

**ORDINANCE #996**

**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "PROPERTY MAINTENANCE" PASSED AND APPROVED ON OCTOBER 3, 2013, AS LAST REVISED AND PASSED ON AUGUST 20, 2015**

**SECTION 1.** BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that the following amendments be made to Chapter 295 entitled Property Maintenance:

**NOTE:** Additions are underlined and deletions are marked by strike through.

§ 295-1 Adoption of Property Maintenance Code.

That a certain document, three copies of which are on file in the office of the Borough Clerk of Oceanport, being marked and designated as the International Property Maintenance Code, ~~2012~~2017 edition, or hereinafter published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Oceanport, in the State of New Jersey, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of Oceanport Borough are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in § 295-2 of this article.

295-2. Revisions

The following sections of the International Property Maintenance Code, ~~2012 Edition~~ are hereby revised:

Chapter 2 DEFINITIONS

Section 202 General Definitions

MUNICIPAL SEPARATE STORM SEWER SYSTEM - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough or other public body, and is designed and used for collecting and conveying stormwater.

SEEPAGE PIT - A chamber or tank constructed below grade for the purpose of recharging water into the ground. The chamber may be preformed of composite materials or built to suit. The chamber shall hold at least 50 gallons and shall have perforated bottom and sides.

GROUNDWATER -- Water that is found underground in the cracks and spaces in soil, sand and rock.

STORMWATER – Water resulting from precipitation (including rain and snow) that runs off the surface of the land, is transmitted to the subsurface, and is captured by storm sewers or other drainage facilities.

SUMP PIT - A space into which a sump pump is installed, designed to provide sufficient depth and volume for proper performance of the pump.

SUMP PUMP DISCHARGE - The end of the pipe from the sump pump where water becomes unconfined and reverts to gravity flow.

SUMP PUMP - A pump, with related valves, pipe and fittings, installed for the purpose of evacuating water, usually from a basement area.

## Chapter 5 Plumbing Facilities and Fixture Requirements

Section 508, Sump Pumps, is hereby added as a new section to read as follows:

### Section 508 Sump Pumps

**508.1 Installation.** All residential and commercial structures having a storage or habitable area below grade may install there a Sump Pit and a Sump Pump upon approval by the Borough plumbing sub code official. All Sump Pumps shall be installed and inspected in compliance with the plumbing and building codes of the Borough and the requirements of this ordinance. All necessary permits must be obtained and fees paid before installation commences.

**508.2 Location.** A Sump Pump must discharge through permanent, rigid piping. The Sump Pump Discharge shall be located no less than ten feet from the building unless the Borough Engineer determines in advance in a particular case that compliance with this requirement is not practicable and for this reason approves in writing an alternative location.

**508.3 Discharges.** A Sump Pump shall not discharge water, either directly or indirectly: [i] into the sanitary sewer system; [ii] onto any public right of way (sidewalk or roads), unless approved in advance and in writing by the Borough Engineer; or [iii] into the municipal separate stormwater sewer system, unless also approved in advance and in writing by the Borough Engineer. In connection with any such advance approvals, the Borough Engineer may require that water be routed to a seepage pit with only the overflow discharging to the public right of way or municipal separate stormwater sewer system.

**508.4 Approval by Engineer.** In connection with required approvals by the Borough Engineer, the person requesting the approval shall make the request through submission of a Street/Right of Way Opening application. All recommendations for approval by the Borough Engineer shall be forwarded to the Borough Clerk for issuance of a street/right of way opening permit.

**508.5 Inspections.** The Borough reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which might cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Borough, and, consequently, there shall be no cause for action against the Borough in law or in equity.

**508.6 Violations.** Any owner or occupant of a property found to have caused or permitted a discharge or to have constructed, installed or permitted the construction or installation of a Sump Pump in violation of this chapter shall be subject to a minimum fine of \$100 per day for each day a violation continues beginning on the fourteenth day from service of notice of the violation. Each day a violation continues shall be deemed a separate offense.

**SECTION 2.** All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

**SECTION 3.** This amending ordinance shall become effective upon due passage and publication according to law.