

SEWERS

Chapter 47

SEWERS

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[HISTORY: Adopted by the Mayor and Council of the Borough of Helmetta: Art. I, 12-14-83; Art. II, 12-27-84. Amendments noted where applicable.]

GENERAL REFERENCES

Moving of buildings — See Ch. 27.
Uniform Construction Code — See Ch. 29A.
Housing standards — See Ch. 39.
Land use procedures — See Ch. 40.
Water — See Ch. 57.
Individual sewage disposal systems — See Ch. 67.

Be it ordained by the Mayor and Council of the Borough of Helmetta in the County of Middlesex and State of New Jersey:

ARTICLE I
Sanitary Sewers
[Adopted 12-14-83]

§ 47-1. Sewer Department established.

A Sewer Department is hereby established in and for the Borough of Helmetta.

§ 47-2. Applications for use; terms of agreement.

All applications for the use of sewers must be made in writing on forms provided by the borough. The application and its acceptance by the borough shall constitute a contract between the borough and the applicant, obligating the applicant to pay the borough its rates as established from time to time and to comply with its rules and regulations.

§ 47-3. (Reserved)¹

§ 47-4. Service connections.

A. (Reserved)²

B. Service connections from the curblineline to the structure shall be installed at the expense of the customer. All service lines shall be in full and complete compliance with the specifications established by the Plumbing Inspector and duly filed with the Borough Clerk.

C. All leaks in the service pipes and fixtures in and upon the premises supplied beyond the curblineline must be properly repaired by the owner or occupant. On failure to make such

¹ Editor's Note: Former § 47-3, Definitions, was repealed 12-27-84.

² Editor's Note: Former Subsection A, which set forth connection charges for customers, excessive users and churches, was repealed 12-27-84.

repairs with reasonable dispatch, the borough, upon ten (10) days' written notice, may turn off the sewer from the premises, and the water will not be turned on again until all necessary repairs are made and all bills, including a charge of three hundred dollars (\$300.) are paid in full. The borough shall in no way be responsible for maintenance of or for damage done by water waste escaping from the service pipe or any other pipe or fixture on the outlet side of the curb connection.

- D. If two (2) or more customers are supplied with sewer use through one (1) service pipe under control of one (1) curb stop and if any of the parties so supplied shall violate sewer rules and regulations, then the borough reserves the right to apply its shutoff regulations to the joint service line. Such action shall not be taken until the innocent customer who is not in violation of the borough's rules has been given ten (10) days' written notice to attach the service pipe leading to his premises to a separately controlled service connection at his sole cost and expense.
- E. The service line shall be inspected and approved after installation and before being covered up. It shall be the responsibility of the contractor or owner to request such inspection from the borough. No certificate of occupancy for new construction shall be issued except upon the approval of the finished sewer installation by the borough.
- F. In the event that there is no sewer tap to the sewer main, the customer shall be responsible for providing the tap and the construction of the service line to the curb at his sole cost and expense after appropriate approvals from the Borough Engineer prior to commencement thereof. The sewer service pipe shall be at right angles from the sewer main to the property line and shall be located a minimum distance of five (5) feet from the sideline of the property.

§ 47-5. Terms of payment.

- A. Billing. Customers will be billed in advance annually, in accordance with the borough's rate schedule.

B. Payment.

- (1) Bills are payable at the sewer revenue office at the Municipal Building.
- (2) (Reserved)³
- (3) If a bill remains unpaid for a period in excess of ten (10) days after the due date, it shall be classed as delinquent. Service may be discontinued on delinquent accounts any time after having given the account not less than five (5) days' written notice.
- (4) When water has been turned off from any premises because of violation of this section or for nonpayment of a bill, a charge of three hundred dollars (\$300.) payable in advance will be made for turning on the water. No charge will be made for turning on the water for an original connection.

C. Liens. The charges shall draw interest and be a lien upon the premises until paid, and the borough shall have the right to exercise the remedies for the collection thereof with interest, costs and penalties provided by law for the collection of taxes upon real estate. Charges for sewers shall be a lien upon the premises as provided by statute.

D. Owners. Owners of premises shall be held responsible for the sewer charges of their tenants.

§ 47-6. Interruption of service.

A. As necessity may arise in case of a break, emergency or other unavoidable cause, the borough shall have the right to temporarily cut off the water supply in order to make the necessary repairs and connections and to perform related services, but the borough will use all reasonable and practicable measures to notify the customer in advance of such discontinuance of service. In no case will the borough be liable for any damage or inconvenience suffered by the customer nor in any case for any claims against it at any time for interruption of service or any other cause beyond its control.

³ Editor's Note: Former Subsection B(2), which set forth due dates for bills, was repealed 12-27-84.

- B. The borough reserves the right to change or amend from time to time these rules and regulations and rates for the use of sewers, in accordance with law and upon approval by the Mayor and Council of the Borough of Helmetta.
- C. Sewer service may be discontinued by the borough for violation of any of the rules and regulations contained herein.
- D. No agent or employee of the borough shall have the authority to bind the borough to any promise, agreement or representation not provided for in these rules and expressly authorized by the Mayor and Council of the borough.
- E. All service installations shall comply with the requirements of this Article and with any special instructions issued by the borough at the time the application is made for installation of service, and the required fee therefor shall have been paid.
- F. Any damage caused by any person to borough sewer facilities or to any part of said system, including sewer mains, sewer laterals and manholes, shall be repaired by the borough at the expense of the person causing such damage.
- G. The cost of the installation of sewer mains or extensions thereof requested by any owner or contractor in order to provide sewer service to the property shall be paid by such contractor or owner.
- H. Any person intending to install sewer service on any property shall first obtain from the borough a copy of instructions pertaining to the installation of sewer service and sign a receipt for such copy of instructions.
- I. It shall be unlawful for any person, whether contractor, owner or otherwise, to connect or permit the connection of more than one (1) property or dwelling, except as otherwise provided herein, to the borough sewer system. The contractors, owners or persons connected to or permitting the connection to the borough sewer system of any properties in violation of this section shall be deemed in violation thereof. In addition to the penalties otherwise prescribed in this Article for violation of this section, the borough may terminate sewer service to all properties in violation of this section until such violation shall have been removed.

§ 47-7. Collection of charges; liens.**A. (Reserved)⁴**

B. The owner of any residence or building shall be liable for the payment of the rates hereby fixed for the use of the sewer by the owner or occupant of such premises, and each charge shall be a lien upon such premises until all charges shall be paid and satisfied, and in case prompt payment of any sewer charges shall not be made when the same becomes due, the water shall be shut off from such premises and shall not be again supplied until the arrears thereon shall be fully paid; and the Borough of Helmetta shall also take the proceedings authorized by law for the enforcement of such sewer charges as a lien upon the premises, by a sale of said premises in the manner prescribed by law, and in addition to the remedies above provided, the borough shall take such other remedies for the collection of said sewer charges as are authorized by law. The collector of sewer revenues shall make all collections of sewer charges and other fees and shall keep the books showing the individual accounts of the customers with the borough and shall deposit any and all moneys collected on all sewer accounts, within twenty-four (24) hours, in a depository designated by the Mayor and Council.

§ 47-8. (Reserved)⁵**§ 47-9. (Reserved)⁶****§ 47-10. Violations and penalties.**

Unless otherwise specifically provided in this Article, any person who shall violate any of the provisions of this Article shall, upon conviction, be liable for a fine of not less than one hundred dollars

⁴ Editor's Note: Former Subsection A, which set forth an annual charge for sewer services, was repealed 12-27-84.

⁵ Editor's Note: Former § 47-8, Regulations of use, was repealed 12-27-84.

⁶ Editor's Note: Former § 47-9, Compliance, was repealed 12-27-84.

(\$100.) nor more than five hundred dollars (\$500.) or imprisonment for a period not to exceed ten (10) days, or both. Each day that a violation exists shall be deemed to be a separate violation for which penalties may be lawfully imposed as appropriate.

ARTICLE II
Connections and User Charges
[Adopted 12-27-84]

§ 47-11. Definitions. [Amended 9-11-85]

The following words, when used in this chapter shall be deemed to have the meanings herein specified:

DWELLING UNIT — Residential space designed for more or less permanent occupancy by a family, an individual or group of individuals maintaining a household with cooking facilities.

EQUIVALENT UNIT — The flow from a four-inch diameter individual residential sewer connection and the flows generated by the same.

HOUSE CONNECTION — The sewer line running from a building to the property line and connecting with the sewer connection.

NORMAL SEWAGE — Shall be defined as sewage with a maximum:

- A. Five-day biochemical oxygen demand of two hundred (200) milligrams per liter.
- B. Suspended solids content of two hundred forty (240) milligrams per liter.
- C. Chlorine demand of fifteen (15) milligrams per liter.

PERSON — Any person, firm, association or corporation.

SERVICE CONNECTION — The sewer line extended from the property line to the main in the street.

SEWERAGE SYSTEM — The sanitary sewerage system of the Borough of Helmetta.

USER CLASSES — Three (3) classes of users shall be established:

- A. "Tax exempt" includes institutions which pay no ad valorem taxes or receive substantial credits in paying such taxes, except publicly owned facilities performing local government functions which discharge solely domestic wastes.
- B. "Industrial and commercial" includes all users which discharge the equivalent or volume of ten thousand (10,000) gallons or more of domestic sanitary wastewater per day or exceed the limits for normal sewage.
- C. "Residential" includes single and multifamily dwelling and small nonresidential and industrial users which introduce no more than the equivalent of ten thousand (10,000) gallons per day (gpd) of domestic sanitary waste.

§ 47-12. Connection to sewer line required.

Any building used, in whole or in part, as a dwelling or which requires or uses sanitary sewage disposal, now or hereafter erected on any lot abutting a street in which a sanitary sewer line is now or hereafter constructed, shall be connected with such sewer line, and a toilet or toilets shall be installed therein, within the appropriate following time period applicable to such building and effective with the date that flows through the borough's system are accepted by the Monroe Utilities Authority.

- A. Existing buildings: within ninety (90) days after adoption of this Article.
- B. New buildings: prior to occupancy thereof.
- C. Buildings on a street in which a sanitary sewer line is hereafter constructed: within ninety (90) days after completion of the construction of such sewer line and after issuance of a permit to operate the same.

§ 47-13. Application for connection; fee.

- A. Hereafter, before any new connection shall be made to the sewer system by any owner of property along the line thereof, said owner shall make application, in writing, on proper blanks furnished for that purpose to the borough. All connection fees to be paid to the borough shall be determined annually by calculating the total past capital costs of the borough's sewer system to date and dividing that total cost by the number of equivalent, or service, connections made, by the appropriate personnel of the Finance or Utility Department of the borough, in order to enable the borough to receive the capital costs of its sewer system for users as they enter the system. The rates for the different size connection shall be posted by the Utility Department annually in a conspicuous place where permits are issued. All such fees shall be payable by an owner prior to making connection to the sewerage system as required herein, whether such connection be to an existing sewer main or an existing service connection. Where there is multiple occupancy in any dwelling unit which contains more than one (1) household, the connection fee shall be based on the number of equivalent units tributary to the main connection. [Amended 9-11-85]
- B. All sewer system users presently discharging industrial wastes into the sewer system or any person desiring to make a connection to the sanitary sewer system through which industrial wastes shall be discharged into the sanitary sewer system shall file with the borough an industrial wastes questionnaire to be furnished by the borough, which shall supply pertinent data, including estimated quantity of flow, to the borough with respect to industrial wastes proposed to be discharged into the sewer system. Such user shall further obtain a State of New Jersey Pollutant Discharge Elimination System permit, if said user shall be a significant industrial user as defined by N.J.A.C. 7:14A-1 et seq., prior to commencing discharge into the borough's sanitary sewer system.

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C. Upon making a connection to the sewer system of the Borough of Helmetta as required herein, the owner of such premises shall cause to be abandoned any septic pit or tank which may exist upon the connected premises within sixty (60) days of such connection.

§ 47-14. Compliance with rules and regulations required.

Said connection to the sewer system shall comply with the rules and regulations of the proper municipal department, either now existing or hereafter adopted. All such connections shall be made in

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accordance with design standards and specifications of the Borough of Helmetta or as required and approved by the Borough Engineer.

§ 47-15. Costs of service and house connections.

Service connections and house connections shall be made at the expense of the person wishing to connect with the sewer system. The cost of restoration of the pavement, sidewalks, curb or gutters resulting from the making of such connection shall be borne by the person connecting with the sewer system.

§ 47-16. Factory effluents and industrial wastes.

No factory effluents or industrial or commercial wastes, comprising wastes, other than domestic, shall be discharged into the sewerage system, except upon compliance with the following rules, regulations and conditions:

- A. Each industrial plant making application for permission to discharge industrial waste into the sewerage system shall furnish all the information necessary to determine the quantity of such waste and the nature or quality of the materials therein and other characteristics of such water. The industrial plant shall agree in such application to bear the cost of the original and any subsequent chemical analysis and laboratory tests.
- B. Adequate means shall be provided at each industrial plant connection with the sewerage system for periodic determination of all characteristics and concentrations of wastes. Such determination shall be made at least twice each year, or, if deemed necessary by the borough, such determination may be made quarterly. Samples shall be collected in such manner as to be truly representative of the actual quality of the wastes, and standard methods of analysis shall be used with the industrial user responsible for the cost of sample analysis. If required, such industrial user shall construct in accordance with borough requirements and thereafter shall properly maintain, at its expense, a suitable control manhole or other device acceptable to the borough to facilitate observation,

flow measurement and sampling by the owner to the borough's satisfaction. Any such control, manhole or device, when required by the borough, shall be constructed at an accessible, safe, suitable and satisfactory location in accordance with plans approved by the borough prior to commencement of construction.

- C. Industrial waste discharged or proposed to be discharged into the sewerage system shall be subject to analysis by the borough.
- D. Industrial plants shall cooperate by adopting such schedules of discharge as will, without interfering with factory production, minimize peak concentration.
- E. So far as practicable, industrial wastes may be discharged into the sewerage system with a minimum of pretreatment or without pretreatment, provided that the consent of the Mayor and Council, by resolution, is first obtained.
- F. In the event that the materials in wastes discharged or proposed to be discharged from any industrial wastes cause or threaten injury to the sewers or sewerage treatment plant or impair the sewage treatment process or unduly increase the cost of operation thereof, said industrial plant shall produce wastes of acceptable quality before discharge thereof into the sewerage system, by reducing its peak discharges, by construction of equalizing tanks, by pretreatment, by partial pretreatment, by elimination of troublesome wastes or by other approved means.
- G. Inasmuch as the difficulties involved in treatment and disposal of industrial wastes from a particular industry may be mitigated or aggravated by waste from another industry and the cost of such treatment and disposal may be decreased or increased thereby, it is not deemed practicable at this time to fix any numerical standards or limitations with respect to concentration or quality of industrial wastes. It is, therefore, the intention of these rules, regulations and conditions to allow maximum latitude in the use of the sewerage system and to require control of special procedure by industries only in such cases where the failure so to do would seriously affect

the operation of the sewage treatment and disposal thereof at said treatment and disposal works.

§ 47-17. Type of discharge restricted.

No person shall discharge into any public sewer of the Borough of Helmetta any waste, substance or waters other than such kinds or types of waters or water-carried wastes for the conveyance of which the particular public sewer is intended, designed or provided.

§ 47-18. Discharge of unpolluted waters into sanitary sewers prohibited.

No person shall discharge or cause to be discharged to any sanitary sewer any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, air-conditioning and refrigerating wastewaters or unpolluted industrial process waters.

§ 47-19. Discharge of unpolluted waters.

Stormwater and all other unpolluted drainage or uncontaminated process water shall be discharged to storm sewers or to a natural outlet or in any such other responsible manner so as not to constitute a nuisance or have a detrimental effect upon the public health, safety or welfare of the residents of the Borough of Helmetta. Such water shall be discharged only after approval of any local, county, state or federal regulatory agency having jurisdiction.

§ 47-20. Prohibited discharges.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F.).
- B. Any water or waste which may contain more than one hundred (100) milligrams per liter by weight of fat, oil, wax or grease

or containing other substances which may solidify or become viscous at temperatures between thirty-two degrees and one hundred fifty degrees Fahrenheit (32° and 150° F.)

- C. Any gasoline, benzene, naphtha, alcohol, tar, fuel oil or other flammable or explosive liquid, solid, gas or vapor.
- D. Any garbage, except properly shredded garbage. The installation and operation of any garbage grinder equipped with a motor of three-fourths ($\frac{3}{4}$) horsepower or greater shall be subject to the review and approval of the Director of Public Works or Utility Department of the borough.
- E. Any ashes, cinders, stones, sand, mud, straw, shavings or sawdust, metal, sticks, coarse rubbish, glass, rags, tar, feathers, plastics, waste rubber, animal guts or tissues, entrails, blood, hair, hides, wood, paunch manure or any other substance likely to damage, destroy or cause an obstruction to the flow in any sewer or which may interfere with the proper operation of the sewage works.
- F. Any waters, sewage or wastes having a pH lower than four point five (4.5) or higher than nine point five (9.5) or having any other corrosive or detrimental property capable of causing damage or hazard to the sewage works or personnel.
- G. Any waters or wastes containing a toxic, poisonous or radioactive substance in sufficient quantity to injure or interfere with any sewage treatment process or to constitute a hazard to humans, animals or marine life or to create any hazard in the receiving waters. Radioactive wastes or materials may be discharged into a public sewer if conditions I and II below are met and if either condition III or IV is also met, provided that such discharges are in compliance with applicable state, federal, Monroe Utility Authority or Middlesex County Utility Authority regulations:
 - (1) Condition I. Such wastes must be readily soluble or dispersible in water.
 - (2) Condition II. The gross quantity of all radioactive materials so discharged must not exceed one (1) curie per year.

- (3) Condition III. The daily quantity of any radioactive material, if diluted by the average daily volume of sewage discharged into the system from the installation, must not exceed the maximum concentrations allowed by the regulations of the United States Nuclear Regulatory Commission or other applicable federal regulatory agency.
 - (4) Condition IV. Daily quantities of radioactive materials up to the maximum permitted by the United States Nuclear Regulatory Commission or other applicable federal regulatory agency may be so discharged, provided that the total monthly quantities, if diluted by the average monthly volume of sewage discharged from the installation, do not exceed the concentrations permissible under condition III above.
- H. Any noxious, malodorous or taste-producing gas, vapor or substance, such as phenols, capable of creating a public or private nuisance or which may prove toxic to sewage treatment processes or which may exceed acceptable limits for discharge to receiving waters.
- I. Materials which exert or cause:
- (1) Unusual concentrations of inert suspended solids, such as but not limited to fuller's earth, lime slurries and lime residues, or of dissolved solids, such as but not limited to sodium chloride and sodium sulfate.
 - (2) Excessive discoloration, such as but not limited to dye wastes and vegetable tanning solutions.
 - (3) Unusual biochemical oxygen demand, suspended solids, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting slugs as defined herein.
- J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such a

degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

- K. Any substance prohibited by any federal, state, county or municipal regulatory agency or government body, including but not limited to the United States Environmental Protection Agency, the New Jersey Department of Environmental Protection, the Middlesex County Utility Authority, the Monroe Utility Authority or Utility Department of the Borough of Helmetta, as set forth or determined by the rules, regulations or requirements of such regulatory agencies or bodies.

§ 47-21. Pretreatment requirements.

- A. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this Article and which may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the borough may:
- (1) Reject the wastes;
 - (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
 - (3) Require control over the quantities and rates of discharge; and/or
 - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- B. If the borough permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the borough and of any or all state regulatory agencies having jurisdiction, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

§ 47-22. Determination of exclusion of wastes.

In determining whether any waste discharged or proposed to be discharged into any public sewer is to be excluded, consideration will be given to the quantity, time or times, rate and manner of discharge; dilution and character of the waste in question; the size of the sewer into which the waste is to be discharged; the probable quantity of sewage or other wastes likely in said sewer; and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be accepted if sufficiently diluted when and as discharged or if the quantity discharged is diluted when and as discharged or if the quantity discharged is small as compared to the flow in the receiving sewer, but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by the borough.

§ 47-23. Pretreatment facilities.

- A. At all premises where wastes or substances specified to be prohibited or otherwise excluded from public sewers by this article are present and liable to be discharged, directly or indirectly, into said sewers, suitable and sufficient piping layouts, oil, grease, sand and flammable waste traps or separators, screens, settling tanks, diluting devices, storage or regulating chambers or treatment, cooling or other equipment and devices shall be provided. These shall be maintained and properly operated by the owner of the premises or his agent, at his expense, to ensure that no waste or substance is discharged in violation of the requirements of this article.
- B. On premises where wastes or substances specified to be excluded from public sewers are present, the borough may require the owner to provide, operate and maintain, at his expense, a sampling well or wells, flow-measuring devices, manholes or other appurtenances, all readily accessible, on the building sewer or drain from said

premises near the point where said sewer or drain connects to the public sewer. By means of said sampling well or wells, flow-measuring devices or other appurtenances, the borough or any public officer having legal jurisdiction may secure samples of or examine the wastes being discharged into the public sewer for the purpose of determining compliance or noncompliance with the requirements of this article.

- C. The current Borough Engineer or other authorized personnel of the Borough of Helmetta shall have the right to enter and inspect any part of the premises served by public sewers upon which there may be reason to believe that violations of the requirements of this article have occurred or are likely to occur, for the purpose of ascertaining the facts to such violations or suspected violations or of obtaining samples of wastes or of inspecting flow-measuring devices or treatment facilities provided to prevent prohibited discharges.

§ 47-24. Excluded wastes prohibited in storm sewers.

No wastewaters or substances which are excluded from sanitary sewers shall be discharged into any storm sewer unless permitted by local, county, state or federal regulations and the necessary permits for such discharge obtained from the proper regulatory agency prior to any discharge.

§ 47-25. Standard of measurement.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of Standard Methods For Examination of Water or other acceptable methods utilized in determining fees and charges to be paid by the Borough of Helmetta and/or by any governmental or regulatory agency to which the Borough of Helmetta is responsible.

§ 47-26. User charge established. [Amended 2-24-1999 by Ord. No. 2-1999]

An annual sewer user charge shall be paid on a quarterly basis by all users of the facilities provided by the Borough of Helmetta, the Monroe Utilities Authority (MUA) and the Middlesex County Utility Authority (MCUA). The user charges set forth hereinafter are hereby fixed and officially established as charges by the borough for direct or indirect use and service of the sewerage system of the borough, and the same shall be charged and collected by the borough. The user charge is established by the borough and revised from time to time as necessary.

§ 47-27. Review of use and charges; schedule of charges established.

- A. At least once each year, the Borough of Helmetta shall review and revise, as necessary, sewer use and sewer user charges and shall establish a schedule of charges by flow, biochemical oxygen demand, suspended solids, chlorine demand and such other criteria as the Borough of Helmetta shall deem appropriate. Any charges so established may provide for the equitable distribution of:
- (1) MUA operations and maintenance charges.
 - (2) MUA debt service charges.
 - (3) MCUA operations and maintenance charges.
 - (4) MCUA debt service charges.
 - (5) Sewer system maintenance and operations charges incurred by the Borough of Helmetta.
 - (6) Borough of Helmetta debt service related to the sewer system.
- B. The first year's operation and maintenance costs of the borough's sewerage system, including replacement of equipment, accessories or appurtenances, if any, shall be

based upon past experience for similar systems or a reasonable estimate therefor.

- C. The schedule of user charges shall provide for revenue in an amount equal to the total of the above costs. The schedule of charges, amended yearly at the time of adoption of the borough's annual budget or at such other times as the borough determines, may reflect changes and/or adjustments in the charges and set the date(s) that such charges are due and payable.
- D. In the event that any quarterly bill is not paid within 30 days of its due date, then interest shall accrue thereafter and be due to the borough on the unpaid balance at the same rate charged by the borough for water customers in accordance with law. [Added 4-9-1986; amended 2-24-1999 by Ord. No. 2-1999]

§ 47-28. Flow measurement.

- A. The amount of user fee or charge to be paid by the owner of any premises or lot within the Borough of Helmetta for the use of sanitary sewers shall be determined by the amount of water consumed in said premises or lot.
- B. For any premises in the Borough of Helmetta which does not pay for any or all of its water usage, based on water meter readings, to the Borough of Helmetta, by reason of the fact that it obtains its water from private supply, the Superintendent of the Utility Department shall, at the expense of the owner of said premises, cause to be installed at the intake of the water supply of said premises a meter for the purpose of measuring the amount of water used therein, which said amount shall constitute the measure of the sewage flow from said premises for the use of which a rental fee or charge is payable.
- C. Wherever actual readings of sewage flow are available, those readings shall be used in determining flow charges. All users shall be monitored for actual flow. Where

actual readings of sewage flow are unavailable, flow will be estimated by any of the following ways:

- (1) For commercial and industrial and tax exempt users, by taking 100% of the average water flow and/or other meter reading for the year, together with an adjustment for extraneous flow and/or a surcharge for pollutant loading and treatment in excess of the levels established for normal sewage. Credit for water not discharged into the sanitary sewer may be given to the user by the borough, if the user presents proof satisfactory to the borough which establishes the amount of water not discharged.
- (2) The volume of sewage and/or industrial waste from each industrial establishment shall be determined by meters paid for and installed by users and records combined with municipal and/or private company water records or from estimates or measurements made by representatives of the municipality.
- (3) For residential users, by calculating an interim charge per equivalent connection unit each year based upon an estimated flow per equivalent unit, together with an adjustment for said unit's fair share of extraneous flow.

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§ 47-29. Strength measurement.

Wherever actual readings of biochemical oxygen demand or suspended solids or chlorine demand of a user are available, those readings shall be used in determining charges for the strength of sewage. All industrial and commercial uses shall be monitored or their sewage sampled periodically to determine the biochemical oxygen demand and suspended solids and chlorine demand characteristics of the sewage. The industrial or commercial user shall, at its own expense, sample the biochemical oxygen demand, suspended solids and chlorine demand characteristics of its sewage at the frequency and according to the method assigned by the borough and shall report the results of such sampling to the borough in a timely manner.

§ 47-30. Extraneous flows and prohibition of inflow services.

- A. Any flows or strengths which are not chargeable to a particular user, whether by reason of the user's being exempted from charges or by reason of the flow entering the system by infiltration or inflow, shall be charged to all users proportionately on the basis of flow.
- B. No roof drainage, cellar drainage, unpolluted industrial process water, surface water, waste from hydrants or groundwater from underground drainage fields shall be admitted or be permitted to drain into the sewage system. The sewer system is intended to convey sanitary sewage and industrial wastes only.

§ 47-31. Actual flow and strength metering.

Any user objecting to any estimate of flow or strength hereunder shall have the option, at its own expense and cost, of installing metering equipment on its discharge lines to record actual flow and strength readings. The metering equipment used, its installation, the location of installation and the method of sampling shall be subject to review and approval by the Borough of Helmetta or its designated representative. The borough may order the installation of meters or sampling pits.

§ 47-32. Charges for toxic pollutants.

Any user who discharges into the system toxic pollutants or any other substances which cause an increase in the cost of managing the effluent or the sludge of the treatment works shall pay for the increased costs.

§ 47-33. Proration of charges.

Any user who connects to the system during any calendar month shall pay a pro rata user charge based upon the user charge assessed for the current quarter.

§ 47-34. Method of payment.

- A. Tax exempt and industrial and commercial users shall be invoiced directly for their use of the sewage treatment system.
- B. Sewer user charges shall be charged to residential users annually but may be billed and payable quarterly or in such other manner as the governing body of the Borough of Helmetta may determine from time to time.

§ 47-35. Discontinuance of service; exemptions. [Amended 8-16-1989]

- A. Request for discontinuance. Where it is desired to discontinue permanently the use of borough sewers at any premises, a request in writing to the collector of sewer revenue must be made by the owner. Upon receipt of the request, the sewer connection to said premises shall be turned off by use of a plumber's plug, and thereafter no charges shall be made for sewer usage for the premises in question.
- B. Individuals requesting the razing of a property need to receive written authorization from the collector of sewer revenue prior to the discontinuance of service.
- C. Temporary discontinuance. In case of the temporary vacancy of any premises, the sewer connection will be closed off by

insertion of a plumber's plug upon written request to the collector of sewer revenue, stating the period of discontinuance, and will be turned on again at the expiration of that period following the payment of required charges.

- D. Rebates prohibited. Where the premises are left vacant, no rebate will be allowed for sewer usage registered by the meter unless the sewer connection is turned off at the curb stop.
- E. Discontinuance by borough. Service may be discontinued by the borough in accordance with the administrative procedure for any of the following causes:
- (1) Sewer use for any property or purpose other than that described in the application.
 - (2) For existence of improper or defective pipes or fixtures.
 - (3) For failure to protect the metering device and connections from injury or damage or for failure to properly maintain the service line and fixtures owned by the person being served.
 - (4) For tampering with any service pipe, meter, curb stop, seal or other appliance of the township.
 - (5) For nonpayment of any charges or fees for sewer usage.
 - (6) For nonpayment of sewer charges as provided in N.J.R.S. 40:14A-1 et seq.
 - (7) For refusing to permit the duly authorized representatives of the utility to have access to the property for reasonable inspections.
 - (8) Making or refusing to sever any cross-connection between a pipe or fixture carrying sewage flows furnished by the sewer utility and a pipe or fixture carrying sewer flows from any other service.
- F. Public buildings are defined as those used solely for local municipal purposes and are excluded from the user charge called for in this Article. The usage of said public buildings shall be treated as extraneous flow, as defined in § 47-30 above.

§ 47-36. Violations and penalties.

- A. Any person found to be violating any provision of this Article shall be served by the Borough of Helmetta with a written notice, stating the nature of the violations and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall violate any provision of this Article shall be fined not more than one thousand dollars (\$1,000.) or be imprisoned not more than thirty (30) days, or both. Each day that any violation of these regulations continues and each day that any person continues to discharge prohibited wastes or substances into any public sewer shall be deemed to be a separate offense for the purpose of applying the penalty provided in this section.
- C. Any person violating any of the provisions of this Article shall be liable to the Borough of Helmetta for any expense, loss or damage occasioned the municipality by reason of such violation.