

**TOWNSHIP OF WALL**  
**ORDINANCE NO. 18 - 1998**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XII, "WATER AND SEWER", SECTION 12-3, "SEWER", OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, PROVIDING FOR THE ESTABLISHMENT OF WAIVER STANDARDS PERTAINING TO MANDATORY SEWER CONNECTION IN THE TOWNSHIP OF WALL.**

**WHEREAS**, "The Revised General Ordinances of the Township of Wall, 1977", do not presently provide for waiver standards in connection with the mandatory sewer connection requirements as set forth in the Township Ordinance; and

**WHEREAS**, the Township Committee finds that it is in a best interest of the Township to provide for certain waiver standards;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Wall, in the County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter XII, "Water and Sewer", of the "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, Section 12-3, entitled "Sewer", be and the same is hereby further amended and supplemented by the addition thereto of the following subsection:

"12-3.19     Waiver From Sewer Connection Requirement.

- (a) The owner of a property required to connect to the township sewerage system pursuant to subsections 12-3.11 and 12-3.12 hereof may apply to the township committee, on an application form to be prepared by the township clerk, for a waiver from the

mandatory sewer connection requirement, should the property satisfy one of the following categories of exemption from the sewer connection requirement:

1. Distance Exemption. An existing single-family dwelling which is located at a distance from the sewer line greater than twice the minimum lot width required by the zoning ordinance of the township for the zone in which the property is located may be exempt from the mandatory connection requirement.
  2. Extraordinary Circumstances. The owner of an existing house, building or structure may apply for a mandatory connection waiver based upon extraordinary circumstances, where a mandatory connection would require a stream or wetlands crossing or there exists another similar environmental condition requiring extensive regulatory permits from the New Jersey Department of Environmental Protection or other county or state regulatory agencies.
- (b) No waiver from the mandatory sewer connection requirement shall be granted by the township committee unless the property in question contains an individual sewerage disposal system which is operational and may continue to operate in compliance with all applicable local, county and state health codes or other

regulations.

- (c) The grant of a waiver from a mandatory sewer connection requirement by the township committee shall not effect in any way the obligation of the property owner to pay any applicable sewer assessment levied against the property in question.

Section 2. All ordinances, or parts thereof inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, clause, or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4. This Ordinance will take effect upon its passage and publication according to law.

#### **NOTICE**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on June 10, 1998, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on July 8, 1998, at 8:00 o'clock p.m. or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting,

copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same.

BEATRICE M. GASSNER, R.M.C., C.M.C.  
Township Clerk