon conviction, to a fine of two thousand dollars (\$2,000.) per day for each day that said discharge meter is not in operation.

**§ 61-38. Annual charges, quarterly due dates.**

- A. For any calendar year in which there has been no metered water consumption in the prior year or in which metered water consumption would generate only a minimum amount bill, sewerage charges shall be billed in accordance with Section 61-39 and there shall be no other sewer charges.
- B. For any calendar year in which there was metered water consumption that would otherwise generate a sewer bill in excess of the annual minimum amount, sewerage charges shall be based on the prior year’s consumption and shall be billed as follows:

The annual charge for sewerage services shall be due in four (4) installments.

First quarter	Due April 1
Second quarter	Due June 1
Third quarter	Due September 1
Fourth quarter	Due December 1

**§ 61-39. Sewerage charges for new construction.**

- A. For new construction on a formerly vacant lot or on which lot a building had previously existed and has been demolished, if the property previously had no metered water consumption in the prior year or metered water consumption that generated only an annual minimum amount bill, sewerage charges shall be calculated as follows:

<b>Temporary or Final Certificate of Occupancy Issued or Date of Sale</b>	<b>Annual Per Unit Sewerage Fee</b>
January 1 to March 31	\$600.00
April 1 to June 30	\$450.00
July 1 to September 30	\$300.00
October 1 to December 31	\$150.00

- B. All bills shall be calculated as of the date of issuance of a temporary or final certificate of occupancy or upon the first sale date of any dwelling or commercial unit, whichever occurs first, and shall be due and payable in quarterly payments on the regular due dates allowing at least thirty (30) days from billing date to due date.
- C. If the property previously had metered water consumption that generated a bill in excess of the annual minimum amount, sewerage charges shall be based upon the prior year’s consumption and billed in accordance with Section 61-36. Said bills shall be due and payable in full upon the issuance of a temporary or final certificate of occupancy or upon the first sale of any dwelling or commercial unit, whichever event occurs first.

**§ 61-40. Connection fee for new construction.**

The connection fee shall be \$1,500.00 for each EDU. The definition of Equivalent Dwelling Consumer Units (EDCU) or Equivalent Dwelling Unit (EDU) shall mean any source of wastewater into the Borough's sewer system which has the following use characteristics:

<u>Type of Primary Use</u>	<u>Number EDU</u>
A. Single-family residence	1.0
B. Two-family/duplex	2.0
C. Multi-family	1.0 per unit
D. Hotel/motel rooms (accessory uses such as laundry, restaurants, banquet rooms, etc. are additional EDU's as determined by the Borough Engineer)	0.25 per unit
E. Such permitted commercial uses as set forth in the Borough's Land Development Ordinance B-1 and MC zoning districts	1.0 per 3,000 square feet of gross floor area or unit segment
F. All other uses as determined by the Borough Engineer	

**§ 61-41. Application, plan review, inspection escrow fees and escrow accounts.**

- A. Application fee: The review fee for S-1 Applications is \$150.00 which is non refundable.
- B. Construction plan review fee: Sewer construction plan review fee in the amount of \$100.00 for each equivalent dwelling unit (EDU) receiving sewer service as indicated in the S-2 Application.
- C. Inspection Escrow Fees:
  - (1) An inspection escrow fee of \$150.00 per unit shall be charged for up to two residential units.
  - (2) An inspection escrow fee of six (6%) percent of the estimated cost of construction of the sanitary sewer main and/or lateral as determined by the BOROUGH or a minimum of \$450.00 whichever is greater, for three (3) or more residential units or any number of non-residential units.
- D. Escrow fees must be posted by the owner in the amount specified herein. The funds will be held by the Borough in an escrow account. The Borough will, from time to time, withdraw funds from this escrow account to reimburse itself for costs incurred by the Borough for inspection, engineering review, legal review or for other services provided to or on behalf of the applicant by the Borough. In the event that the escrow fund is depleted or in deficit, the applicant must post additional escrow funds with the Borough in an amount to be set by the Borough. Any funds held in the escrow account will not bear interest for the applicant, unless otherwise provided by the Statute.
- E. The amounts paid pursuant to the S-1 applications are nonrefundable and constitute the minimum amount that the Borough is entitled to retain for the aforesaid services.
- F. The applicant may request the return of any unused portion of the escrowed funds at the completion or termination of construction or after the Borough has accepted all improvements, or after final release of all maintenance guarantees, whichever is later.

- G. The Borough may, in its discretion, refuse to process any application or issue any permit if there is a deficit in the escrow amount of any applicant.

**§ 61-42 Interest rates on delinquent charges.**

Interest rates on delinquent sewerage charges shall be calculated pursuant to and in accordance with N.J.S.A. 54:4-67 et seq., as amended and supplemented. Interest rates charged and grace periods granted are subject to adjustment pursuant to the statute by resolution of the Board of Commissioners. Failure to pay sewerage charges will result in enforcement action as provided for in N.J.S.A. 54:5-1 et seq., as amended and supplemented. The term "delinquency" shall be defined in accordance with N.J.S.A. 54:4-67 et seq., and all applicable statutes as amended and supplemented.

**§ 61-43. Non-use of municipal sewer systems.**

In the event that a property shall be connected to a municipal water system but shall not utilize public sewerage service at all, then the owner of said property shall not be considered to be a "user" of sewer service as that term is utilized in this ordinance. In the event that a property shall have more than one (1) connection to a municipal water system and one (1) or more of such connections shall not utilize public sewerage service at all, then the owner of said property shall not be considered to be a "user" of sewer service as the term is utilized in this ordinance with respect to the connection or connections to the municipal water system which do not utilize public sewerage service. In order for either of the foregoing determinations to be made by the Borough of Wildwood Crest, however, the owner of such property shall first submit an affidavit, executed by a licensed plumber which so states and verifies this fact and said owner shall file the same with the Borough Clerk of the Borough of Wildwood Crest. The Construction Official of the Borough of Wildwood Crest shall, following his review of such affidavit which has been executed by a licensed plumber, conduct a physical inspection of the subject property, following which the Construction Official shall cause to be prepared and shall execute his own affidavit which shall also recite the facts contained in the affidavit executed by the licensed plumber, if appropriate, which affidavit of the Construction Official shall also be filed with the Borough Clerk of the Borough of Wildwood Crest.

**§ 61-44. Adjustments and credits.**

Adjustments due to a water leak will consist of a recalculation of the current year sewer charge. This recalculation will be based on a weighted average of the prior five (5) years individual total metered water consumption regardless of property ownership. If a building has been in existence less than five (5) years, then a weighted average of the number of years said building has been in existence will be used. The adjusted current year charge will never be less than the minimum charged as defined in subsection 61-36D. All adjustments/ credits shall be substantiated with the same plumber and owner affidavits, under the same requirements for water adjustment/credit, including a copy of said water bill showing water adjustment/credit from the City of Wildwood Water Utility.

**§ 61-45 to § 61-46 Reserved**

**ARTICLE IX**

**Enforcement and Penalties**

**§ 61-47. Enforcement.**

The enforcement officer is hereby designated to be the Construction Official, Plumbing Subcode Official or Code Enforcement Officer.

**§ 61-48. Notice of Violation.**

A. Whenever the Borough finds that any User has violated or is violating the provisions of this chapter or the Rules, Regulations and Standards or the General Pretreatment Regulations, the Borough shall serve upon the User a written Notice of Violation (NOV). Within 10 days of the certified receipt of the NOV, the User must submit to the Borough, a written response which contains the following information:

- (1) cause of non-compliance;
- (2) anticipated duration of the non-compliance and the time by which the violation will be corrected;
- (3) steps taken by the User to reduce and eliminate the non-complying discharge;
- (4) steps taken by the User to prevent re-occurrence of the condition(s) leading to the non-compliance;
- (5) the signature of an authorized representative of the user that certifies to the validity of the report.

B. Administrative Order.

Whenever the Borough finds that any user has violated or continues to violate the Rules, Regulations and Standards or the provisions of this chapter; the Borough may issue an order to the user responsible for the discharge containing specific requirements to which the user must comply. The order may contain the following requirements:

- (1) Following a specified time period sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances have been installed and are properly operating;
- (2) Conditions as might be reasonably necessary and appropriate to address the non-compliance, including the installation of pretreatment technology, additional self-monitoring and/or management practices;
- (3) Compliance schedule.

**§ 61-49. Violations and penalties.**

A. Unless otherwise provided by law, any person who shall violate any section of this chapter shall be fined not more than two thousand dollars (\$2,000.), or shall be imprisoned in the Cape May County Jail for a period not to exceed ninety (90) days, or both.

B. Each day or portion thereof during which a violation continues shall constitute a separate violation

**Section 3.** The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**Section 4.** All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**Section 5.** If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**Section 6.** This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: August 5, 2020

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Don Cabrera, Mayor

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Patricia A. Feketics, Borough Clerk

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Joyce P. Gould, Commissioner

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David Thompson, Commissioner

Introduced: August 5, 2020

Adopted: