

Introduced: 7/14/2020
Public Hearing: 8/11/2020
Adoption: 8/11/2020

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 07-2020**

AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON COUNTY, NEW JERSEY AMENDING AND MODIFYING TITLE 17, BOARD OF HEALTH ORDINANCES, CHAPTER 17.24, STANDARDS FOR INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS, SECTION 17.24.030, PERMIT FOR LOCATION, CONSTRUCTION ALTERATIONS OR REPAIRS, OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF TEWKSBURY

WHEREAS, the Township of Tewksbury (the “Township”) regulates the location, construction, alteration and repair of subsurface sewage disposal systems; and

WHEREAS, pursuant to guidance issued by the Hunterdon County Board of Health, the Township Committee finds and declares that it is no longer necessary to require proving a reserve disposal area for repairs, alterations or replacements of existing septic systems, existing lots of record that will be developed as an individual single family residence, or development applications which are currently pending Township approval.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

SECTION 1. Title 17, Board of Health Ordinances, Chapter 17.24, Standards for Individual Subsurface Sewage Disposal Systems, Section 17.24.030, Permit for Location, Construction, Alterations or Repairs, of the Code of Ordinances of the Township of Tewksbury is hereby amended as follows:

17.24.030 – Permit for location, construction, alterations or repairs.

No person shall locate, construct or alter any individual sewage disposal system until a permit for the location, construction, alteration or repairs of said sewage disposal system shall have been issued by the administrative authority as defined in N.J.A.C. 7:9A-2.1.

- A. No permit for the location and construction of a sewage disposal system shall be issued unless the applicant is in compliance with N.J.A.C. 7:9A-5, et seq. through N.J.A.C. 7:9A-6, et seq for both the primary and reserve area.
- B. For subdivision purposes, all proposed subdivided lots, including remaining land that does not have an existing septic system shall have sufficient tests completed for both a primary and reserve area and must be located and dimensioned on the sketch plat.
- C. Notwithstanding the foregoing, the requirement for proving a reserve disposal area shall not apply to repairs, alterations or replacements of existing septic systems, existing lots of record that will be developed as an individual single-family residence,

or to development applications which are pending Township approval as of the effective date of this ordinance.

There shall be a minimum of seventy-five (75) feet between tests and/or soil log(s) taken in the primary area and tests and soil log(s) taken in the reserve area. The applicant shall designate on the location survey which tests and soil log(s) are to be used for the primary area and which tests and soil log(s) are to be used for the reserve area.

- D. Percolation test rates of ten (10) minutes per inch or less and permeability rate of twenty (20) inches per hour (K5) or more shall be subject to review by the board of health. Additionally, in the event that the application presents questionable soil, percolation or topographical conditions, the board of health reserves the right to require an alternate disposal system design or, in specific cases, to entirely preclude on-site sewage disposal.
- E. In the event of an alteration to an existing sewage disposal system, the board of health shall require such tests as it shall deem necessary.
- F. The administrative authority may issue a permit if the application is determined to be in compliance with the regulations adopted under this chapter and applicable local ordinances.

SECTION 2. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

SECTION 4. All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Committee of the Township of Tewksbury at a duly convened meeting held on July 14, 2020 and adopted on August 11, 2020.

Jennifer Ader
Acting Township Clerk