

ORDINANCE NUMBER 2007-01
CHAPTER BH:2
SEWAGE DISPOSAL SYSTEMS

AN ORDINANCE AMENDING CHAPTER 2 OF THE HEALTH CODE
OF THE TOWNSHIP OF FRANKFORD

BE IT ORDAINED by the Board of Health of the Township of Frankford that Section 2 – Sewage Disposal Systems, of the Health Code of the Township of Frankford be amended as follows:

BH:2-1 – Adoption by Reference. The word “test” in the last sentence in this paragraph is hereby amended to be “text”.

BH:2-4 – Permit Required. Paragraph 2-4b is amended to add the following sentence at the end of this paragraph: “In addition, prior to the issuance of a Certificate of Compliance, the Board of Health or its authorized agent shall require an as-built survey, prepared by a NJ licensed surveyor and accurately depicting the distances of all water courses, wells, buildings, boundary lines and other sewage disposal systems within 150 feet of all components of the sewage disposal system.”

Paragraph 2-4(c) The existing language is omitted. In its place, the following language is added: “If all components of a proposed or existing septic system do not or will not satisfy all requirements of the current NJDEP septic regulations, review by the Board of Health of plans for new sewage disposal systems and alterations to existing sewage disposal systems shall be required on any lot with an area of less than twenty thousand (20,000) square feet or any proposed disposal system within one hundred (100) feet of a water course before a permit may be issued by the Board’s Authorized Agent. All plans and applications shall be submitted to the Board’s Authorized Agent and shall be forwarded to the Board of Health for its review and approval before a permit will be issued.

BH:2-5(c) – The following paragraph is added as new paragraph BH:2-5(c):

(c) Any variance granted by the Board shall expire and shall be of no force or effect two (2) years after the date of the adoption of the written resolution memorializing the requested relief, unless a Certificate of Compliance for the completed septic system that is the subject of the variance application has been issued within said two (2) year period.

BH:2-6 – Certificate of Compliance with Board of Health Requirements. Paragraph BH:2-6a is amended to omit the phrase “aforesaid standards” at the end of line five and beginning of line six and to add the phrase: “the standards in this chapter.

BH:2-6(b) The last line shall be amended to omit “3.13” and to add “1, et seq.”.

BH:2-12 – Septic Management.

The following sentence is added to Paragraph BH:2-12(e)(2) after the first sentence of this paragraph: “For purposes of this Chapter, the phrase “disposal area” shall include but not be limited to all disposal beds, disposal areas, disposal trenches and disposal mechanisms and all reserve areas, reserve beds, reserve trenches or reserve mechanisms authorized by the State of New Jersey, DEP through regulations, codes, permits or any other form of approval.”

This existing second sentence of paragraph BH:12(e)(2) is omitted and in its place the following sentence is added: “Excepted from the aforementioned requirements for minimum distance of one hundred (100) feet are applications to alter, replace or repair an existing, but malfunctioning system, provided said existing system was located, designed, constructed and installed in conformance with the standards in effect at the time of its installation, and further provided that the reason for the alteration, repair or installation of a replacement system is not a change in use or an expansion of a building or facility being served by the system.”

In addition, the following sentence shall be added after the word “system” on the second line from the bottom of this paragraph: “The applicant shall bear the burden of establishing to the satisfaction of the Board’s authorized agent that the existing system was located, designed, constructed and installed in conformance with the standards in effect at the time of its installation. If the Board’s authorized agent determines that the applicant has not satisfied that burden, the aforesaid distance requirement will apply.”

The last sentence of paragraph BH:2-12(e)(2) is amended to read as follows: “All alterations, repairs or replacement of or to an existing system shall comply with all the NJDEP regulations.

The following paragraphs shall be added to BH:2-12(e) as new subparagraphs “6” and “7”:

6. Whenever an applicant proposes an alteration of an existing sewage disposal system, and either a cesspool or seepage pit is part of the existing sewage disposal system, the applicant will be required to remove and/or abandon, in the manner prescribed by the Board’s Authorized Agent, the cesspool or seepage pit and to replace same with a disposal area, bed, or trench or such other mechanism acceptable to the Board’s Authorized Agent based on best current technologies authorized by NJDEP.

Whenever an applicant proposes a repair to an existing metal septic tank, the applicant shall remove the metal tank and replace it with a tank that complies with BH:2-12(e)(3) and (4).

7. In all instances where alterations to existing systems are required or where a new system is proposed, the Board’s Authorized Agent shall require, as a condition of the issuance of a permit to allow said alteration or new system, the installation of such water saving devices as the Board’s Authorized Agent may, in its sole discretion, require. The Authorized Agent shall certify to the actual installation of the water saving devices if they are required.

Existing paragraph 6 shall be renumbered to be “8”. Existing paragraph BH:2-12(e)(7) [Trenches] is omitted.

BH:2-12(i)(3) – The word “section” is omitted and replaced by the word “chapter”.

All ordinances or parts of ordinances inconsistent with this Ordinance shall be repealed to the extent of such inconsistencies only.

This Ordinance shall take effect upon final passage and publication pursuant to law.

Attest:

Patricia Bussow, Secretary

Take notice that the above ordinance was passed on second reading at a meeting of the Frankford Township Board of Health held on December 11, 2007.