

RULES & REGULATIONS

Potable Water & Wastewater Facilities

Washington Township
Municipal Utilities Authority
46 East Mill Road, Long Valley, NJ

WTMUA

Revisions adopted 12/04/2019

RULES & REGULATIONS

**WASHINGTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**
Morris County, NJ

RULES & REGULATIONS

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SECTION 1 AUTHORITY

The Washington Township Municipal Utilities Authority (“WTMUA”) was created by an Ordinance of the Township of Washington, introduced on January 17, 1972 and passed on February 16, 1972.

The following regulations and specifications have been adopted by the Authority of said Ordinance and the "Municipal Utilities Authority Law of the State of New Jersey", (PL 1957, Chapter 183-40:14B), as adopted and amended.

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SECTION 2 PURPOSE

The purpose of these rules and regulations is to supplement the Municipal Utilities Authority Law (PL 1957, Chapter 183). They are adopted to serve the Authority in conducting business, to govern the construction and use of sanitary sewerage systems and water distribution systems, and to outline those required procedures as may be proper within the sphere of the Authority's activity.

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SECTION 3 APPURTENANT DOCUMENTS

The "Standard Details", "Standard Specifications", "Wastewater Master Plan", and "Water Supply System Master Plan" of the Washington Township Municipal Utilities Authority, as or when adopted and amended from time to time, shall become an integral portion of these Rules & Regulations.

Applicable Rules and Regulations, adopted by the New Jersey Department of Environmental Protection, shall be considered an integral part of the Authority's Rules and Regulations.

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SECTION 4 DEFINITIONS

A. GENERAL - Unless specifically indicated, the meanings of the terms used in these regulations shall be as follows:

Agent shall be construed to mean (in the absence of instructions from the owner of any property or premises, or his duly authorized agent, to the contrary), the occupant of any property or premises insofar as the owner's relations to the Authority may be concerned, with respect to water and/or sanitary sewer uses and existing services.

Applicant shall mean a person who applies to the Authority for special consideration relative to permission to construct, connect to or utilize the Authority's water or sewer utilities.

Attorney or Counsel shall mean the duly appointed attorney of the Authority.

Authority shall mean the Washington Township Municipal Utilities Authority, or its designated representatives.

Authority Engineer shall mean the Consulting Engineer duly employed in such capacity by the Authority.

Board of Health shall mean the Board of Health having jurisdiction over the property or improvement to which water or sewer service is being or will be provided by Authority.

Commercial Concern shall mean any concern engaged in service, trade, traffic or commerce in general, (industrial concerns are excluded).

Contractor shall mean any person who contracts, or is a party to a contract to perform work or provide services in doing business with the Authority.

Developer shall mean any person, firm, association or corporation desiring to construct an extension or addition to the water distribution and/or wastewater system, and shall include the owner of the fee title, mortgage and any other persons having an interest, legal or equitable, in the property.

Director shall mean the duly appointed Director of the Authority, said position shall also be referred to as "Executive Director".

Equivalent Dwelling Unit shall mean the ratio of projected average daily usage of the Applicants facility to average daily use for a Single Family Home having three (3) or more bedrooms, rounded to the highest one-half (1/2) of a unit. The EDU for any facility shall be determined by the WTMUA based on the flow standards adopted by the NJDEP under NJAC 7:14A-23.3 Projected Flow Criteria. EDU's will be based on the use or uses of an existing or proposed structure at the time of application. Where structures contain more than one use, the EDU will be based on the fractional EDU of each individual use and rounded to the highest one-half (1/2) for the entire structure.

Historical concern shall mean building(s) or facilities registered as an official site in the national register of historic places and engaged in providing non-commercial and not for profit services to the public where said building(s) or facilities are occupied or used less than an average of four (4) hours per month over any twelve (12) month period and discharge only

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domestic waste. This class of user shall not include any discharge of Prohibited Waste as defined herein or discharge from any non-domestic source. The owner of the proposed building or facility seeking to be considered within this class of user shall submit a written application to the Authority describing the nature, use and purpose of the facility or building. The decision to include a building or facility with this class of user shall be in the absolute discretion of the Authority.

Industrial Concern shall mean any concern engaged primarily in manufacturing or processing operations, or in research and development activities.

Inspector shall mean a duly designated person assigned by the Authority to issue connection permits and/or check upon the construction of house connections, sanitary sewers, water mains, and such other duties as may be determined pursuant to these Rules and Regulations, or as may be determined by the Director.

Institution shall mean any charitable, hospital, relief training, correctional, reformatory or public institution.

May means permissive; Shall means mandatory.

N.J.D.E.P. shall be those letters which shall stand for The New Jersey Department of Environmental Protection.

Owner shall be construed to mean any person, persons, firm, corporation, or association actually owning any property or premises or his or their duly authorized agent, which is or can be prospectively supplied with water or sanitary sewer service.

Person shall mean any individual partnership, firm, company, proprietorship, association, society, corporation or group, incorporated, unincorporated or otherwise.

Planning Board shall mean the Planning Board having jurisdiction over the property or improvement to which water or sewer service is being or will be provided by Authority.

Professional Engineer shall mean a person licensed to practice Professional Engineering in the State of New Jersey.

Public Concern shall mean any concern engaged in providing municipal, recreational, educational, or religious services (concerns providing recreational services on a for-profit basis and public schools are excluded).

Public Education Concern shall mean any concern engaged in providing public educational services.

Public-Unoccupied shall mean building(s) or facilities engaged in providing not for profit services to the public where said buildings or facilities are not primarily intended for human occupancy or use, are occupied or used less than an average of four (4) hours per month over any twelve (12) month period and discharge only domestic waste. This class of user shall not include any discharge of Prohibited Waste as defined herein or discharge from any non-domestic source. The owner of the proposed building or facility seeking to be considered within this class of user shall submit a written application to the Authority describing the nature, use and purpose of the facility or building. The decision to include a building or facility with this class of user shall be in the absolute discretion of the Authority.

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Rules and Regulations shall mean all those Rules and Regulations contained herein and as hereinafter promulgated by the Authority from time to time and any additions or changes thereto.

Secretary shall mean the duly designated Secretary of the Authority.

Sewer Service Area shall mean that geographic area where the Authority is authorized to provide sewer service and as defined in the applicable Wastewater Management Plan or equivalent planning document approved by the State of New Jersey.

Street shall mean any and all streets, avenues, highways, and roads, whether or not publicly used, dedicated or accepted by the municipality.

Superintendent shall mean a duly designated agent of the Applicant, Contractor, or Developer responsible for the direction of work undertaken by such party.

Township shall generally mean Washington Township, in the County of Morris, State of New Jersey, except to the extent that water or sewer service is being provided by Authority outside of the Township of Washington, then Township shall mean the governing body having jurisdiction over the property or improvement being serviced by the Authority.

Township Engineer shall mean the duly appointed Engineer of the Township.

Treasurer shall mean the duly designated Treasurer of the Authority.

Water Service Area shall mean that geographic area to which the Authority supplies or will supply potable water or is legally permitted to supply potable water.

Wastewater Master Plan and Water Supply System Master Plan shall mean the plans for the wastewater and water supply systems of the Authority, together with any supplements, amendments, alterations or additions thereto or hereafter in existence as adopted by the Authority.

The singular shall include the plural; the masculine shall include the feminine; and the term "it" shall include any person.

B. WASTEWATER SYSTEM -

Annual Service Charge shall mean the annual charge herein imposed for the use and service of the sewer system upon the owners of the building served thereby.

B.O.D. (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Centigrade, expressed in milligrams per liter.

Building Sewer shall mean a sewer pipe, including fittings, which carries wastewater from a building of any kind to the sewer house connection.

C.O.D. (Chemical Oxygen Demand) shall mean a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater.

Dead End shall mean a branch leading from a soil, waste, or vent pipe, building drain or house sewer, which is terminated at a developed length of 2 feet or more by means of a cap, plug or other closed fitting.

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Garbage shall mean solid waste from the preparation, cooking, and dispensing of food and from the handling, storage and sale of produce.

Grade shall mean the rise or fall of a line of pipe in reference to a horizontal plane, usually expressed in inches per foot or pipe length.

Grease Interceptor (Grease Trap) shall mean a receptacle designed to separate and retain grease, oil and other fatty substances from wastes.

House Connection shall mean any pipe, together with necessary connections, conveying wastewater from a building sewer to the sewer system.

Industrial Waste shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Interceptor Sewer shall mean any pipes or conduits and appurtenances which are primarily designed to collect wastewater from all the sewers within a drainage area.

Lateral Sewer shall mean any pipe or conduit and appurtenances situated in a public or private road, easement, right-of-way, or private property by consent of the owner, which collects sewage from individual sewer house connections and carries the sewage to the interceptor sewer.

pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Pretreatment shall mean any sewage process or processes that are required to provide a discharge to sewers that will conform to the requirements of these Rules and Regulations and the Regulations of the State of New Jersey.

Private Sewer shall mean the sewer privately owned as distinct from the Authority's sewer or other public sewer.

Sand Interceptor shall mean an interceptor designed and constructed to intercept and prevent the passage of sand into a drainage system or sanitary sewer.

Sanitary Sewer shall mean an appurtenance, pipe or conduit which carries or is intended to carry wastewater, and into which storm, surface and ground water is not intentionally admitted or permitted.

Scavenger Wastes shall mean the suitably conditioned human excrement in a fluid state, and this only when such material is collected from septic tanks, cesspools or approved type of chemical toilets, and sewage sludge from small sewage treatment plants.

Sewer shall mean a pipe or conduit carrying or intended to carry wastewater.

Sewer System shall mean all WTMUA pipe, conduits, manholes, siphons, pumping and ejecting facilities, force mains, treatment plants, and other appurtenances installed on public roads or other public property, rights-of-way, easements or private property by consent of the owner, within the boundaries of the Township of Washington, for the express purpose of collecting wastewater and maintained by the Municipal Utilities Authority of Washington Township or its authorized agents. It also includes any such systems installed by any private individual, firm, corporation, partnership, or public agency within the boundaries of the Township of Washington, where the provisions of this Law are applicable by reason of the

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valid consent of the owner or operator of said system, or any such system installed, or maintained beyond the boundaries of the Township of Washington, where the provisions of this Chapter are applicable by reason of the valid consent of the municipality in which such system is situated.

Suspended Solids shall mean solids that either float on the surface of or in suspension in water, wastewater, or other liquids, and which are removable by filtering as prescribed in "Standard Methods for the Examination of Water, Sewage, and Industrial Waste, American Public Health Association".

Wastewater shall mean a combination of water-carried wastes from residences, commercial buildings, institutions, industrial establishments and other buildings or places, but excluding surface and ground water, cooling water, and other clean process water.

Wastewater Treatment Plant shall mean any arrangement of devices and structures used for the treating of wastewater in and/or outside of the Township.

C. POTABLE WATER SYSTEM -

Distribution System shall be a system of pipes and their appurtenances by which a primary water supply is distributed to consumers.

Hydrant shall be a device connected to a water main and provided with the necessary valves and outlets to which a fire hose may be attached for discharging water at a high rate for the purpose of extinguishing fires, washing down streets or flushing out the water mains.

Main (Mains) shall be construed either in the singular or plural to mean all pipes other than service pipes and used for conveying water to or distributing water in the Township.

Meter Rates shall be construed to mean rates or charges to be assessed for the use of water, based on the quantity consumed, as measured by an approved meter.

Private Hydrant shall mean a privately owned hydrant that is not owned by the Authority or other public agency.

Service Pipe shall be construed to mean a pipe connected to the main and extending thence to and including the curb cock or valve at or behind the curb line of the street.

Sprinkler System - In fire protection, a network of overhead piping provided with systematically spaced sprinkler heads and connected to a suitable water supply, arranged so that the actuation of fusible elements in the heads or other heat-sensitive devices causes the system to discharge water over a fire starting at any point.

Water Connection shall be construed to mean the extension of the service pipe from the curb cock to the meter on the premises of the property owner.

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GENERAL REQUIREMENTS**

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SECTION 5 GENERAL REQUIREMENTS

PART A - APPLICATIONS AND PERMITS

1. Construction Permits -

a. Applicability - The Owner of any house, building or property used for human occupancy, employment or recreation or any other purpose, situated within the Water or Sewer Service Areas and abutting on, or having easement access or right-of-way to any street, easement or right-of-way in which facilities of the Authority's Water or Sanitary Sewerage system are located, is required at his own expense to install suitable Water and/or Sewerage piping, service lines and appurtenances to connect directly to the Water and/or Sewerage system. No utility construction, consisting of Water or Sanitary Sewerage of any kind, shall be commenced until written application on the Authority's "Application for Construction Permit" form, along with the applicable fees and necessary plans for the proposed work, have been presented to the Authority and a permit therefor issued. The requirement for plans showing the proposed work may, at the discretion of the Authority, be waived for applications involving single buildings requiring only lateral connecting lines. Applications for all other work, such as major subdivision, commercial and industrial facilities, and other projects involving extensions of service shall be accompanied by supporting proposed construction drawings, prepared (signed and sealed) by a licensed Professional Engineer. Said Owner shall be responsible for payment of the required fee(s) and installation of required piping, service lines and appurtenances in accordance with these Rules and Regulations.

b. Review by Authority - Upon receipt of construction applications, the Director or other person authorized to receive applications shall review or cause to be reviewed the same. Plans may be reviewed by the Authority Engineer, who may make recommendations for changes or modifications, or request additional information. Such changes, modifications, and additional information shall be prepared by the Applicant and submitted to the Authority. The Authority Engineer will also determine Performance Bond requirements during the review process. Upon completion of review by the Engineer, the Authority Attorney may be directed by the Authority to develop a Service Agreement or Agreements delineating the responsibilities of the Applicant and the Authority in providing the required utility service.

A construction permit will be issued only after:

- Execution of the Service Agreement(s) by the Applicant and the Authority
- Evidence that required approvals by others have been granted
- Application, Review, Inspection and Connection (as required) Fees have been paid to the Authority
- An Insurance Certificate and Performance Bond has been posted with the Authority.

c. Time of Validity and Extensions - Construction permits shall be valid and in force for a period of one year from the date of issuance unless, at least 30 days before termination of such period, the applicant requests, in writing, an extension of the permit. Connection

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permits may be renewed without limitation. Upon renewal of permits, applicants shall pay any difference between the connection fee paid at the time of issuance or last renewal and the connection fee in effect at the time a renewal of the permit is sought.

2. **Connection Permits** - No connections shall be made to an existing sewer or water system or certificate of occupancy issued until written application, on the Authority's "Application for Connection Permit" form has been presented to the Authority, and a permit therefor issued. Prerequisite to issuance of such permit shall be:
 - Construction of facilities under a valid construction permit
 - Inspection of construction and approval thereof by the Authority
 - Evidence that required approvals by others have been granted
 - Connection fees have been paid to the Authority.
3. **Wastewater Management Plan Amendment** - Any individual, partnership or corporation having lands situated outside the boundary of the Sewer Service Area, as defined by the currently approved Wastewater Management Plan (WMP), desiring to connect to the system existing facilities and/or new dwellings, commercial, industrial or public facilities, may request an amendment of the WMP to include the property within the Sewer Service Area of the Authority. Said applicant shall be responsible for all costs associated with the preparation and submission of the amendment of the WMP. All information concerning the property required by the Authority to prepare the amendment shall be submitted by the applicant. An agreement between the Authority and the applicant shall be executed outlining the responsibilities of both parties. The Authority will not begin preparation of the amendment of the WMP until such time as all required fees and information has been submitted to the Authority and an agreement has been executed.
4. **Approval of Township** - Prior to issuance of a Construction Permit for applications involving plans requiring review and approval by a Planning Board or Zoning Board of Adjustment, the Applicant shall provide evidence that such approval has been granted based on plans reviewed and approved by the Authority.
5. **Approval of Others** - After approval by the Authority and Township, the Applicant shall submit plans for the project to other County, State or Federal agencies as may be required. Such submittals shall include, but not necessarily be limited to, application to the New Jersey Department of Environmental Protection for:
 - Permits to Construct and Operate Sanitary Sewerage Facilities (Extension of Mains)
 - Permit to Operate Sanitary Sewerage Facilities
 - Permit to Extend Water Distribution Mains (as required)
 - Permit to Construct and Operate Water Treatment Plants (as required).Such Applications for construction permits shall be made and permits granted prior to issuance of a construction permit by the Authority. Permits for operation of facilities shall be granted prior to issuance of a connection permit by the Authority.
6. **Alteration of Sewerage or Water Facilities** - No work which will alter or modify, or which can be reasonably expected to affect facilities operated by the Authority shall be undertaken until written application, along with necessary plans for such work, prepared by a licensed Professional Engineer, has been presented to the Authority, and a permit issued therefor.

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Such application shall be reviewed by the Authority and permission for construction conditioned as indicated herein for Construction Permits.

PART B - FEES AND CHARGES

1. **Effective Date of Rate Schedule, Appendix "A"** - The amount of all fees hereinafter indicated shall be those set in the Rate Schedule, Appendix "A" of these Rules and Regulations in force at the time of posting such fee. Such amounts may be changed from time to time by the Authority.
2. **Construction Permit Fees -**
 - a. Application fees to cover administrative costs associated with processing an application shall be payable, in full, to the Authority, at the time of filing an application. Applications will not be considered complete or reviewed until such fees have been paid.
 - b. Review fees to cover costs associated with review of application and review and preparation of documents associated with an application shall be those actual costs incurred by the Authority and its professionals. The applicant shall deposit with the Authority a fee as determined by the Rate Schedule, Appendix A, at the time of filing an application. Applications will not be considered complete or reviewed until such fees have been paid. Where the review costs are exceeded or are anticipated to exceed the review fee deposit, the applicant shall make additional review fee deposits. No further reviews or action shall be taken if sufficient funds for those reviews are not on deposit.
 - c. Inspection fees shall be paid prior to issuance of a Construction Permit. Direct costs to the Authority for construction inspection, as well as administration of performance and maintenance bonds, and insurance will be covered by such fees. If the estimated inspection fees are anticipated to be less than \$10,000, the fees may be paid in two installments. The initial installment shall be 50% of the anticipated fees. When the balance on deposit drops to 10% of the anticipated fees due to inspection costs, the developer shall deposit the remaining 50% of the estimated inspection fees. If the estimated inspection fees are anticipated to be \$10,000 or greater, the fees may be paid in four installments. The initial installment shall be 25% of the anticipated fees. When the balance on deposit drops to 10% of the anticipated fees due to inspection costs, the developer shall make additional deposits of 25% of the estimated inspection fees. No inspections shall be performed if sufficient funds are not on deposit.
 - d. Tie-in fees will be used to cover cost to the Authority for labor and materials required in making physical connections to existing Authority facilities. Such fee will be applicable when the connection is undertaken by the Authority and shall be paid prior to issuance of a Construction Permit.
 - e. Tie-in Bond proceeds will be use as may be required to cover the cost of remedying and repairing all defects which may occur during a two-year period following the installation of a connection to the Authority's service main when work is performed by an individual lot owner for an existing lot or one or more lots created by a minor subdivision which do not require the construction of a service main. The owner shall, prior to initiation of work, post with the Authority a Maintenance Guarantee in the form of cash, certified check, maintenance bond or similar collateral acceptable to the Authority. Such Guarantee shall

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extend from the time of issuance of Certificate of Occupancy for a new structure or time of actual connection for an existing structure.

- 3. Connection Permit Fees** - The Owner of each property required to be connected to the Authority's Water and/or Sewerage system, including properties owned as a condominium, shall obtain a Connection Permit and be subject to payment of the Connection Permit Fees set forth in the Rate Schedule, Appendix "A".

In the case of new construction or alterations on Apartment, Multi-Family, Commercial, Industrial, Public and Public Education structures requiring a Building Permit, a Connection Permit shall be issued prior receiving a Certificate of Occupancy. Where alteration of an existing Apartment, Multi-Family, Commercial, Industrial, Public and Public Education structure causes an increase in Water or Sewer use, the Owner shall be subject to payment of a Connection Permit Fee proportionate to the increased use. No Certificate of Occupancy shall be issued until the Water and/or Sewer Connection Fee has been paid.

- a. Time of Permit Issuance: A Connection Permit shall be issued prior to the Applicant making any physical connection to the Water or Sewerage system. In the case of new construction or alterations on Apartment, Multi-Family, Commercial, Industrial, Public and Public Education structures requiring a Building Permit, a Connection Permit shall be issued prior to receiving a Certificate of Occupancy. Any existing structure, occupied or vacant, shall connect to the Water or Sewerage system within 60 calendar days of the date of written notification to the Owner by the Authority.
- b. Time for Payment of Fees:
 - i. Single Family Homes: All Connection Permit Fees for Single Family Homes are due at the time of application and shall be paid in full prior to Permit Issuance, but in any case, all Connection Fees shall be due and payable upon the expiration of the time allowed for the connection to the Water or Sewer system as required by Township ordinance. In the case of new construction or alterations requiring a Building Permit, a Connection Permit shall be issued prior receiving a Certificate of Occupancy.
 - ii. Apartments, Multi-Family, Commercial, Industrial & Public: All Connection Permit Fees are due at the time of application and shall be paid in full prior to Permit Issuance, but in any case, all Connection Fees shall be due and payable upon the expiration of the time allowed for the connection to the Water or Sewer system as required by Township ordinance. In the case of new construction or alterations on structures requiring a Building Permit, a Connection Permit shall be issued prior receiving a Certificate of Occupancy. Where alteration of an existing structure causes an increase in Water or Sewer use, the Owner shall be subject to payment of a Connection Permit Fee proportionate to the increased use.
 - iii. Public Education: Where installment payments are allowed in the Rate Schedule, Appendix "A", the Applicant may elect to pay the entire Water and/or Sewer Connection Permit Fees at the time of application or in installments over the period allowed. Installments (payments) shall be equal to the total Connection Permit Fee (principle) amortized at an interest rate (rate) set in the Rate Schedule over the installment period (term) allowed therein. The first installment of the Connection Permit Fee shall be paid in full prior to Permit Issuance. In the case of new

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construction or alterations on structures requiring a Building Permit, a Connection Permit shall be issued prior receiving a Certificate of Occupancy. Where alteration of an existing structure causes an increase in Water or Sewer use, the Owner shall be subject to payment of a Connection Permit Fee proportionate to the increased use.

c. Determination of Fee:

- i. Single Family Homes: Water and Sewer Connection Permit Fees for Single Family Homes (CPFSF) shall be the full amount set forth in the Rate Schedule, Appendix "A" for each dwelling unit.
- ii. Apartments and Multi-Family: Water and/or Sewer Connection Permit Fees for each Apartment or Multi-Family structure or, in the case of condominiums, part thereof, owned by the Applicant shall be determined from usage anticipated by such facility. The ratio of projected average daily usage of the Applicant's facility to average daily use for a Single Family Home having three (3) or more bedrooms (hereinafter referred to as an EQUIVALENT DWELLING UNIT or EDU), rounded to the highest one-half ($\frac{1}{2}$) of a unit, but not less than one (1), shall be used to determine the EQUIVALENT DWELLING UNITS of the facility. The Connection Permit Fee shall be the Fee for a Single Family Home set forth in the Rate Schedule multiplied by the EDU.
- iii. Commercial, Industrial, Public & Public Education: The base Water and/or Sewer Connection Permit Fees for each Commercial, Industrial, Public, or Public Education structure owned by the Applicant shall be determined in the same manner as that set forth above for Apartments and Multi-Family facilities. The base Water Connection Permit Fee for each Commercial condominium unit shall be determined in the same manner as that set forth above for Apartments and Multi-Family facilities. The base Sewer Connection Permit Fee for each Commercial condominium unit shall be determined in the same manner as that set forth above for Apartments and Multi-Family facilities except that the minimum EDU for each Commercial condominium unit shall be no less than one half ($\frac{1}{2}$) of an EDU.
- iv. Basis of EDU: The EDU for any facility shall be determined by the WTMUA based on the flow standards adopted by the NJDEP under NJAC 7:14A- 23.3 - Projected Flow Criteria. EDU's will be based on the use, or uses, of an existing, or proposed, structure at the time of application. Where structures contain more than one use, the EDU will be based on the fractional EDU of each individual use and rounded to the highest one-half ($\frac{1}{2}$) for the entire structure.

For Commercial, Industrial, Public or Public Education facilities, the Authority shall also determine the strength and character of Sewage Effluent and set the ratio of projected effluent strength of the Applicant's facility to effluent strength for a Single Family Home having three (3) or more bedrooms. Such ratio shall be used in determining the EQUIVALENT DWELLING UNITS or EDU of the facility.

- 4. User Fees** - User fees cover administrative, operating, debt service, and maintenance costs related to provision of sewer and water service. Such fees are due upon receipt of billing from the Authority. User fees shall be calculated from the earlier of the issuance of a Certificate of Occupancy, actual connection to the Water or Sewer system or the expiration of the time

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allowed for the connection to the Water or Sewer system as required by Township ordinance. Initial bills shall be issued at the first billing cycle following the earlier of the issuance of a Certificate of Occupancy, actual connection to the Water or Sewer system, or the expiration of the time allowed for the connection to the Water or Sewer system as required by Township ordinance and will be proportioned in accordance with the time user fees are calculated and actual billing.

- a. Water: Charges for potable water will be based on the quantity of water used in the period preceding the billing. Where an actual reading of a meter to determine usage is not or cannot be made, the Authority will base the amount billed on usage reasonably anticipated. Billings based on readings made on a remote meter reading device shall be considered estimated bills. If, at such time an actual reading of the meter is made, and there is a difference between the estimated and actual readings, the customer will be billed, or credited, for such difference in the billing period when said actual reading is made. Charge for fire hydrants and other facilities will be billed at the rate set as provided for in these Regulations.
 - b. Sewer: Use charges of sewer service or other sewer facilities will be billed at the rate as set forth in Rate Schedule, Appendix "A" for the period following the date of billing.
 - c. Financial Hardship Rates: Discounted rates for Financial Hardship, as defined in Rate Schedule, Appendix "A", shall apply only to dwellings and will be given only upon application for such discount by the utility user. Such applications must be approved by the Authority before the discount may become effective. A water meter shall be installed in all dwellings where discounted water service rates are applied.
- 5. WMP Amendment** - Fees to cover the cost of preparation and submission of an amendment of the WMP shall be payable, in full, to the Authority, prior to the Authority beginning the preparation of the amendment.
- 6. Lack of Payment - Penalties and Remedies** - Charges for water and sewerage service use shall be payable to the Washington Township Municipal Utilities Authority upon billing. Bills not paid within thirty (30) days shall draw interest at the rate set forth in the Rate Schedule until payment is made in full. If judgment becomes necessary, the charges become a lien upon the premises until they are paid to the Authority.

The Authority shall have the remedies for the collection of charges with interest, costs and penalties as provided by NJSA 40:14B.

- 7. Fees Required by Others** - All fees and charges by others necessary and incidental to obtaining or retaining sewer or water service from the Authority shall be the sole responsibility of the Applicant, Developer, Contractor or User, as the case may be.

PART C - GENERAL CONSTRUCTION REQUIREMENTS

- 1. Application of Requirements** - Any person, partnership or corporation seeking to construct sanitary sewerage or water distribution facilities within Water or Sewer Service Areas of the Washington Township Municipal Utilities Authority shall, unless specifically waived by the Authority, submit plans, insurances, bonds and other documents as hereinafter described.

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- 2. Submission and Format of Plans for Approval** - At the time of application for a Construction Permit, three (3) sets of plans, signed by a licensed New Jersey Professional Engineer, shall be submitted to the Authority. Work proposed shall be shown in plan and profile views, drawn to a scale not less than 1 inch = 50 feet horizontal and 1 inch = 5 feet vertical on 24 x 36 inch sheets. Elevations shall be based on U.S. Coast and Geologic Survey Datum, and all benchmarks shall be shown.
- 3. Design and Construction Standards** -
 - a. Conformance to Master Plans: Piping networks and related facilities shall be arranged and sized in accordance with the Authority's Master Plans. In the absence of specific Master Plan information for a specific areas, the Authority reserves the right to require modifications in the arrangements and size of piping and related facilities to accommodate the needs of adjacent lands or lands in the service area effected by the proposed project. Requirements for such modifications will be defined by the Authority Engineer and shall be incorporated in the plans which then shall be resubmitted.
 - b. Applicable Standards: The specific layout and details of installation of piping and facilities proposed shall be in accordance with the standards set forth in the applicable sections of these Rules and Regulations, as well as the Standard Details and Standard Specifications. The work proposed shall also strictly adhere to applicable standards, including but not limited to the NJDEP, BOCA Code, New Jersey Residential Site Improvement Standards, and National Plumbing Code. Should the proposed work include facilities not covered by Standards, Details and Specifications of the Authority, they shall be developed in accordance with State or Federal codes, recognized standards and accepted Engineering practice. Such details and specifications developed shall be submitted along with plans for the work, for review by the Authority.
- 4. Submission of Final Plans** - Only plans reviewed and approved by the Authority and Township shall be used in submitting to other County, State or Federal agencies for obtaining necessary construction approvals and permits. Any modifications or changes required by such agencies shall be made on the plans, and four (4) copies of such final plans, signed and sealed by a licensed New Jersey Professional Engineer and submitted to the Authority.
- 5. Insurance Requirements** -
 - a. Workmen's Compensation and Liability: Before commencing work, the Contractor and each of his subcontractors shall furnish the Authority with evidence showing that the following insurance is in force and will cover all operations:
 - i. Workmen's Compensation, in accordance with State or Territorial Workmen's Compensation Laws.
 - ii. Manufacturers' and contractors' public liability with bodily injury and property damage limits of not less than \$2,000,000 single unit to protect the Contractor and each Subcontractor against claims for personal injury or death and damage to the property of others. This shall cover the use of all equipment, hoists, and vehicles on the site or sites. Such policy shall provide that the Contractor shall hold harmless, indemnify and defend the Washington Township Municipal Utilities Authority and

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its employees, consultants, and agents from any and all liability arising from the work.

- b. **Builder's Risk:** The Contractor shall carry Builder's Risk (fire and extended coverage) Insurance upon all work in place and/or materials stored at the building site, including foundations and building equipment. Such Insurance shall be in an amount no less than the replacement value of the work and/or materials. The Builder's Risk Insurance shall be for the benefit of the Contractor and the Authority as their interests may appear, and each shall be named in the policy or policies as an assured. It need not be carried on landscape work. Policies shall furnish coverage at all times for the full cash value of all completed construction, as well as materials in place and/or stored at the site, whether or not the partial payment has been made by the Authority. The Contractor may terminate this insurance on facilities taken over for occupancy by the Authority as of the date said facilities are taken over.

6. Performance Guarantee (Option A) -

- a. **Applicability:** This option for posting of Performance Guarantee shall apply to developments which have received Preliminary Plat approval and have elected to post Performance Guarantees as a means of obtaining Final Plat approval.
- b. **Amount and Form:** No Construction Permit shall be issued until the Applicant has entered into a Service Agreement(s) with the Authority and filed a Performance Guarantee therewith, covering all sewer and/or water facilities proposed in the project. The amount of such guarantee shall be determined by the Authority's Engineer. It shall reflect the cost to the Authority for completion of the all or any portion of the work in compliance with the Public Bidding Statutes of the State of New Jersey. At least ten percent (10%) of such guarantee amount shall be in the form of cash to be deposited with the Authority and usable by it at any time in the event of nonperformance. The remaining ninety percent (90%) of the guarantee amount shall be cash, certified check or Performance Bond, issued by a bonding or surety company authorized to do business in the State of New Jersey, and as approved by the Authority Attorney.
- c. **Reductions:** The Applicant (Developer) may request reductions in the guarantee amount upon substantial completion of installation of major portions or segments of the proposed facilities. Such request shall be in writing, by certified mail addressed in care of the chairman of the Authority. The Authority may accept or deny such request based on an inspection, report and recommendation by the Authority Engineer. When such requests are approved by the Authority, the reduced amounts shall be in cash and bonds in the proportions indicated above.

7. Performance Guarantee (Option B) -

- a. **Applicability:** This option shall apply to developments which have received Preliminary Plat approval and have elected to install improvements and post guarantees, as necessary, prior to receiving Final Plat approval from the Planning Board.
- b. **General Provision:** In lieu of requiring Performance Bonds for all sewerage and/or water facilities in, or pertinent to, a development, the developer shall enter into a Service Agreement(s) with the Authority and install such facilities in conjunction with the

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construction of improvements required by the Township and the Authority in accordance with Preliminary Plans approved by both bodies. Installation of said sewerage and/or water improvements and their acceptance by the Authority shall be a prerequisite to the Authority's approval of the Final Plat. In consideration of items which cannot be completed by the developer (such as final setting of frames, valve boxes and the like), the developer shall post a performance guaranty in an amount not less than 25% of the total improvements' costs as estimated by the Authority's Engineer.

- c. Form: No less than 10% of the performance guaranty amount shall be in the form of cash. The remaining 90% shall be cash, letter of credit, certified check, or performance bond issued by a bonding or surety company authorized to do business in the State of New Jersey, and as approved by the Authority Attorney.
- d. Accessory Improvements: In the event that items of work are of such a nature that their installation at the time prescribed above is unnecessary or not warranted (e.g. - Wells, offsite improvements, etc. not required for the operation of a portion of the development or the like), the WTMUA, at its sole discretion, may require the posting of separate performance guarantees for the full amount of such improvement.
- e. Reductions: Reductions in the guarantee amount will be made following the method outlined in Paragraph 6. b above.

There shall be no reduction in the performance guaranty amount for work installed under Paragraphs 7.b until all work has been fully completed and accepted by the WTMUA. Prior to release of the performance guaranty, the developer shall post a maintenance guaranty in the form and amount presently prescribed in the Rules and Regulations. For work covered by separate guarantees as set forth in Paragraphs 7.d above, only one reduction in the guaranty amount shall be made. Such reduction may be made at the time that has advanced to a point representing 50% completion of the installation.

- 8. Notification of Beginning of Construction** - No construction shall be started until such time as the Authority has issued a Construction Permit to the applicant.

Before construction is started, the Authority shall be notified at least 15 days in advance in writing as to date of beginning of construction, and the name, address, telephone numbers of the Contractor, all sub-contractors and the Superintendents who shall be in charge and have full responsibility for the supervision of the construction.

- 9. Supervision of Construction** - The Contractor shall supervises and direct the work efficiently and with his best skill and attention. He will be solely responsible for the means, methods, techniques, sequences and procedures of construction. The Contractor shall be responsible to see that the finished work complies completely with the Rules and Regulations.

The Contractor shall assign a full-time resident superintendent to the work for the duration of the project. The superintendent shall be the Contractor's representative at the site and shall have authority to act on behalf of the Contractor. All communications given by the Authority to the superintendent shall be as binding as if given to the Contractor.

Whenever the Authority notifies the Contractor, in writing, that any man on the work is, in its opinion, incompetent, unfaithful, disorderly, or otherwise unsatisfactory, such man shall be discharged from the work and shall not again be employed on it except with the consent of the

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Authority. The Contractor shall provide competent, suitably qualified personnel to survey and lay out the work and perform construction as required by the Rules and Regulations. He shall at all times maintain good discipline and order among his employees at the site. The Authority will not be responsible for the acts or omissions of the Contractor, or any sub-contractors, or any of his or their agents or employees, or any other persons performing any of the work.

- 10. Safety, Protection of Property and Emergencies** - The Developer and his contractors shall be solely responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the work. He shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury or loss to:
- a. All employees on the work and other persons who may be affected thereby.
 - b. All work and all materials or equipment to be incorporated therein, whether in storage and or off the site.
 - c. Other property at the site or adjacent thereto, or general vicinity including trees, shrubs, lawns, walks, pavements, roadways, structures, and utilities not designated for removal, relocation or replacement in the course of construction.

The Contractor shall observe and comply with all applicable laws, ordinances, rules, regulations and others of any public body having jurisdiction for the safety of persons (including, but not limited to, employees and the general public) or property or to protect them from damage, injury or loss. He will erect and maintain, as required by the conditions and progress of the work, all necessary safeguards for safety and protection, including posting safety regulations and warning signs. He shall notify owners of adjacent utilities when prosecution of the work may affect them. When the use or storage of explosives or other hazardous materials is necessary for the prosecution of the work, the Contractor shall exercise the utmost care and shall carry on such activities under the supervision of properly qualified personnel. All damage, injury or loss to any property referred to in paragraphs b or c above, caused, directly or indirectly, in whole or in part, by the Contractor, any subcontractor or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, shall be remedied by the Contractor, except damage or loss attributable to the acts or omissions of the Authority or anyone employed by the Authority, or for whose acts either of them may be liable and not attributable to the fault or negligence of the Contractor.

The Contractor shall designate a responsible member of his organization at the site whose duty shall be the prevention of accidents. This person shall be the Contractor's superintendent unless otherwise designated in writing by the Contractor to the Authority.

In emergencies affecting the safety of persons or the work or property at the site or adjacent thereto, the Contractor without special instruction or authorization from the Authority, is obliged to act, at his discretion, to prevent threatened damage, injury or loss. He shall give the Authority prompt written notice of any significant changes in the work or deviations from the Rules and Regulations caused thereby.

11. Inspection by Authority -

- a. Right of Access: The Contractor (Developer) shall provide free access to the Authority's Director, Inspectors, Engineer and other duly authorized employees to inspect and review the work being installed.

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- b. Status of Authority Representatives:
- i. Director: The Director shall be the Authority's representative during construction. All instructions or correspondence by the Authority to the Contractor, and requests or correspondence from the Contractor shall be issued through the Director. The Director will make, or caused to be made, inspections of the work in progress and require testing of work and material, as provided in the Rules and Regulations. He shall have the right to disapprove or reject work which is found to be defective, faulty, not in compliance with the approved Final Plans for such project, or not in compliance with the Rules and Regulations. Should defective workmanship or materials not be corrected to satisfactory compliance with the Rules and Regulations or should the work be performed in an unsafe manner, the Director shall have the right to issue Stop Work Orders as hereinafter defined. The Director shall recommend to the Authority's governing body whether requests by the Developer for Performance Bond reductions and requests for Performance or Maintenance Bond released are justified and should be approved
 - ii. Inspectors: A field Inspector or Inspectors may be assigned by the Director from time to time to review and inspect the work being installed and to observe requisite testing. He shall have the authority to notify the Contractor of work that is not, in his opinion, in accordance with Rules and Regulations. He shall also have the authority to instruct the Contractor to excavate or reveal work which has been buried or concealed and which he reasonably considers to be defective. The Inspector shall advise the Contractor and Director of defective or improper work, and should satisfactory corrective action not be taken, he shall report such to the Director who shall take the appropriate action.
 - iii. Engineer: The Authority Engineer will, at the request of the Director, perform inspections and reviews, and provide such reports or opinions as may be required by the Director in the execution of his duties during construction. When authorized by the Director to perform inspections, the Authority Engineer shall have the same authorities as an inspector. The Authority Engineer will review requests for Field Changes, and Bond reduction or releases, and issue written opinions as to the validity of such requests.
- c. Limitations of Inspection – Responsibility: Since it is not contemplated that inspection will be made of each and every item of work, not that the Director, Inspector(s) or Authority Engineer will be present during all work activity, inspection by the Authority in no way limits the Contractor's responsibility to perform all work in accordance with the Rules and Regulations. In inspecting the work, the Authority takes no responsibility for construction coordination, means, methods, techniques, sequences or procedures, or safety precautions incident thereto. Any work found defective after completion shall be the responsibility of the Contractor.
- d. Stop Work Orders: Upon notice from the Executive Director of the Authority that work with respect to sewer and/or water facilities shall be stopped because it is being constructed contrary to the provisions contained in these Rules and Regulations, such work shall be stopped immediately. The Stop Work Order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work

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involved, and shall state the basis for the conclusion that the work is being prosecuted contrary to these Rules and Regulations, as well as stating the conditions under which said work may be resumed.

Any person who shall continue any work on water and/or sewer improvements after having been served with a Stop Work Order, except such work as he is directed to perform to remove a violation of these Rules and Regulations, shall be liable to penalties as provided herein.

12. Field Changes - In the event construction conditions require field changes, a written request giving reasons for such changes must first be submitted by the Developer or Contractor to the Authority in writing. The Authority will review such requests and its decision as to their acceptability will be at its sole discretion.

13. As-Built Plans -

- a. Mains and Appurtenant Facilities: Following completion of the construction of any sewers or water facilities under the control of the Authority, and before requesting release of Performance Bonding, the Contractor shall submit certified "as built" or "record" plans. These plans shall be dated and certified by a licensed Professional Engineer. Record plans shall be submitted on standard 24" x 36" size sheets on cloth, or plastic or polyester film from which prints may be obtained. They shall otherwise meet requirements for plans, defined under "Submission and Format of Plans for Approval". Record plans shall be filed with the Authority prior to official acceptance by the Authority of any construction or granting of permission to use any facilities under Authority control.

For sewers, the plans shall indicate the sewer line as built, and include the location of all house connections, manholes, risers, final ground profiles, water table conditions, and characteristics of soil conditions encountered along the profile. For water, they shall indicate the location and depth of all water mains as built, and include the location of all house connections, hydrants, valves, and other appurtenances. Valve locations shall be "tied" to permanent physical markers, such as catch basins, hydrants or telephone poles. For plants, well houses and pumping stations, they shall show ground plans, building layout piping, electrical devices, capacities of facilities and such other pertinent details associated therewith.

- b. Curb Stops, Peep-Sites and Clean Outs: Following completion of individual service lines, and before requesting a Connection Permit for that service, the Contractor shall submit a survey or plot plan of the property in question, showing the location of all curb stops, peep-sites and clean outs appurtenant to the service lines. Such survey or plot plan shall be signed by a licensed Surveyor or Professional Engineer, and shall show the location of the service line curb stop, peep sites and clean outs by "triangulation ties" to permanent physical monuments, preferably corners of the building served. Surveys or plot plans shall be at a scale no less than 1 inch = 50 feet and may be a paper (blueprint or photocopy) copy, if 8 ½" x 11" or 8 ½" x 14" in size. Plans submitted in larger formats, not to exceed 24" x 36", shall be cloth, or plastic or polyester film from which prints may be obtained.

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14. Final Inspection and Maintenance Guarantee -

- a. Time for Request for Acceptance: The Developer shall have completed installation of all sewer and water facilities, inclusive of final setting to grade of manholes, valve boxes, hydrants, curb boxes, peep sites, and clean outs, and provided as-built drawings for the work prior to making final request for acceptance of the work and release of the Performance Bond. Appurtenant facilities, such as well or pump houses and storage tanks, shall likewise be complete and ready for use.
- b. Prior Inspection Required: No work shall be accepted which has been installed without due and reasonable notice of construction to allow inspection and testing of the work by the Authority. Before acceptance of the work, the Authority will authorize the Authority Engineer to make a final inspection of sewer and water facilities, inclusive of review of inspection and testing records of the Authority's Director and/or Inspector. Based on the favorable recommendation of the Authority's Engineer, a resolution will be adopted for the acceptance of installed facilities.
- c. Maintenance Guarantee Requirements: No sewer or water facilities shall be accepted by the Authority unless and until the Developer shall have filed with the Authority a Maintenance Guarantee to cover the cost of remedying and repairing all defects which may occur during a two-year period following acceptance.

The amount of the Maintenance Guarantee shall equal fifteen (15%) of the total replacement cost of the facilities as estimated by the Authority's Engineer. Such Guarantee shall consist of cash, certified check, maintenance bond, irrevocable letter of credit or similar collateral acceptable to the Authority. The Maintenance Guarantee shall be reviewed by the Authority Attorney as to form, sufficiency and execution and shall be approved by resolution of the Authority. The two year guarantee starts at the date of the Authority's acceptance by resolution.

If any defect shall occur in any of such improvements during the Maintenance Guarantee period, the obligor and surety shall be liable on such Maintenance Guarantee for the reasonable repair or replacement cost of such improvements, and the Authority may, at the expense of the Maintenance Guarantee repair or replace such defects.

PART D - OTHER WASTE DISPOSAL AND POTABLE WATER FACILITIES

1. Disposal of Community Wastes -

- a. Open Discharge: It shall be unlawful for any person to discharge sewage at any time from any house or building, utilizing public sewers, into or upon any road, highway, public place, stream, water-course, ditch, surface or subsurface ground water drain or storm water drain, public or private property or natural outlet.
- b. Improper Use of Public Sewers: It shall be unlawful for any person to discharge scavenger waste or to connect, directly or indirectly, any cesspool, privy vault, garage floor drain, pit drain, or any on-site disposal system (other thing) (except an approved sanitary plumbing system) to any public sewer.

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2. Individual Systems -

- a. Public System Not Available: Where a public or private sanitary sewer or water system is not available, the building shall be connected to a septic tank or other individual sewage disposal facility and individual well. Such facilities shall conform to the requirements of the Board of Health. No septic tank or cesspool shall be permitted to discharge to any public or private sewer system or natural outlet.
- b. Abandonment: At such time as the Authority's sewer system or water system becomes available to a property serviced by individual facilities, direct connection to the Authority's system shall be made in compliance with these Rules and Regulations. Any septic tanks, cesspools, and similar individual sewage disposal facilities, and well or other water supply facility shall be abandoned, filled with suitable material and sealed as required by the Board of Health and NJDEP.
- c. Disconnection or Transfer of Connection: Where a building is served by a connection to the Authority's system, or a property has been granted sewerage or water capacity to connect to the Authority's system, said connection or connections shall not be at any time removed and/or transferred for use by another building or property without the express approval of the Authority based on an application setting forth the special reasons and/or hardship which necessitates such disconnection or transfer.

3. Private Sewer and Water Systems -

- a. Notice to Authority: Subject to the mandatory connection provisions contained herein, no private sewerage or potable water system serving more than one dwelling unit shall be installed in Washington Township or on property within the Water or Sewer Service Areas without prior written notice along with a detailed project description being provided to the Authority.
- b. Standards for Construction: Private systems shall conform to all the requirements of a public system as set forth in these Rules and Regulations, inclusive of review, inspection, insurance and bonding.
- c. Right of Inspection by Authority: Members of the Authority, the Authority Engineer, Inspector, or any other duly authorized employee of the Authority bearing proper credentials and identification, shall be permitted to enter upon all properties operating a private sewerage or water system serving more than one dwelling unit for the purpose of inspection, observation, measurement, sampling and testing at any reasonable hour. All expenses incurred in connection with the inspection and testing, incident to the construction, shall be borne by the owner.
- d. Conveyance to Authority: Private sewer and water systems, where permitted, may be used in areas not having access initially to the Authority's facilities. When the Authority's sewer and/or water systems become available for servicing a private system, which was placed in operating since January 1, 1977, the entire private system shall be conveyed to the Authority for \$1.00 as sufficient consideration therefor. The Authority shall have the option to accept systems which have been in operation prior to January 1, 1977 for a fee of \$1.00.

4. **Dry Sewer and Water Facilities** - Where the Authority's sewer or water system is not available to any realty improvements, classified as Major Subdivision by the Planning Board

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and required by the Township to have dry sewer or water lines, such dry lines shall be installed in conformance with all the requirements of a public system as set forth in these Rules and Regulations inclusive of review, inspection, insurance, and bonding. Dry sanitary sewer lines shall be installed with lateral house connections extending from the common sewer to a point two feet inside of the curb line for each existing or proposed lot. Each house connection shall be plugged until such time when building sewer connections are made. Dry sanitary sewer lines and building sewers shall be tested and approved in accordance with the leakage, infiltration and other requirements of the Authority. Where an existing public water supply is not available, individual wells and dry water lines shall be installed to service the entire tract. At the discretion of the Authority, these individual facilities may be set aside in favor of a water system. Said water system shall supply all consumers within the tract at all times and shall be equipped with wells, pumps, pump house automatic cut-in and start auxiliary power, tank, mains, hydrants, valves and other related facilities.

PART E - MISCELLANEOUS

- 1. Unauthorized Use of Authority Property** - The water and sewer mains, service pipes, curb cocks, stop cocks, meters, and all other appurtenances and real and personal property, owned by the Authority (“Authority Property”), shall be under its exclusive control and only authorized agents and employees of the Authority may use, occupy, operate or service any Authority Property. Under no circumstances shall Authority Property be used or occupied by any person not authorized by the Authority, except that a licensed plumber may operate service line appurtenances to test his work or to make necessary repairs. Upon completion of the work or repairs, the plumber shall leave such appurtenance in the original condition found (e.g. curb cocks closed in unoccupied structures). Any failure or neglect to do so shall make said plumber liable for any and all damages occasioned thereby and liable for violation of Rules and Regulations.
- 2. Unauthorized Taking of Authority’s Water or Use of the Authority’s Sewer Service System** - Any unauthorized taking of the Authority’s water or use of the Authority’s sewer service system shall be a violation of these Rules and Regulations and subject the violator to charges, penalties, damages and all other available remedies under the law and as set forth in these Rules and Regulations.
- 3. Unauthorized Use of and Surrender of Credentials** - Only a person who is an authorized officer or employee of the Authority shall have, or exhibit credentials of the Authority. It shall be the duty of each and every officer and employee of the Authority, upon resignation or dismissal, to surrender and deliver forthwith to the Authority all credentials of the Authority.
- 4. Right of Entry for Inspection and Meter Reading** - No person shall hinder or refuse to admit any member of the Authority, authorized engineers, officers, inspectors, foremen, or other authorized employees of the Authority, upon presentation of the credentials provided by the Authority, at all reasonable hours, to any premises served by Authority water or sewer facilities, for the purpose of making inspection thereof or reading of meters, taking of samples or such activity related to the proper monitoring and maintenance of said facilities.
- 5. Wrongful Discharge into Sewer System** - No person, owner, applicant or contractor shall permit the discharge into the sewer system of any substance prohibited under Section 6 off the

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Authority's rules and Regulations. The Authority retains the right to enter into premises connected to the sewer system to determine if the above described activities exist.

6. **Wrongful Creation of Inflow** - No person, owner, applicant or contractor having control or possession of premises upon which are located "peep sites" or "clean out sites" shall allow same to remain open, uncovered or unsealed so as to permit the entrance of inflow of water or other foreign substance into the system, other than during such time as the "peep site" or "clean out site" is being actively utilized for its intended purpose. No person, owner, applicant or contractor shall, during the course of making improvements to real property, through construction, development or otherwise, carry out or permit activities which recklessly or unreasonable expose and subject the sewer system to the inflow and/or infiltration or extraneous water or other substance. The Authority retains the right to enter onto premises at any time in order to determine if such conditions exist.
7. **Penalties** - Any violation of these Rules and Regulations or any amendments thereto may subject the Violator to all remedies available pursuant to State, Federal, or Local statutes, rules, and regulations, including but not limited to the following:
 - a. The suspension or termination of service or discharge.
 - b. A civil suit in the Superior Court of the State of New Jersey for damages, injunctive relief, penalties and other available remedies.
 - c. An action in the Township Municipal Court for a violation of all Township Ordinances (including, but not limited to, Washington Township Ordinance Chapter 3-21(a)(3)) and all other Rules, Regulations or Requirements, seeking fines and penalties in accordance with the terms thereof.
 - d. The assessment of reasonable costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation and for the reasonable costs of litigation or enforcement actions, if any, including attorney's fees.
 - e. Penalties for the discharge of any substance in violation of the Authority's discharge limitations shall be assessed pursuant to the rules and regulations established or to be established by the New Jersey Department of Environmental Protection pursuant to the Water Pollution Control Act, N.J.S.A. 58:10A-1.
 - f. Penalties for the unauthorized use or taking of the Authority's water or sewer service shall be assessed as follows: First Offense - \$500.00, Second Offense - \$2,500.00 and Third and Subsequent Offenses - \$5,000.00 for each Subsequent Offense. In addition, any violator shall pay to the Authority all costs expended by the Authority, including but not limited to, the cost of the services unlawfully obtained, investigation expenses, attorney fees and all damages caused by the violation(s).
 - g. Penalties, other than those assessed for discharge violations and the unauthorized use or taking of water or sewer services, shall be assessed at a minimum of \$100.00 per violation. For the purpose of this section, each day a user is in violation of these Rules and Regulations shall be considered a separate violation and shall subject said user to all remedies and penalties for each separate violation.

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- h. All individuals or business entities subject to the assessment of a penalty or charge for the violation of these Rules and Regulations shall be given notice of the proposed penalty or charge and an opportunity to be heard at a meeting of the Authority after which the penalty shall be assessed. All final penalties shall be paid within thirty (30) days of receipt.

The use of any of the remedies specified under this section shall not preclude the use of any other remedy specified, including all penalties, remedies, fines or charges provided under the laws of the State of New Jersey.

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**SECTION 6
WASTEWATER SEWER SYSTEM**

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SECTION 6 WASTEWATER SEWER SYSTEM

PART A - GENERAL

1. **Applicability** - The owner of any house, building or property used for human occupancy, employment or recreation or other purpose, situated within the Township and abutting on, or having easement access or right-of-way to any street, easement or right-of-way in which there is now located a public or private sanitary sewer of the Authority, is required at his own expense to install suitable sanitary sewer facilities therein, and to connect such facilities directly with the proper sewer in accordance with these Rules and Regulations and the provisions of the Township Board of Health Ordinances.
2. **Time Limitation for Connection to Public Sewer** -
 - a. Structures within existing sewer service areas: Any new occupancies within existing sewer service areas shall be connected to the sanitary sewer system and shall have received a certificate of acceptance before a certificate of occupancy is issued.
 - b. Districts sewered under a local improvement ordinance, WTMUA capital project, by developer, or under order of necessity issued by the State Department of Environmental Protection: The building sewer shall be satisfactorily connected to the house connection provided for each existing occupied structure, capable of discharging sewage, within 60 calendar days of the date of written notification to the owner by the Authority to connect to the sanitary sewer system. Any existing individual disposal system shall be satisfactorily disconnected from the house plumbing system within 60 calendar days of the date of written notification to the owner to connect to sanitary sewer system. The notice will be given by the Authority to each owner of record, as determined by the records of the Tax Assessor of the Township of Washington.
3. **Allocation of Wastewater Treatment Capacity** - Allocation of wastewater treatment capacity in the Authority's plants shall be done in accordance with the following tiered allocation system. Any capacity available in either of the Authority's wastewater treatment plants at the time a request is made for such capacity shall be allocated in order of the following tiers
 - a. Tier I: Failed Septic System: When and if capacity is deemed to be available in the Authority's Wastewater Treatment System, those individuals, partnerships, and corporations who have failing septic systems (individual underground disposal systems), attested by the Washington Township Board of Health, and with access to the Authority's Wastewater Collection System as defined by NJAC 7:9A shall be given priority to the use of any available capacity over all others, including those who may be on a Waiting List (hereinafter defined) for use of said capacity for the construction of new dwellings, commercial and/or industrial facilities.
 - b. Tier II: Proposed Facilities Within the Authority's Wastewater Management Plan Service Area: Those individuals, partnerships, and corporations having land situated within the boundary of the Sewer Service Area, as defined by the currently approved Wastewater Management Plan, seeking to connect to the system new or expanded dwellings,

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commercial and/or industrial facilities; and have filed with the Authority an “Application for Construction Permit” for Wastewater Facilities, together with the appropriate filing fees, will be given priority to the use of capacity in the Authority’s Wastewater Service System, when and if capacity is deemed to be available, on the basis of the chronological order in which their application was made. Such priority shall be subordinate to Tier I applicants, but shall be superior to Tier III applicants.

- c. Tier III: Existing or Proposed Facilities Outside the Authority’s Wastewater Management Plan Service Area: Those individuals, partnerships, and corporations having land situated outside the boundary of the Sewer Service Area, as defined by the currently approved Wastewater Management Plan, seeking to connect to the system existing facilities and/or new dwellings, commercial or industrial facilities; may request an amendment of the Washington Township Wastewater Management Plan to include the property within the Sewer Service Area of the Authority. Only after the amendment of the Wastewater Management Plan has been approved by the New Jersey Department of Environmental Protection will an “Application for Construction Permit” for Wastewater Facilities, together with the appropriate filing fees, be accepted and given priority, as a Tier II applicant, to the use of capacity in the Authority’s Wastewater Treatment System, when and if capacity is deemed to be available, on the basis of the chronological order in which their application was accepted. Such priority shall be subordinate to Tier I applicants. Tier III applicants have no priority for Wastewater Treatment Services.
 - d. When an “Application for Construction Permit” for Wastewater Facilities is made, the Authority’s Secretary shall acknowledge receipt of same by signing and dating the Application and noting the filing fees paid. The Executive Director shall then place said application on a Waiting List showing all outstanding applicants, the date of receipt of the application and the number of equivalent single family dwelling connections requested.
- 4. Service Pipe Responsibility** - The owner of the property to be served shall have the responsibility and expense of installing and maintaining the service pipe and sewer connection, peep site and clean-outs, including excavation, backfill and pavement replacement, all at his expense. Connections to the main shall be done only by the Authority or contractors approved by the Authority; however, the entire expense of tapping shall be borne by the owner.
- 5. Responsibility for Backflows** - All permits for connections are given on condition that the owners of the property served shall assume all risk of damages that may result from water getting into the premises from the sewer or their connections, and it shall be the Owner's responsibility to maintain the flow in the building sewer and house connection from the house or building to the sewer main. Any drain subject to backflow or back-pressures shall be equipped with back water valve of a type approved by the WTMUA at the property owner's expense.
- 6. Other Regulatory Agencies** – All sanitary sewer work shall comply with all applicable Township and State Regulations.

PART B - DISCHARGE STANDARDS

- 1. **Prohibited Discharge** - 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:

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- a. Storm water, surface water, groundwater, roof runoff, swimming pool water, subsurface drainage, foundation or basement sump drainage, pond water, cooling water, or unpolluted industrial process water.
- b. Any refrigeration, cooling system or air-conditioning water.
- c. Any residues from petroleum storage, refining or processing, waste fuels, lubricants, solvents, or paints.
- d. Any liquid or vapor having a temperature higher than 150 degrees F. including steam, boiler blow-off (except that overflow from a properly trapped and vented collection tank of adequate capacity may lead to the sewer).
- e. Any fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/L of solvent soluble materials or containing substances which solidify or become viscous at temperatures between 32 and 150 degrees F.(0 and 65 degrees C.).
- f. Any wastewater containing liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to create an explosive, flammable or combustible atmosphere in the sewer system. All residue from petroleum storage, refining or processing; waste fuels, lubricants, solvents or paints.
- g. Any garbage, or solid refuse, whether shredded or not. All discharges from home garbage disposal units, garbage grinder, etc.
- h. Any solid or viscous substance in quantities or a size capable of causing obstruction to the flow in sewers or interference with the proper operation of the sewer system, including but not limited to, ashes, cinders, stones, sand, mud, straw shavings or sawdust, metal, sticks, coarse rubbish, glass, rags, feathers, plastics, waste rubber, animal guts or tissues, entrails, blood, hair, hides, wood, paunch manure, washing from vehicles of any type, tar, paper or plastic containers.
- i. Any waters, sewage or wastes having a pH lower than 6.0 or higher than 9.0, or having any other corrosive properties capable of causing damage or hazard to the structures, equipment or personnel of the Authority.
- j. Any waters or wastes containing toxic pollutants or substances in sufficient quantity to cause injury(e), damage or hazard to personnel, structures or equipment, interfere with the sewer system or the treatment process or the liquid or solids treatment or handling processes or to pass through the treatment facilities in a condition not in compliance with state, federal, Authority or other requirements for the effluent or receiving waters. The following substances are specifically prohibited: alcohols, aldehydes, arsenic, arsenicals, bromine, chlorinated hydrocarbons, volatile organic compounds, chromium, chromium compounds, copper, copper salts, cresols, cyanides, cyanide compounds, fluorine, iodine, mercury, mercury compounds, nickel, nickel compounds, pesticides, silver, silver compounds, sulfonamides, toxic dyes, zinc, zinc compounds or other heavy metals; strong oxidizing agents including but not limited to peroxides, chromates, dichromates, permanganates; compounds producing hydrogen sulfide or other toxic, inflammable or explosive gases upon acidification, alkalization, reduction or oxidation; strong reducing agents including but not limited to nitrates, sulfites, sulphides; strong acids or strong alkalis or any radioactive wastes or isotopes of such half-life or concentration as may exceed limits

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as established by applicable State or Federal regulations or in such quantity that causes damage or hazard to structures, equipment or personnel of the Authority.

- k. Any waste containing phenols, noxious or malodorous solids, liquids, or gases, which singly or by interaction with other wastes, create a public nuisance or hazard to life.
 - l. Any waters or wastes having (1) a 5-day Biochemical Oxygen Demand greater than 250 milligrams per liter by weight, or (2) containing more than 350 milligrams per liter by weight of suspended solids, or (3) having an average daily flow greater than 5 (2) percent of the average daily sewage flow or loading of the wastewater treatment plant.
 - m. Any or septage or wastes from cesspools, septic tanks or other sources of sanitary wastes shall not be permitted into the sewer system.
 - n. Any wastes containing material which exerts or causes:
 - i. unusual concentrations of inert suspended solids or of dissolved solids;
 - ii. excessive discoloration which cannot be removed by the wastewater treatment plant. In no case shall a discolored discharge be permitted if, in the opinion of the Authority, said discharge is likely to interfere with the operation of the treatment system or to cause a violation of the facility's NJPDES permit;
 - iii. unusual BOD, COD or chlorine requirements in such quantities constituting an unacceptable load on the wastewater treatment facility; or
 - iv. unusual volume of flow or concentration of wastes constituting a "slug" of volume or strength which causes a treatment process upset and subsequent loss of treatment efficiency.
 - o. Any wastes containing pollutants of such character or quantity that will:
 - i. not be susceptible to treatment or will interfere with the process or efficiency of the treatment system, or will exhibit inhibitory toxicity in the treatment system; or
 - ii. violate federal or state pretreatment standards as may be promulgated from time to time; or
 - iii. cause the Authority's facilities to violate their NPDES or NJPDES permit, applicable receiving water standards, permit regulating sludge which is produced during treatment or other permit(s) issued to the Authority.
2. **Pre-Treatment Required** - Any waters or waste containing any quantity of substances having the characteristics described in Part B, Paragraph 1 may be discharged into the public sewer system, provided that; (1) pre-treatment of such waters or waste is carried out, and (2) the Authority has granted written approval in the form of a permit or service contract of such discharge and pre-treatment system.
3. **Pre-Treatment Facilities** -
- a. Approvals: At all premises where wastes or substances specified to be excluded from public sewers by these regulations 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

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regulating chambers, 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 insure that no waste or substance is discharged in violation of the requirement of these regulations.

Plans, specifications and any other pertinent information relating to such facilities for pre-treatment of wastes or water discharged to public sewers shall be approved by the Authority, and by any or all State and Federal Regulatory Agencies having jurisdiction. Construction of such facilities shall not commence until said approvals are obtained in writing.

- b. Sampling and Testing: On premises where any of the wastes or substances as described in this section are present, the Authority may require the owner to provide, operate and maintain, at the owner's expense, a sampling well or wells, flow measuring devices, manholes or other appurtenances, all readily accessible, on the building sewer and house connection from said premises near the point where said sewer connects to the public sewer. By means of said sampling well or wells, flow measuring devices, or other appurtenances, the owner, occupants of said premises, Authority, 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 these regulations.
 - c. Authority Right to Enter: The Authority or its duly authorized representatives 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 these regulations have occurred or are likely to occur, for the purpose of ascertaining the facts as to such violations or suspected violation, or of obtaining samples of waste, or of inspecting flow measuring devices or treatment facilities provided to prevent prohibited discharges.
4. **Test Standards** - All measurements, tests, and analysis of the characteristics of water and waters to which reference is made in this section shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage", American Public Health Association. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the house connection is connected.
 5. **Reimbursement of Costs** - The Applicant shall reimburse the Authority for all costs, including administrative, engineering and legal, incurred by the Authority in connection with the review, inspection, testing and approval of all applications made hereunder.

PART C - DESIGN AND CONSTRUCTION STANDARDS

1. **Building Sewers and House Connections** - A building sewer, when connected with garages or stables, shall be properly trapped under the floor, vented and protected by suitable grating and screens.
 - a. Alignment: A building sewer connection and house connection shall be laid from the building with a minimum downgrade of 1/4 inch per foot unless otherwise authorized by the Plumbing Inspector. On terraced installation where a 45 degree angle or greater rise is necessary, a riser connection shall be constructed. The foot of such rise shall rest on a

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concrete pad. The sewer pipe shall be laid in a continuous grade, as nearly as possible in a straight line with minimum cover of 3 feet 6 inches, measured to the pipe invert, unless otherwise approved by the Plumbing Inspector. The grade and depth of all other sewers shall be subject to the approval of the Authority.

- b. Size: No building sewer shall be less than four (4) inches in diameter. All other sewer sizes shall be subject to the approval of the Authority.
- c. Clean-outs: Inside house cleanouts shall be located a minimum distance of one foot above the basement floor.

A clean-out shall be provided within two (2) feet of the property line at the edge of the road easement and within five (5) feet of the house structure, unless an approved cleanout exists inside the house. Additional cleanouts shall be provided as necessary so that the maximum spacing between clean-outs is 75 feet and that a clean-out is constructed at each change in horizontal or vertical grade.

Clean-outs shall be the same size as the house connection and shall be brought up to the ground level and fitted with a plastic, brass or lead ferrule.

- d. Protection of Lines: Building sewers and house connections shall be so laid and protected as not to be damaged from subsequent action on the surface above the same, such as the passage of motor vehicles over such surface. No two sewer lines may be closer than three (3) feet apart except as may be approved by the Plumbing Inspector. Building sewer lines shall not be placed in the same trench or cross potable water service lines.

2. Manholes -

- a. Location: Manholes shall be installed at the end of each line of a sewer system; at all changes in grade, size, or alignment; at all intersections; and at a distance not greater than 400 feet for sewers 15 inches or less, and 500 feet for sewers 18 inches to 30 inches unless permitted by the Authority.
- b. Drop Type: A drop pipe shall be provided for a sewer entering a manhole at an elevation of 24 inches or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than 24 inches, the invert channel shall be constructed from inlet to outlet in a uniform grade to prevent deposition of solids.
- c. Diameter: The minimum inside diameter of manholes shall be 48 inches except where otherwise directed by the Authority.

3. Piping -

- a. Location: Wastewater sewer main piping shall be generally placed at the centerline of roads or right-of-ways. Where there is no existing or proposed public road, a right-of-way or easement, no less than 20 feet in width, shall be created and made a permanent encumbrance on the land it traverses. Stream crossings and placement of piping in wet or swampy areas shall be avoided wherever possible.
- b. Size and Alignment: No Main pipe shall be less than eight (8) inches in diameter. Where pipe grades or future contributory flow conditions are such that larger pipes are required, piping shall be designed to flow no more than one-half full during peak flow conditions.

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The Authority reserves the right to require extra size pipe where extension of the piping can be reasonable anticipated.

All sewer pipe shall be placed in straight runs with a manhole placed at each change in vertical or horizontal alignment. No curves or fittings, other than service connections, shall be permitted.

- c. Grades: Pipes shall be set at grades which allow self-cleansing flow velocities under normal operating conditions. However, pipes shall not be designed with grades greater than five percent (5%) nor less than five-tenths of a percent (0.5%) nor shall the change in grade through a Standard Manhole exceed two percent (2%) unless permitted by the Authority.
 - d. Protection of Piping: Wastewater sewer piping shall be laid below the elevation of potable water piping wherever both are placed in the same road, right-of-way or easement and shall not be less than three feet below the ground surface. Concrete encasement shall be placed around sewer piping at all stream crossings, crossings of other utilities, or when passing under structures.
- 4. Construction Specifications and Details** - All Wastewater Sewerage facilities shall be constructed in accordance with the Standard Specifications and Standard Details of the Authority which are all attached hereto and made a part hereof.

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**SECTION 7
POTABLE WATER SYSTEM**

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SECTION 7 POTABLE WATER SYSTEM

PART A - GENERAL

1. **Applicability** - The owner or owners of each improved property within the Township and having reasonable access to any street, easement or right-of-way in which there is located a public potable water system of the Authority, is required at his own expense to install suitable potable water facilities therein, and to connect such facilities directly with the proper water pipe in accordance with these Rules and Regulations and the provisions of the Township Board of Health Ordinances so that the public water supply shall be used for all domestic purposes, dwelling purposes or for any purpose relating to human occupancy and/or consumption.
2. **Time Limitation for Connection to Public Potable Water System** -
 - a. Structures within existing public potable water system districts or along the line of any existing public potable water system: Any new occupancies within existing public potable water system districts or along the line of any existing public potable water system shall be connected to the potable public water system and shall have received a certificate of acceptance before a certificate of occupancy is issued.
 - b. Districts watered under a local improvement ordinance, WTMUA capital project, by developer, or under order of necessity issued by the State Department of Environmental Protection: The building water system shall be satisfactorily connected to the house connection provided for each existing occupied structure, capable of using water within 60 calendar days of the date of written notification to the owner by the Authority to connect to the public potable water system. Any existing individual water system shall be satisfactorily disconnected from the house plumbing system within 60 calendar days of the date of written notification to the owner to connect to the public potable water system. The notice will be given by the Authority to each owner of record as determined by the records of the Township Tax Assessor.
3. **Allocation of Water Capacity** - Allocation of water capacity in the Authority's water systems shall be done in accordance with the following tiered allocation system. Any capacity available in the Authority's water systems at the time a request is made for such capacity shall be allocated in order of the following tiers:
 - a. TIER I: Failed Private Potable Water Well: When and if capacity is deemed to be available in the Authority's Water Supply Systems, those individuals, partnerships, and corporations who have failing private potable water wells, attested by the Board of Health, and with access to the Authority's Water Supply System as defined by NJAC 7:9A shall be given priority to the use of any available capacity over all others, including those who may be on a Waiting List (hereinafter defined) for use of said capacity for the construction of new dwellings, commercial and/or industrial facilities.
 - b. TIER II: Existing or Proposed Facilities Within the Authority's Service Area: Those individuals, partnerships, and corporations having land situated within the boundary of the Authority's Service Area seeking to connect to the system existing, new or expanded dwellings, commercial and/or industrial facilities, and have filed with the Authority an

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“Application for Construction Permit” for Potable Water Facilities, together with the appropriate filing fees, will be given priority to the use of capacity in the Authority’s Water Supply System, on the basis of the chronological order in which their application was made. Such priority shall be subordinate to Tier I applicants and subject to the following conditions:

- i. The Washington Township Municipal Utilities Authority shall agree to provide public, community water service to all properties within its service area when such property is within reasonable access of the Authority’s potable water system.
 - ii. The Authority shall agree to provide water service to all properties within its service area if such property does not have reasonable access to the Authority’s potable water system, but can be served if a physically and financially feasible connection can be made through installation of appropriate facilities. The determination of whether or not a connection is physically and financially feasible shall be at the sole discretion of the Authority.
 - iii. Water supply for such extension of service shall be made by way of:
 - use of existing developed supplies,
 - development of existing proven supply sources,
 - exploration for and development of new supply sources, or
 - the acquisition of water from other sources.
 - iv. A Water Service Agreement covering the responsibilities of the Authority and applicant shall be executed by both parties prior to the initiation of any work on the project. The responsibilities defined shall include all standard aspects of the water service agreement, as well as all unique conditions for provision of service to the project in question. It shall include the following details, as required, but not limited to a definition of which party is to provide and the responsibility for payment for:
 - additional water sources to be used,
 - additional water storage facilities, and
 - off site water piping directly or indirectly necessary for the property in question.
 - c. When an “Application for Construction Permit” for Potable Water Facilities is made, the Authority’s Secretary shall acknowledge receipt of same by signing and dating the Application and noting the filing fees paid. The Executive Director shall then place said application on a Waiting List showing all outstanding applicants, the date of receipt of the application and the number of equivalent single family dwelling connections requested.
- 4. Private Wells** - Private Wells shall not be permitted on any property connected to the WTMUA system unless specific written approval for such Private Well is granted by the WTMUA. Where a property contains a Private Well and such property is connected to the System, such existing Private Well shall be removed from service and sealed by the property owner, in accordance with the standards of the NJDEP, within thirty (30) days of connection to the System.

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Where a Property Owner desires to install a Private Well, or continue the use of existing Private Well or Wells, on a property served by the System, the Owner shall make application to the Authority for a permit to make such installation, or continue the use of existing Private Well or Wells. Said Application shall set forth the reasons for installation of said Private Well, or continue the use of existing Private Well or Wells, and demonstrate hardship and/or special reasons for making such installation. Upon receipt of all required information, the Authority shall make a decision as to whether or not to grant a waiver of this provision of the Rules and Regulations.

- a. Agricultural Program: Owners or operators of properties which meet the requirements under N.J.S.A. 4:1C et. seq. to be defined as a commercial farm, i.e. are 5 acres or larger, produces agricultural or horticultural products worth \$2,500 or more annually and receives Farmland Assessment or satisfies the eligibility criteria for Farmland Assessment, or is less than 5 acres, produces agricultural or horticultural products worth \$50,000 or more annually, and although the farm is not eligible to receive Farmland Assessment because it does not meet the size requirement, the farm satisfies all other eligibility criteria for Farmland Assessment, will not be compelled to make use of the Authority's public water system. Maintenance and development of private wells on such properties that are not serviced by the Authority are allowable, subject to compliance with all other applicable laws and regulations. The provisions of this section do not apply to properties that encompass areas with contaminated ground water as defined by the NJDEP or USEPA.

In the event that the owner or operator of a commercial farm as defined in N.J.S.A.4:1C et. seq. wishes to connect to the Authority's water system, they may maintain and develop private sources of water on their farm (subject to all applicable laws and regulations) but shall comply with all other aspects of the Authority's Rules and Regulations.

5. **Cross Connection Control and Backflow Prevention** - The Authority has adopted a program entitled Cross-Connection Control Program (see Appendix B) to address the use of backflow prevention devices throughout the Authority's potable water system. Any Person, as determined by the Authority, who is required to install a backflow prevention device on the water connection to their property shall comply with the requirements of this program.
6. **Excessive Use of Water Prohibited** - Excessive or unnecessary use or waste of water, whether caused by carelessness or by defective or leaky plumbing or fixtures or by any other cause, is strictly prohibited.
7. **Acceptance of Pressure Conditions** - All applicants for water service and connection for water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed water service connection, and to hold the Authority harmless for any damages arising from low pressure or high pressure conditions or interruptions of service.
8. **Discontinuance of Service** - The Authority may, at its discretion, shut off the water from the premises of any owner or tenant guilty of violating any of the provisions of these regulations, upon giving said Owner or tenant at least twenty-four hours' notice of such intended action. In addition, the Authority may take legal action to impose penalties, as provided elsewhere in the Rules and Regulations.

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- 9. Proclamation of Emergency Conditions and Penalty for Violation** - Whenever the Authority shall restrict, in an emergency, the use of Authority water by published order, or by proclamation issued by the Chairman of the Authority or his designee, no person shall use Authority water in violation of said order or proclamation. Violation of such shall become subject to the penalties provided by these regulations or by proclamation without the notice as therein provided.
- 10. Other Regulatory Agencies** - All public potable water system work shall comply with all applicable Township and State Regulations.

PART B - WATER SYSTEM USE RESPONSIBILITIES

1. Service Pipe -

- a. Installation of Service: The owner of the property to be served shall have the responsibility and expense of installing the service pipe and water connection, installing the corporation stop, curb stop, curb box, and meter pit assembly, including excavation, backfill and pavement replacement, all at his expense. Tapping of the main shall be done only by the Authority or a contractor approved by the Authority; however, the entire expense of tapping shall be borne by the owner. The requirement to install a meter pit may be waived by the Authority in those instances where the Authority determines it is not necessary.
- b. Responsibility of Authority Beyond Curb stop: If water is turned on and premises are vacant and water is running on the inside of the building, the water may be shut off at the curb stop by the Authority. The Authority's responsibility ends at the curb stop, and the Authority will in no case be liable for damages occasioned by water running from open or faulty fixtures or from broken or damaged pipes beyond the curb stop.

In a case where the Authority notifies the owner of the presence of a leak in the service pipe between the curb stop and the water meter, it shall be the owner's responsibility to fix the leak within 10 calendar days. After 10 days, the Authority may terminate water service due to noncompliance with the above and impose a penalty for loss of water from any Authority line because of any breakage, dating from the time of detection of the break.

- c. Obstruction and Use of Curb stop: Curb stops are to be operated only by Authority personnel or such person or persons who may be specifically authorized by the Authority. No person shall in any manner obstruct or prevent access to, tamper with, or cause damage to the curb stop. Any person or persons found operating, purposely obstructing, or tampering with a curb stop shall be subject to the penalties prescribed elsewhere in the Rules and Regulations.

2. Water Meters -

- a. Meter Responsibility: All owners or occupants using water supplied by the Authority must have water meters installed and/or allow for their installation by the Authority. Where new structures are to receive water service, they must have water meters installed when the water service to the building is approved by the Plumbing inspector. Where a water connection services an existing structure, the owner shall provide the necessary fittings for the installation of a meter by the Authority. Where new water service is provided to a structure on a lot created by a Major Subdivision, the owner or sub-divider shall provide

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all necessary fittings and meter pit assembly and install a meter and appurtenances in accordance with the Authority's standard detail.

- b. Meter to be Sealed: Meters and remote reading devices shall be sealed by the Authority and no one except an authorized employee of the Authority shall break or damage any of such seals.
- c. Meter to be Property of Authority: Meters, controlling the services, are and shall remain the property of the Authority and all meters will be at all times under its control.
- d. Protection of Meter: The water meter shall be installed in such a manner so as to protect said item from freezing or being subject to damage from extreme weather conditions. Cost of repair and replacement of water meters shall be that of the owner.

3. Fire Hydrants -

- a. Use of Fire Hydrants: Fire hydrants are to be opened and used only by the Authority or Fire Department of the Township or by such persons as may be specifically authorized by the Authority.
- b. Obstruction and Abuse of Fire Hydrants: No persons shall in any manner obstruct or prevent access to, tamper with, or damage by causing or permitting a vehicle to come in contact with any fire hydrant, place or store temporarily or otherwise any object, material, snow, debris or structure of any kind within a distance of ten feet of any hydrant. Any such obstruction, when discovered, may be removed at once by the Authority at the expense of the person responsible for the obstruction.
- c. Sprinkling, Flushing or Cleaning of Streets, etc.: Water for sprinkling, flushing, or cleaning streets or highways, sewers, or catch-basins shall be taken only from fire hydrants, or from such special stand-pipes or valves as may be provided by the Authority and then only by such persons as may be duly authorized or licensed by the Authority.
- d. Private Fire Protection Systems: The installation of private fire protection systems shall be approved by the Authority prior to construction. Any such system shall be adequately designed to prevent freezing and backflow, and no system shall contain chemicals or other additives. All systems so installed shall be disinfected and flushed at installation and no less than each six (6) months thereafter.
- e. Testing of Private Fire Outlets: Where pipes are provided for fire protection on any premises, said fire protection apparatus may be tested only if the Authority grants permission, in writing, for testing same.

PART C - DESIGN AND CONSTRUCTION STANDARDS

1. General - The design and construction of all extensions and alterations to the Authority's Potable Water System shall be in accordance with:

- "Rules and Regulations for Approval of Public Water Supply Systems and Water Treatment Plants" by the New Jersey Department of Environmental Protection.
- "Residential Site Improvement Standards, N.J.A.C. 5:21"
- "Standards" of the American Water Works Association.
- "Rules and Regulations", Washington Township Municipal Utilities Authority.

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- “Standard Specifications”, Washington Township Municipal Utilities Authority.

2. Service Connections -

- a. Alignment: Service piping shall be laid in a straight line between the main and the structure served, and shall be placed on a perpendicular to the main. Water service lines shall not be laid closer than ten (10) feet from a building sewer and shall not cross the building sewer line.
- b. Size and Minimum Pressure: Service piping shall be no less than 3/4 inch diameter. Each installation shall be adequately sized to allow no less than 35 psi TDH at the first or ground floor.

Where static pressure at the meter exceeds 55 psi, a pressure reducing valve, set for 50 psi, shall be installed in the service line on the main side of the meter, unless the water meter is installed on the service pipe in which case the pressure reducing valve shall be installed within the house.

Where static pressure in the main does not allow 35 psi static pressure at the first or ground floor, a booster pump of adequate size shall be installed on the service line on the house side of the curb stop. Such booster pump shall be the responsibility of the property owner to operate and maintain.

- c. Continuous Pipe Preferred: All service piping shall, preferably, be a continuous length of pipe between the curb stop and meter pit and meter pit and building. Where continuous pipe cannot be installed due to the length of the service line, unions may be allowed provided that no more than the number of unions allowed in the Standard Specifications are used.
- d. Protection from Freezing: Water connections running from curb- stop to a building and between the cellar wall and the meter, which are likely to be exposed to freezing temperatures, must be effectively protected from freezing. All service pipes must be installed at a depth not less than four (4) feet.

3. Water Meters -

- a. Location of Meter and Remote Reader: In all cases, the meter and remote reader shall be placed in locations allowing free, unobstructed access by Authority personnel. The location of these devices shall be as directed by Authority personnel. On structures where the water meter will be located within the structure, remote reading devices shall be placed on the outside of the building at a location which allows free access at all times. The remote shall preferably be placed adjacent to the front entry door but may also be located adjacent to a garage door or other location acceptable to the Authority. On all other structures, the meter shall be located in a meter pit assembly on the structure side of the curb line within the right of way easement.
- b. Installation: The water meter shall be installed in a meter pit assembly for all new structures in accordance with the Authority’s standard detail. For existing structures, the meter may be installed inside the building upon approval of the Authority at a location approved by the Authority. When approval is given to locate the meter at a point other than a meter pit, and where the service extends under a concrete basement floor, an appropriate size steel

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casing shall be used under the floor and extend to outside of foundation wall. No galvanized pipe, nipple or bushings are permitted.

Remote reading devices shall be installed using only wire supplied or approved by the Authority. Wire shall be fully supported by stapling and be connected to the meter and remote as directed. The remote shall be set to read the same as the meter.

- c. Protection from Freezing: The meter shall be installed in a manner that will allow full protection to it or the exposed service piping from damage by freezing.

4. Main Piping and Valves -

- a. Location: Potable water distribution mains shall be placed on the north or east side of streets or right-of-ways, five (5) feet from existing or proposed (as shown in the Township Master Plan) curb lines and/or ten (10) feet from sanitary sewer piping. Gate valves shall be installed on each pipe at every pipe intersection and between intersections at 500-foot maximum intervals in areas zoned for commercial, business, or medium or high density residential, and at 800 feet in other residential zones. Valves at intersections shall be placed no more than one (1) standard pipe length from the intersection fitting. All mains shall be designed to allow "looping" between branches wherever possible. Where "dead end" pipes are allowed or unavoidable, a fire hydrant (or blow-off approved by the Authority) shall be placed at the line terminus. A fire hydrant or approved blow-off shall be placed at all low points in a distribution line. At high points in a line, or system, a fire hydrant or approved air vent shall be provided.

- b. Size and Alignment: No main shall be less than eight (8) inches in diameter. Where pressure and supply volume requirements are such that larger pipes are required, such pipe sizing shall be determined based on system fixed flow volume. The Authority reserves the right to require extra size pipe where extension can be reasonably anticipated or system design requires such extra size. All valves shall be the same size as the mains.

Water piping shall preferably be placed in straight runs. Changes in alignment may be made by fittings or deflection of the pipe, provided that the radius of deflection is no less than recommended by the pipe manufacturer.

- c. Protection of Piping: All Distribution Mains shall be placed with no less than four (4) feet of cover to protect them from freezing. However, unless otherwise approved by the Authority, pipes shall not be placed with more than six feet of cover. Potable water piping shall not be placed in the same trench as sanitary sewer piping and shall be placed in an elevation higher than the sanitary sewer piping. Where water pipe crosses sewer piping, the water line shall be above the sanitary.

Concrete encasement shall be placed around water piping at all stream crossings, crossing of other utilities, or when passing under structures. Stream crossings and placement in wet or swampy areas shall be avoided.

Tie rods and/or thrust blocks shall be installed for protection of pipe against movement, vertical thrust, horizontal thrust, and settlement. All fittings shall be installed with retainer style glands.

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5. **Fire Hydrants** - Hydrants shall be installed at 500 foot maximum intervals, as measured along the curb or roadway centerline, and no house or commercial structure shall be more than 250 feet from a hydrant. All hydrants shall be located to facilitate rapid access and operation.
6. **Construction Specifications and Details** - All Potable Water Piping, Hydrants and appurtenances shall be constructed in accordance with the Standard Specifications and Standard Details or the Authority, which are attached hereto and made part hereof.

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SECTION 8 AVAILABILITY OF COPIES OF AUTHORITY RULES AND REGULATIONS

1. Copies of the Rules and Regulations shall be available at the principal office of the Authority. A fee of \$20.00 shall be charged for each copy sold by the Authority.
2. Copies of these Rules and Regulations and the current Rate Schedule shall be kept on file and available for public inspection at the office of the Authority for as long as they are in effect.

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SECTION 9 CHANGES

1. The Authority reserves the right to change, i.e., revise, modify, amend, supplement or repeal any or all of these Rules and Regulations.
2. Changes may be made by the Authority at any regular or special meeting of the Authority upon approval of a majority of all the members of the Authority and upon such notice as may be required by law. Changes or revisions to these Rules and Regulations and Appendices shall become effective upon approval and signature of the Chairman and Secretary of the Authority.

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Potable Water & Wastewater Facilities

APPENDIX A

(See Current Year Rate Schedule)

Washington Township
Municipal Utilities Authority
46 East Mill Road, Long Valley, NJ

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Potable Water & Wastewater Facilities

APPENDIX B

(See Cross-Connection Control Program Manual)

Washington Township
Municipal Utilities Authority
46 East Mill Road, Long Valley, NJ