

ORDINANCE #83-1

AN ORDINANCE ESTABLISHING A CODE TO REGULATE AND CONTROL THE LOCATION, CONSTRUCTION, USE, MAINTENANCE, AND METHOD OF EMPTYING OR CLEANING INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS WITHIN THE COUNTY OF OCEAN AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF HEALTH OF THE COUNTY OF OCEAN, STATE OF NEW JERSEY:

SECTION 1: No person shall locate, construct or alter any individual on-site sewage disposal system without prior written approval of the local Board of Health having jurisdiction of the system. Such system must be constructed in conformance with "Standards for Construction of Individual Subsurface Sewage Disposal Systems" as set forth in N.J.A.C. 7:9-1 et seq., as amended and supplemented.

SECTION 2: As used in this Ordinance, unless a different meaning clearly appears from the context:

A. "Individual on-site sewage disposal system" means a system for the disposal of sewage waste into the ground. This shall include "cesspools", "septic tanks" as defined in "The Standards for the Construction of Individual Subsurface Sewage Disposal Systems" (N.J.A.C. 7:9-2.1 et seq.) and "holding tanks".

B. "Sewage" means any liquid waste containing animal or vegetable matter in suspension or solution of the water-carried wastes resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material.

SECTION 3: No individual on-site sewage disposal system shall be placed in operation, nor shall any new building be

occupied, which must rely on such a system for sewage disposal until a certificate indicating that said disposal system has been located and constructed in compliance with this Ordinance has been issued by the local Board of Health.

SECTION 4: The Ocean County Health Department may order all further work in or about any individual on-site sewage disposal system, which is being erected or installed in violation of this Ordinance, to be stopped immediately, except for such work as shall be necessary to remedy such violation. After issuance of any such order and the service of a copy thereof upon any person connected with or working in or about the erection, construction, or installation of any such disposal system, or any part thereof, no further work shall be done thereon except as allowed by said order.

SECTION 5: No person shall maintain, use or permit to be used any individual on-site sewage disposal system in such a manner that any discharge from the system flows over or upon the surface of the ground or gains access to any well, spring, stream, lake or other body of water.

SECTION 6: No person shall engage in emptying or cleaning an individual on-site sewage disposal system unless that person holds a valid permit issued by the Ocean County Health Department for each vehicle used for the transportation of the waste discharged from the system. Such permits shall be issued by the Ocean County Health Department and shall be valid for a period of one (1) year from the date of issuance.

Said permit may be revoked by the Ocean County Board of Health for failure to comply with the provisions of this Ordinance or any other law, rule or regulation or ordinance of the Ocean County Board of Health, local Board of Health or the State of New Jersey.

**SECTION 7:**

All persons holding a permit for a vehicle used for the transportation of such waste shall comply with the following conditions:

- A. General. Only equipment inspected and approved by the Ocean County Health Department shall be used in cleaning an individual on-site sewage disposal system.
- B. Mobile Tanks. Mobile tanks shall be securely mounted on trucks, shall be water-tight, and provided with a leakproof cover.
- C. Venting of Mobile Tanks. Mobile tanks shall be provided with a vent constructed in a manner that will permit the escape of gas, but not the liquid contained therein.
- D. Pumps. Pumps shall be maintained in a condition that will prevent leakage of the waste generated from an individual on-site sewage disposal system.
- E. Hose. Only suction or pressure hoses in good repair shall be used.
- F. Operation. The operation of cleaning or emptying an individual on-site sewage disposal system shall be conducted that no

discharge from the system will be deposited on the ground adjacent to the system being cleaned or emptied. If any spillage occurs, the spillage shall be immediately removed and disposed of in a sanitary manner and the area cleaned or protected in such a manner as to protect the public's health.

G. Disposal. The discharge from an individual on-site sewage disposal system shall be removed to a place approved by the State Department of Environmental Protection.

H. Manifest. Each load of waste originating from an individual on-site sewage disposal system shall be accompanied by an individually numbered manifest form approved by the Ocean County Health Department. This manifest shall be provided to the facility accepting such waste for disposal as set forth in 7G. Each hauler of such waste shall operate in conformance with N.J.A.C. 7:14-5.1 to 5.15.

SECTION 8. The Ocean County Health Department may order the removal of the contents or discharge of any on-site sewage disposal system when, in the opinion of the Health Department, it is necessary to protect the health, safety, and welfare of the inhabitants of the County.

SECTION 9. Any person or persons, firm or corporation violating any of the provisions of this Ordinance or any

order promulgated under this Ordinance, upon conviction thereof, shall pay a fine of not less than One hundred (\$100.00) dollars, nor more than Five hundred (\$500.00) dollars for each violation. Each day a particular violation continues shall constitute a separate offense.

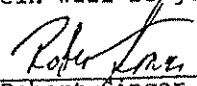
SECTION 10. All local ordinances, codes or parts of ordinances or codes inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 11. In the event that any section, sentence or clause of this Ordinance shall be declared unconstitutional by a Court of competent jurisdiction, such declaration shall not in any manner prejudice the enforcement of the remaining provisions.

SECTION 12. This Ordinance shall take effect upon final adoption and publication in accordance with the provisions of N.J.S.A. 26:3-69 and N.J.S.A. 26:3A2-27.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was duly introduced and passed on first reading at a regular meeting of the Ocean County Board of Health, State of New Jersey, held on the 16th day of February, 1983. Further notice is given that said Ordinance will be considered for final passage and adoption at a regular meeting of said Ocean County Board of Health to be held at the Ocean County Health Department, Sunset Avenue, Toms River, New Jersey at 8 o'clock p.m. on the 16th day of March, 1983, at which time and place any person interested therein will be given an opportunity to be heard.

  
Robert Singer, Secretary  
Ocean County Board of Health