Chapter 204

SEWAGE DISPOSAL SYSTEMS, INDIVIDUAL

§ 204-1. Definitions.
§ 204-2. Use of available sewer required.
§ 204-3. Applicability of state standards; higher standards.
§ 204-4. Certificate of compliance as to location and design.
§ 204-5. Certificate required for operation.
§ 204-6. Existing privies and cesspools.
§ 204-7. Temporary privies.
§ 204-8. Permit for repair of existing system.
§ 204-9. License for construction, alteration or cleaning of facilities.
§ 204-10. Permit for cleaning system.
§ 204-11. Applications.
§ 204-12. Fees.
§ 204-13. Inspections and tests.
§ 204-14. Stoppage of work.
§ 204-15. Variances.
§ 204-16. Right of appeal.
§ 204-17. Violations and penalties.

[HISTORY: Adopted by the Board of Health of the Township of East Hanover 9-1-81 as Art. XI of Board of Health Ord. No. 1-1981, codifying and amending Ord. No. 1-1974, as previously amended, adopted 5-16-74. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Sewers — See Ch. 123.
Solid waste — See Ch. 207.

§ 204.1. Definitions.

For the purpose of this chapter, the following terms shall have the meanings indicated:

ALTER and ALTERATION (when used in connection with an individual sewage disposal system) — Changes which affect its basic design or component parts, as distinguished from repairs, which consist merely of replacing parts of an existing system.

CERTIFICATE OF COMPLIANCE AS TO INSTALLATION — A certificate issued by the Board of Health or its authorized agent certifying that an individual sewage disposal system has been installed in such manner as to meet the requirements of the Realty Improvement Sewerage and Facilities Act (1954), Standards for the Construction of Sewerage Facilities for Realty Improvements, any higher standards prescribed by this chapter and all terms and conditions of approval imposed by the Board of Health with respect to such system upon the issuance of the certificate of compliance as to location and design therefor.

CERTIFICATE OF COMPLIANCE AS TO LOCATION AND DESIGN — A certificate issued by the Board of Health certifying that a proposed individual sewage disposal system or an alteration of any such system is in compliance with the provisions of the Realty Improvement Sewerage and Facilities Act (1954), Standards for the Construction of Sewerage Facilities for Realty Improvements (or Standards for the Construction of Water Supply Systems for Realty Improvements) and any higher standards prescribed by this chapter.
DISPERSAL SYSTEM — That system used for underground dispersion of the liquid portion of sewage. It may consist of disposal trenches, a disposal bed or a seepage pit.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM — Any system for the disposal of sewage other than a sanitary sewer system collecting sewage from various premises for treatment and disposal at a sewage disposal plant approved by the State Department of Health.

PERSON — Any individual, firm, corporation, partnership, association or other organization.

REPAIR — The improvement of an existing system or facility by the replacement of parts thereof without making any change in the system or facility which affects its basic design or component parts.

§ 204-2. Use of available sewer required. ¹

¹ Editor’s Note: For additional provisions regarding hookup to the sanitary sewer system, see Ch. 125, Sewers, Art. III, specifically § 123-56.

No individual sewage disposal system shall be installed upon a property served by a sanitary sewer system approved by the State Department of Health.

§ 204-3. Applicability of state standards; higher standards.

A. The regulations promulgated by the State Commissioner of Health on December 7, 1954, pursuant to the Realty Improvement Sewerage and Facilities Act (1954)² and known as “Standards for the Construction of Sewerage Facilities for Realty Improvements” are of full force and effect in the Township of East Hanover, except that the following regulations or higher standards are hereby prescribed:

² Editor’s Note: See N.J.S.A. 58:11-23 et seq.

(1) Plans and specifications. Every application for a certificate of compliance as to location and design of an individual sewage disposal system shall include as a part thereof a complete set of plans and specifications prepared or reviewed and approved by an engineer licensed to practice professional engineering in the State of New Jersey. The plans and specifications shall be drawn to scale and shall fully and accurately show the system to be constructed and each component part thereof.

(2) Requirements for built-in-place units.

(a) Detailed construction plans shall be provided for any component part of a system to be built in place, such as a septic tank, distribution box or seepage pit. The construction plans shall specify the dimensions, the materials to be used, the cement mixture and the size, type and location of any reinforcement.

(b) Concrete septic tanks and distribution boxes shall equal or exceed the design and construction standards of current ACI 318 (Building Code Requirements for Reinforced Concrete, adopted by the American Concrete Institute).

(c) Units constructed of concrete block, cinder block, brick or stone shall meet the requirements of the highest standards of masonry construction. Septic tanks shall be constructed on a concrete base at least six (6) inches thick to serve as a foundation and bottom of the unit. Mortar shall be one (1) part portland cement to three (3) parts sand.
Two (2) coats (each one-fourth-inch thick) of portland cement-sand plaster or other equivalent sealing mixture shall be applied to the interior walls of a septic tank.

(3) Information to be furnished respecting precast and prefabricated septic tanks and distribution boxes and seepage pits.

(a) If any precast concrete or prefabricated metal unit is to be used, the plans for the system may, in addition to other specifications, provide a designation of any such unit or units to be used.

(b) Metal units shall equal or exceed the design and construction standards adopted by the American Institute of Steel Construction.

(c) Concrete units shall equal or exceed the design and construction standards of current ACI 318 (Building Code Requirements for Reinforced Concrete, adopted by the American Concrete Institute).

(d) No precast or prefabricated unit shall be installed in any individual sewage disposal system constructed in the Township of East Hanover unless subsequent to the effective date of this chapter the design and construction of such unit shall have been determined by the Board of Health to comply with the requirements of the Standards for the Construction of Sewerage Facilities and the provisions of this chapter. Such determination shall be made only upon the submission to and review by the Board of Health of the structural design of the unit. Structural design data shall show all detail specifications, including dimensions, thickness of walls, strength of material, size, type and location of any access openings and other details sufficient to establish that the unit complies with all requirements of state laws and standards and any applicable requirements of this chapter. Submission to the Board of Health for purposes of the required determination as to any unit may be made in connection with an application for certification as to location or design or may be made at any time by any manufacturer or distributor of precast or prefabricated septic tanks, distribution boxes or seepage pits. In the event that the Board of Health determines that a unit does not meet the applicable requirements, the Board shall furnish to the applicant, manufacturer or distributor a written report stating the specific reasons for such determination.

(4) Capacities of septic tanks serving single-family dwelling units.

(a) Septic tanks serving single-family dwelling units shall have the following minimum capacities:

<table>
<thead>
<tr>
<th>Number of Bedrooms</th>
<th>Minimum Liquid Capacity of Septic Tanks (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 or less</td>
<td>1,000</td>
</tr>
<tr>
<td>3</td>
<td>1,000</td>
</tr>
<tr>
<td>4</td>
<td>1,000</td>
</tr>
<tr>
<td>5</td>
<td>1,250</td>
</tr>
<tr>
<td>6</td>
<td>1,500</td>
</tr>
</tbody>
</table>

(b) The foregoing minimum capacity requirements shall be controlling in the Township of East Hanover and not those specified in Section 5.1 (a) of Standards for the Construction of Sewerage Facilities for Realty Improvements promulgated by the State Commissioner of Health on December 7, 1954.
(5) Building sewer. Building sewers shall be constructed of cast iron and shall be at least ten (10) feet in length measured from the outer wall of the building to the inlet opening of the septic tank. All joints in the building sewer shall be sealed with lead.

(6) Required information; grant of permit; exception.

(a) Because the widespread use of individual sewage disposal systems is becoming an increasingly hazardous health problem in the Township of East Hanover, particularly in view of the recent rapid development of the township, no permit shall be issued to install an individual sewage disposal system unless the following information is filed with the Health Administrator or Sanitarian of the Board of Health at least five (5) days prior to any requested action by the Board:

[1] Certified results and details of a satisfactory percolation test, including information relative to the type, nature and depth of the soils found and the depth to groundwater. The percolation test shall be conducted by a professional engineer licensed by the State of New Jersey. The percolation test must be witnessed by one (1) of the following Board of Health employees: a licensed Sanitary Inspector, a licensed Health Officer or a licensed professional engineer.

[2] A location survey showing the exact location of any existing or proposed septic tanks, seepage beds, distribution boxes, dispersal systems or wells in relation to the foundation of the building served by the system. Said survey shall include the exact location of any existing septic tanks, seepage beds, distribution boxes, dispersal systems or wells within one hundred (100) feet of the proposed new system.

(b) The Health Administrator or Sanitarian of the Board of Health may grant a permit to install an individual sewage disposal system in accordance with the standards set out below and subject to the following exceptions:

[1] If the lot is part of a subdivision of more than ten (10) lots, if any lot in the subdivision of which the lot is a part is within two thousand five hundred (2,500) feet of a public water supply, the owner of the lot must, at his expense, connect with the public water supply before a permit to install an individual sewage disposal system is granted.

[2] If the lot is part of a subdivision of more than ten (10) lots, if any lot in the subdivision of which the lot is a part is within one thousand (1,000) feet of a public sewage system or within two (2) years may reasonably be expected to be within one thousand (1,000) feet of a public sewage system, no permit to install an individual sewage disposal system shall be granted.

(7) Disposal trenches.

(a) Minimum percolating area (individual dwellings). The minimum required percolating area per bedroom shall be determined from the following table, provided that in no event shall the total bottom trench area be less than two hundred twenty-five (225) square feet for each dwelling unit:

<table>
<thead>
<tr>
<th>Percolation Test</th>
<th>Minimum Bottom Trench Area per Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>[1]</td>
<td></td>
</tr>
</tbody>
</table>
(b) Minimum percolating area (other than individual dwellings). The minimum required percolating area shall be determined from the following table, provided that in no event shall the total bottom trench area be less than two hundred twenty-five (225) square feet:

<table>
<thead>
<tr>
<th>Percolation Test (minutes per inch)</th>
<th>Minimum Bottom Trench Area Per Gallons per Day (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 or less</td>
<td>0.74</td>
</tr>
<tr>
<td>6 to 10</td>
<td>0.96</td>
</tr>
<tr>
<td>11 to 15</td>
<td>1.20</td>
</tr>
<tr>
<td>16 to 20</td>
<td>1.44</td>
</tr>
<tr>
<td>21 to 25</td>
<td>1.68</td>
</tr>
<tr>
<td>26 to 30</td>
<td>1.92</td>
</tr>
<tr>
<td>31 to 35</td>
<td>2.16</td>
</tr>
<tr>
<td>Over 35</td>
<td>Not acceptable</td>
</tr>
</tbody>
</table>

(c) Size and spacing. Size and minimum spacing requirements of disposal trenches shall conform to the following table:

<table>
<thead>
<tr>
<th>Time Required for Water to Fall One Inch (minutes)</th>
<th>Maximum Width of Trench at Bottom (inches)</th>
<th>Depth of Stone Under Distribution Lines (inches)</th>
<th>Minimum Distribution Between Distribution Lines (feet)</th>
<th>Recommended Depth of Trench to Bottom (inches)</th>
<th>Percolating Area per Foot of Trench (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5</td>
<td>18</td>
<td>6</td>
<td>6.0</td>
<td>20 to 30</td>
<td>1.5</td>
</tr>
<tr>
<td>5 to 20</td>
<td>24</td>
<td>8</td>
<td>6.0</td>
<td>22 to 32</td>
<td>2.0</td>
</tr>
<tr>
<td>21 to 35</td>
<td>30</td>
<td>10</td>
<td>7.5</td>
<td>24 to 34</td>
<td>2.3</td>
</tr>
</tbody>
</table>
(d) Filter material shall range in size from one-half (1/2) to one and one-half (1 1/2) inches.

(8) Disposal beds.

(a) Minimum percolating area (individual dwellings). The minimum required percolating area per bedroom shall be determined from the following table, provided that in no event shall the total bottom area be less than two hundred seventy (270) square feet for each dwelling unit:

<table>
<thead>
<tr>
<th>Percolation Test (minutes per inch)</th>
<th>Minimum Bottom Area per Bedroom (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 or less</td>
<td>125</td>
</tr>
<tr>
<td>6 to 10</td>
<td>173</td>
</tr>
<tr>
<td>11 to 15</td>
<td>216</td>
</tr>
<tr>
<td>16 to 20</td>
<td>260</td>
</tr>
<tr>
<td>21 to 25</td>
<td>303</td>
</tr>
<tr>
<td>26 to 30</td>
<td>346</td>
</tr>
<tr>
<td>31 to 35</td>
<td>384</td>
</tr>
<tr>
<td>Over 35</td>
<td>Not acceptable</td>
</tr>
</tbody>
</table>

(b) Minimum percolating area (other than individual dwellings). The minimum percolating area shall be determined from the following table with the estimated daily sewage flow, provided that in no event shall the total bottom area be less than two hundred seventy (270) square feet:

<table>
<thead>
<tr>
<th>Percolation Test (minutes per inch)</th>
<th>Minimum Bottom Area per Gallon per Day (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 or less</td>
<td>.87</td>
</tr>
<tr>
<td>6 to 10</td>
<td>1.16</td>
</tr>
<tr>
<td>11 to 15</td>
<td>1.44</td>
</tr>
<tr>
<td>16 to 20</td>
<td>1.73</td>
</tr>
<tr>
<td>21 to 25</td>
<td>2.01</td>
</tr>
<tr>
<td>26 to 30</td>
<td>2.31</td>
</tr>
<tr>
<td>31 to 35</td>
<td>2.59</td>
</tr>
<tr>
<td>Over 35</td>
<td>Not acceptable</td>
</tr>
</tbody>
</table>

(9) Seepage pits.

(a) Seepage pits may be permitted only where conditions warrant their use. Because of the health hazard involved in the possible pollution of underground water supplies, seepage pits shall not be constructed unless extreme care is exercised in the selection of location and depth. Seepage pits shall not be constructed in areas where groundwater (permanent, seasonal or total effect) may be less than four (4) feet below the bottom of the pit. This four (4) feet shall be undisturbed soil because of the possible health hazard of placing seepage pits into the water table.
(b) Minimum percolating area (individual dwellings). The minimum percolating area shall be determined from the following table, provided that in no event shall the area be less than one hundred sixty-five (165) square feet for each dwelling unit:

<table>
<thead>
<tr>
<th>Percolation Test (minutes per inch)</th>
<th>Minimum Area per Bedroom (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 or less</td>
<td>83</td>
</tr>
<tr>
<td>6 to 10</td>
<td>108</td>
</tr>
<tr>
<td>11 to 15</td>
<td>135</td>
</tr>
<tr>
<td>16 to 20</td>
<td>162</td>
</tr>
<tr>
<td>21 to 25</td>
<td>190</td>
</tr>
<tr>
<td>26 to 30</td>
<td>216</td>
</tr>
<tr>
<td>31 to 35</td>
<td>243</td>
</tr>
<tr>
<td>Over 35</td>
<td>Not acceptable</td>
</tr>
</tbody>
</table>

(c) Minimum percolating area (other than individual dwellings). The minimum required percolating area shall be determined from the following table, provided that in no event shall the area be less than one hundred sixty-five (165) square feet:

<table>
<thead>
<tr>
<th>Percolation Test (minutes per inch)</th>
<th>Minimum Area per Gallon per Day (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 or less</td>
<td>.56</td>
</tr>
<tr>
<td>6 to 10</td>
<td>.71</td>
</tr>
<tr>
<td>11 to 15</td>
<td>.90</td>
</tr>
<tr>
<td>16 to 20</td>
<td>1.08</td>
</tr>
<tr>
<td>21 to 25</td>
<td>1.26</td>
</tr>
<tr>
<td>26 to 30</td>
<td>1.44</td>
</tr>
<tr>
<td>31 to 35</td>
<td>1.62</td>
</tr>
<tr>
<td>Over 35</td>
<td>Not acceptable</td>
</tr>
</tbody>
</table>

(10) Where land use experience, topography, soil conditions or water table levels indicate that a particular type of dispersal system would be most desirable, the Board reserves the right to require that type of dispersal system which would best safeguard the public health.

(11) Separate disposal facilities for different wastes. Every single-family dwelling hereafter constructed in the Township of East Hanover shall be served by separate disposal facilities as follows:

(a) There shall be an individual sewage disposal system meeting all of the requirements established therefor, including the higher standards established by this chapter. This system shall receive all waste from bathroom and lavatory toilets, water closets, basins, bathtubs, showers and other bathroom and lavatory fixtures.

(b) Other disposal facilities.

[1] There shall also be a waste disposal system meeting all of the requirements for an individual sewage disposal system; provided, however, that the septic tank and disposal area need only meet the requirements established for a two-bedroom dwelling. This system shall receive all wastes from sinks, tubs and showers other
than those located in bathrooms and lavatories, and also all wastes from laundry
tubs, washing machines, dishwashers and any other source of water-carried wastes
not originating in bathrooms or lavatories.

[2] There shall be no cross-connections between the aforementioned separate disposal
facilities, and each of the facilities shall be connected to its own septic tank by a
separate building sewer.

[3] No part of the disposal areas of the aforementioned separate disposal facilities shall
be closer to each other than ten (10) feet at any point.

(12) Minimum capacities of septic tanks serving single-family dwellings. Septic tanks serving
single-family dwellings and receiving wastes from bathroom and lavatory toilets, water
closets, basins, bathtubs, showers and other bathroom and lavatory fixtures shall have the
following minimum capacities:

<table>
<thead>
<tr>
<th>Number of Bedrooms</th>
<th>Minimum Liquid Capacity of Septic Tank (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 or less</td>
<td>1,000</td>
</tr>
<tr>
<td>5</td>
<td>1,250</td>
</tr>
<tr>
<td>6</td>
<td>1,500</td>
</tr>
</tbody>
</table>

(13) Location of systems. Individual sewage disposal systems shall not be located or constructed
in areas of ledge rock.

(14) Watercourses. There shall be a minimum distance of seventy-five (75) feet between any
component part of an individual sewage disposal system and any watercourse. For purposes
of this section, a watercourse shall be defined as any body of surface water, including,
without limitation, a brook, stream, pond, lake, marsh or swamp.

(15) Materials.

(a) Building sewers shall be constructed only of extra-heavy cast-iron pipe.

(b) Septic tanks shall be constructed only as follows:
poured-in-place concrete or precast reinforced concrete.

(c) The connecting pipe from the septic tank to the distribution box or to the seepage pit
shall be four-inch extra-heavy cast-iron pipe.

(d) The bottom of a seepage pit shall be filled with coarse gravel to a depth of two (2) feet or
more.

(16) Distances. The minimum distance for location of the various component parts of the disposal
system shall comply with the following table:

<table>
<thead>
<tr>
<th>Component Building sewer</th>
<th>Well or Suction Line (feet)</th>
<th>Water Supply Line (pressure) (feet)</th>
<th>Dwelling (feet)</th>
<th>Property Line (feet)</th>
<th>Disposal Field (feet)</th>
<th>Seepage Pits (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building sewer</td>
<td>50</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td></td>
</tr>
</tbody>
</table>
Septic tank  50 10 20 10
Distribution box  100 10 20 10 20
Disposal field  100 10 20 10 20 20
Seepage pit  100 10 10 10 20 20
Dry well  100

(17) Extensions of access openings. Whenever it shall be necessary to extend any access opening, such extension shall be accomplished by the use of a concrete pipe with a minimum diameter of two (2) feet, and such pipe shall be jointed to the unit served with a watertight connection and shall be provided with a cover that will prevent the entrance of surface water.

(18) Cesspools. Cesspools shall not be permitted.

(19) Exceptions to requirements. Neither the Sanitary Inspector nor any other enforcement officer of the Board of Health shall have any authority to make exceptions to the requirements established by Standards for the Construction of Sewerage Facilities for Realty Improvements (Revised 1966) or the higher standards established by this chapter.

(20) Expiration of permits. Every permit issued pursuant to this chapter shall expire one (1) year after the date of issuance unless prior to such time construction of the realty improvement with respect to which the permit was issued shall have been commenced, in which event the permit shall remain valid and in effect for a period of two (2) years from the date of issuance. The Board of Health may, in its discretion, renew a permit which has expired under the provisions of this section. Such renewal shall be subject to the provisions of this section. A fee of five dollars ($5.) shall be charged for the renewal of a permit.

(21) The Board of Health may test in any appropriate manner any materials, construction, products or units comprising any part of any individual sewage disposal system or any individual water supply system in order to determine compliance with applicable requirements of state Laws and standards and the provisions of this chapter.

(22) Inspection and supervision. An as-built inspection of the completely installed individual sewage disposal system shall be made by one (1) of the following Board of Health employees: a licensed Sanitary Inspector, a licensed Health Officer or a licensed professional engineer. An as-built inspection shall also be made by the professional engineer who designed the system and supervised the installation, and said engineer shall submit an as-built drawing and shall certify that all requirements of the Board of Health certification of compliance for individual sewage disposal systems have been met. No building permit shall be approved until all conditions and requirements of this chapter have been met.

(23) Miscellaneous.

(a) Roof drains, foundation drains, backwash water from swimming pools and drainage from other sources producing large intermittent or constant volumes of clear water shall not be piped into the septic tank or disposal area.

(b) A separate vent on a septic tank shall not be installed.

(c) The Board reserves the right to require that abandoned septic tanks and seepage pits be filled with earth or rock.

B. Pursuant to statutory authority, the foregoing provisions and standards shall control over any
lower minimum standards established by general statute or by regulations promulgated by state authorities.

§ 204-4. Certificate of compliance as to location and design.

A. No person shall locate, construct or alter any individual sewage disposal system until the Board of Health or its designated agent shall have issued a certificate of compliance as to location and design with respect to such system and a permit to construct or alter such system.

B. Every application for a certificate of compliance as to location and design shall contain a statement made by an engineer licensed to practice professional engineering in the State of New Jersey that the design and location of the proposed system are in compliance with the provisions of the Realty Improvement Sewerage and Facilities Act (1954), Standards for the Construction of Sewerage Facilities for Realty Improvements.

§ 204-5. Certificate required for operation.

No individual sewage disposal system or water supply system shall be placed in service or operation until the Board of Health or its duly authorized agent shall have issued a certificate of compliance as to installation with respect to such system.

§ 204-6. Existing privies and cesspools.

A. All existing privies shall be properly enclosed, screened, ventilated, kept in repair and maintained at all times in a clean and sanitary condition.

B. The Board of Health may require the maintenance or use of an existing privy or cesspool to be discontinued, the contents to be removed and any pit to be filled with inert material whenever the maintenance for use of such privy or cesspool is no longer necessary or whenever the maintenance of such privy or cesspool constitutes a nuisance or is dangerous to the public health.

§ 204-7. Temporary privies.

A. Every builder, contractor or other person engaged in the construction of a building, structure or highway shall provide a temporary privy or other sanitary toilet facility at a suitable place upon the premises which are the subject of the construction or readily accessible thereto, but no such temporary privy or toilet facility shall be erected or used until a permit has been issued upon application to the Board of Health.

B. Every temporary privy or toilet facility shall be properly enclosed, screened, ventilated, kept in repair and shall be maintained at all times in a clean and sanitary condition. No such facility shall be located or maintained within ten (10) feet of any property line, within twenty-five (25) feet of any street or within twenty-five (25) feet of any door or window of any building used for human occupancy, and no such facility shall be constructed under or within any building or structure used for human occupancy. The contents of such facility shall be completely covered with inert material or otherwise effectively treated or removed at the end of each shift or working day.

§ 204-8. Permit for repair of existing system.

No existing individual sewage disposal system or other system or facility intended to receive human excrement or other putrescible wastes shall be repaired until a permit has been issued therefor upon application to the Board of Health.

§ 204-9. License for construction, alteration or cleaning of facilities.
A. No person shall engage in the business of constructing or altering any individual sewage disposal system in the Township of East Hanover except a person holding a license therefor issued by the Board of Health pursuant to this chapter.

B. No person shall engage in the business of emptying or cleaning any individual sewage disposal system, any septic tank, cesspool, seepage or leaching pit or other receptacle or system containing or intended to receive human excrement or other putrescible waste in the Township of East Hanover except a person holding a license issued by the Board of Health pursuant to this chapter.

C. Applications for licenses to construct, alter or repair sewage disposal systems and applications for licenses to empty and clean such systems shall be made on forms to be supplied by the Secretary of the Board of Health for that purpose.

D. The applications for license shall contain the following information:

1. Name and business address of the applicant.
2. A brief description of the general nature of the applicant’s business.
3. A statement as to the previous experience of the applicant with regard to sewage disposal systems.
4. A statement as to any licenses to engage in work respecting sewage disposal systems issued to the applicant by other municipalities at any time, the current status of such license or licenses and whether any such license has ever been revoked or suspended.
5. A certification that the applicant, if application is made for a license to construct, alter or repair sewage disposal systems, is familiar with the provisions of this chapter, any other ordinances of the Board of Health or Township of East Hanover relating to sewage disposal systems, the provisions of the New Jersey State Sanitary Code and the requirements of the Federal Housing Administration, and that the applicant will at all times comply with the pertinent provisions and requirements thereof.

E. The Board may, upon review of an application, request an applicant to furnish additional information or to take an examination respecting qualifications of the applicant to engage in the business for which the license is sought before issuing or denying the application for license.

F. There shall be no limit as to the number of licenses issued for the constructing, altering or cleaning of sewage facilities.

G. In the event of the denial of an application, notice of such action shall be mailed by the Board to the applicant within ten (10) days after the action is taken.

H. Every license issued shall expire on the last day of December of the year during which the license was issued. No license issued hereunder shall be transferred for any reason whatsoever. The Board of Health may, upon five (5) days’ notice, suspend, revoke or cancel any such license for any violation of any provision of this chapter or any other ordinance, rule or regulation relating to sewage disposal or for any misrepresentation in any application for a license.

§ 204-10. Permit for cleaning system.

Any cleaning or emptying of any sewage disposal system, septic tank, cesspool, seepage or leaching pit or any receptacle or system containing or intended to receive human excrement or other putrescible
waste shall be reported to the Board of Health not less than seven (7) days after the cleaning, and a permit shall be issued therefor.

§ 204-11. Applications.

All applications for certifications required by this chapter and all applications for licenses and permits required by this chapter shall be made upon forms to be supplied by the Secretary of the Board of Health for that purpose. A separate application shall be filed and a separate certificate and permit issued for each installation or system.

§ 204-12. Fees. [Amended 9-1-81 by Board of Health Ord. No. 1-1981]

There shall be a fee as set forth in Appendix A, Fee Schedule, included at the end of Part III of the Code, for the following:

A. For the filing of an application and plans for a certificate of compliance as to location and design of a new individual sewage disposal system.

B. For the issuance of a permit to alter or repair an existing system.

C. For each reinspection of an individual sewage disposal system or part thereof caused by failure of any person to locate and construct or alter the same in accordance with applicable requirements.

D. For the issuance of a certificate of compliance as to installation of an individual sewage disposal system.

E. For the issuance of a permit to erect and maintain a temporary privy or toilet facility.

F. For the issuance of a permit to clean or empty an individual sewage disposal system or other receptacle containing or intended to receive human excrement or other putrescible wastes.

G. For the witnessing of a percolation test and determination of soil characteristics. This fee must be paid in advance.

§ 204-13. Inspections and tests.

A. No part of an individual sewage disposal system or a water supply system exposed to view upon completion of installation shall in any manner be filled in around or covered from view until it has been inspected by the Board of Health or its duly authorized representative and a certificate of compliance as to installation has been issued with respect to such system.

B. The Board of Health may test in any appropriate manner any materials, construction, products or units comprising any part of any individual sewage disposal system in order to determine compliance with applicable requirements of state laws and standards and the provisions of this chapter.

§ 204-14. Stoppage of work.

The Board of Health may order all further work in and about any individual sewage disposal system which is being erected or installed in violation of the Realty Improvement Sewerage and Facilities Act (1954) or any provision of this chapter, to be stopped forthwith, except such work as shall be necessary to remedy such violation, and thereafter to continue such work without any violation of any of the provisions of the regulations, and after issuance of any such order and the service of a copy thereof upon any person connected with or working in and about the erection or installation of any such disposal
system or any part thereof, no further work shall be done thereon except as aforesaid.


The Board of Health shall have the power to grant variances from this chapter concerning the regulation and control of the location, construction, use, maintenance, alteration and methods of emptying and cleaning individual sewage disposal systems for any application for a permit to construct or a certificate of compliance for any said system. Said variances shall be granted on a case-by-case basis and only under the circumstances when this chapter would impose undue hardship upon an applicant.

§ 204-16. Right of appeal.

Any person aggrieved by a denial of any certificate, license or permit required by this chapter by an employee of the Board of Health or by any order of the Board of Health shall be entitled to a hearing thereon before the Board of Health within fifteen (15) days after written request therefor is made by the person claiming to be adversely affected. Upon such a hearing or within fifteen (15) days thereafter, the Board shall affirm, alter or rescind the previous action with written findings and conclusions.

§ 204-17. Violations and penalties.

A. Any person who shall violate any provision of the Realty Improvement Sewerage and Facilities Act (1954), any provision of Standards for the Construction of Sewerage Facilities for Realty Improvements as promulgated by the State Commissioner of Health on December 7, 1954, as modified herein, as promulgated by the State Commissioner of Health on December 13, 1956, as modified herein, or any order of the Board of Health issued pursuant thereto shall be subject to a fine not exceeding two hundred dollars ($200.) for each offense and an additional penalty of twenty-five dollars ($25.) for each day a particular violation continues after notice of the violation shall have been given to such person by the Board of Health.²

² Editor’s Note: The penalty imposed by this subsection is authorized by N.J.S.A. 58:11-39.

B. Any person who shall violate any other provision of this chapter shall, upon conviction, be subject to the penalties provided in § 164-14 of Chapter 164, General Provisions, Board of Health. [Amended 9-1-81 by Board of Health Ord. No. 1-1981]