

**ADOPTED APRIL 3, 2006**

**DELANCO TOWNSHIP  
ORDINANCE 2006-5  
AMENDING CHAPTER 237,  
GOVERNING SEWER CONNECTIONS,  
TO PROVIDE PENALTY AND ENFORCEMENT PROVISIONS**

**WHEREAS**, the Township Committee of the Township of Delanco (“Township”) previously enacted Chapter 237 governing “Sewer Connections” to provide for a “fair share” reimbursement program with regard to sewer line extensions; and

**WHEREAS**, pre-existing provisions of the Township Code, at Chapter 87-1, requires anyone with the ability to connect to a sewer line to connect to same within six months of completion of the line; and

**WHEREAS**, recent sewer line extensions have been completed for more than six months and several properties with the ability to connect to the line have failed to do so in violation of Chapter 87-1; and

**WHEREAS**, there are also instances where the fair share fee under Chapter 237 has not been paid either due to the delay of connection, or where connection occurred without payment; and

**WHEREAS**, the Township desires to institute penalty and enforcement provisions to address these issues, and further desires to enable and direct the Sewerage Authority as the enforcement authority under Chapter 237.

**NOW, WHEREFORE, BE IT HEREBY ORDAINED** by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that Chapter 237 is hereby amended as follows:

Section 1. Creating Chapter 237-10.

237-10. ENFORCEMENT AND PENALTIES.

A. Enforcement. The Sewerage Authority is designated as the primary enforcement authority with regard to violations of this Chapter. The Township shall have secondary enforcement authority, and may act to enforce this Chapter in its discretion. The enforcing authority shall:

1. Provide notice to property owners of the extension of a new sewer line so that the property owners are made aware of their obligation. Failure to carry out this notice shall not limit a property owners obligation to comply with the requirements of this Chapter.

2. In the event of a violation, issue a violation notice, with no penalty, to the offending property owner and advise of the costs due and payable, allowing for thirty (30) days for correction of the violation and advising that failure to correct will result in enforcement and a fine.

3. In the event of a continuing violation following the expiration of the notice period provided for above, issue a violation notice and penalty to the offending property owner, again advising of the costs due and payable and providing for the opportunity for a hearing in Municipal Court. The penalty shall reference the penalty ranges referred to in the General Penalty provisions of this Code, more fully referenced below.

4. Each week of a continuing violation shall constitute a separate violation subject to a separate penalty. Continuing violations under this Section shall not trigger the need for renewed notice under subsection “2” above.

B. Penalties. A violation of this article shall be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty. The amount of the penalty shall be determined by the Municipal Court.