

Rules and Regulations
Governing
The Operations of
The Township of Hillsborough
Municipal Utilities Authority

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**RULES AND REGULATIONS
GOVERNING THE OPERATION OF
THE TOWNSHIP OF HILLSBOROUGH
MUNICIPAL UTILITIES AUTHORITY**

PREAMBLE AND FINDINGS

The Township of Hillsborough Municipal Utilities Authority, created pursuant to the Municipal Utilities Authority Law, L.1957, c.183, N.J.S.A. 40:14B-1 et seq., being charged with the duty and obligation of improving conditions affecting public health by maintaining in operation a sanitary sewerage system for the proper collection, treatment and disposal of sanitary sewage and other wastes originating in the Township hereby **FINDS AND DETERMINES** that its system cannot adequately collect and treat certain sewage discharged into its system because of the characteristics and composition of the waste and/or because

of excessive quantities of flow, that certain discharges may interfere with, damage or overload its facilities, and that these occurrences should be prevented by the adoption and enforcement of the following rules and regulations relating to the operation and maintenance of the system and its facilities, and the treatment of certain wastes prior to their discharge into its sewage system, **HEREBY ADOPTS** the following rules and regulations to govern the operation of the system, facilities and processes of The Township of Hillsborough Municipal Utilities Authority.

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ARTICLE 1

DEFINITIONS

- 1.1 **"APPLICANT"** shall mean the property owner applying for permission to connect to the sewer system.
- 1.2 **"AUTHORITY"** shall mean The Township of Hillsborough Municipal Utilities Authority.
- 1.3 **"B.O.D." (Biochemical Oxygen Demand)** shall mean the quantity of oxygen, expressed in parts per million, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five days at 20 degrees C. The standard laboratory procedure shall be that found in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association.
- 1.4 **"BUILDING CONNECTION"** The term building connection is defined as that portion of service line which runs from the Inspection Riser or property line to the customer's building'.
- 1.5 **"CHECK VALVE"** shall mean a valve which allows flow in a pipe in one direction only.
- 1.6 **"CUSTOMER"** shall mean the owner of a property serviced or the party contracting for the service.
- 1.7 **"EASEMENT"** shall mean an acquired legal right for the specific use of land owned by others.
- 1.8 **"ENGINEER"** shall mean the staff engineer appointed by the Authority.
- 1.9 **"EXECUTIVE DIRECTOR"** shall mean the person so designated by the Authority with the responsibility for the overall daily management of the Authority.
- 1.10 **"GREASE TRAP"** shall mean a device designed with the primary purpose to assure free-flowing drainage through pipe lines at all times by intercepting, separating, accumulating, and recovering grease from sanitary sewer lines.
- 1.11 **"INDUSTRIAL WASTES"** shall mean any solids, liquid or gaseous substance or form of energy, rejected or escaping from any industrial, manufacturing, trade or business process or from the development, recovery or processing of its natural resources.
- 1.12 **"INSPECTION RISER"** is a section of pipe appending vertically from the service line to the surface of the ground, the purpose of which is to provide a port for visual inspection of flow from the building connection and lateral maintenance. In the case of certain industrial or commercial connections, the inspection riser may be replaced by a manhole.
- 1.13 **"LATERAL"** The term lateral is defined as that portion of the service line that runs from the sewer main to the Inspection Riser or property line.
- 1.14 **"NON-RESIDENTIAL USER OR CUSTOMER"** shall mean all users and customers other than those defined as "Residential User", including, but not limited to, businesses, commercial establishments, industry, hotels, motels, restaurants, taverns, theaters, churches, schools, hospitals, nursing homes, etc.
- 1.15 **"pH"** shall mean the logarithm of the reciprocal of the hydrogen ion concentration, indicating the degree of alkalinity or acidity of the substance. Neutral ph value is 7.

- 1.16 **“RESIDENTIAL USER OR CUSTOMER”** shall mean a single-family or multi-family dwelling, apartment, condominium, townhouse, trailer, or mobile home, which is designed and used exclusively for providing living accommodations.
- 1.17 **“SANITARY SEWAGE”** shall mean the normal water carrying household and toilet waste from residences, business buildings, institutions, commercial and industrial establishments.
- 1.18 **“SERVICE LINE”** A service line is the pipe which conveys sanitary sewage from a single physical unit to the sewer main. The service line consists of the “lateral” and “building connection” as defined herein.
- 1.19 **“SERVICE UNIT”** shall mean Equivalent Dwelling Unit (EDU) and shall be equal to a service unit using 300 gallons per day.
- 1.20 **“SEWER MAIN”** is that part of the sewage collection system which is located within the public right-of-way or within a sanitary sewer easement and which is designed to convey the sewage from one or more customers.
- 1.21 **“SEWER SYSTEM”** shall mean all facilities and appurtenances connected with the collection system, trunk system and laterals.
- 1.22 **“SLUG”** shall mean any discharge of water, sewerage, or waste exceeding a concentration or flow greater than five (5) times that of the average twenty-four-hour discharge by the customer, which is discharged continuously for a period longer than five (5) minutes.
- 1.23 **“SUSPENDED SOLIDS”** shall mean solids that either float on the surface of, or in suspension in, water, sewerage or other liquids and which are removable by laboratory filtration.
- 1.24 **“TOXIC SUBSTANCE”** shall mean any poisonous wastes.

ARTICLE 2

APPLICATION FOR CONNECTION

- 2.1 Application for connection to the sewer collection system shall be in writing to the Authority, on a form furnished by the Authority and signed by the applicant or his duly authorized agent. The application shall designate the name of the plumber or contractor who shall install the connection applied for, the address, block and lot of the premises to be connected and the purpose and use of said connection.
- 2.2 Prior to the filing of such application, all fees for sewer connections imposed by the Somerset Raritan Valley Sewerage Authority shall be paid by the applicant.
- 2.2 At the time of filing such application, the applicant shall provide the Somerset Raritan Valley Sewerage Authority Connection Permit and pay all fees for sewer connections as prescribed in the Rate Resolution of the Authority currently in force. A five (5) year extended payment plan is available to residential customers.
- 2.3 No application for service will be accepted by the Authority until the applicant has paid all arrears and charges due for any premises now or heretofore owned by him.
- 2.4 The accepted application shall constitute a contract between the Authority and the customer, obliging the customer to pay to the Authority its rates as established from time to time by Rate Resolution, and to comply with its rules and regulations.

- 2.5 Applications for service connections will be accepted where there are existing sewer lines in the streets, rights-of-way or Authority sanitary sewer easements abutting the premises to be served, or where the applicant can demonstrate that the building connection will be installed through private service to the applicant without endangering the continued orderly operation of the facilities of the Authority. The Authority reserves the right to reject any application if the same will interfere, in any way, with proper operation of its system or with the capability of its facilities.
- 2.6 A new application must be made and approved upon any change in ownership of the property or in the use, as described in the application.
- 2.7 Upon approval of any application by the Executive Director or Engineer on behalf of the Authority, a sewer connection permit will be issued.
- 2.8 The attention of the applicant is directed to the existence of underground utilities, i.e., cables, gas, water and sewer. The applicant is required by law to contact the One-Call Systems at 800-272-1000 or by dialing 811 to provide notice of intent to excavate. The Authority accepts no responsibility for the location of such utilities. The applicant shall be solely responsible for any direct or indirect damage to such utilities caused during execution of the work to connect to the sewer system.
- 2.9 Special applications for connections involving the acceptance of commercial or industrial wastes will be processed according to the provisions of Article 5 hereof.
- 2.10 Prohibited connections and certain types of special connections are subject to the provisions of Article 3 hereof.

ARTICLE 3

RULES AND REGULATIONS APPLICABLE TO ALL CONNECTIONS

- 3.1 **General.** Connections must be constructed in accordance with the current Standard Sanitary Sewer Specifications for the Township of Hillsborough Municipal Utilities Authority and as the same may be amended from time to time. Said specifications are hereby incorporated as part of these rules and regulations as if fully set forth herein.

The applicant shall bear the responsibility and expense of securing permission, easements, or rights-of-way which may be required to permit the construction of sewer service from the applicant's property through private property to the lines owned and operated by the Authority.

The applicant shall be responsible for securing all road opening or other permits required from the Township of Hillsborough and County or State agencies, and all excavation shall be in conformance with ordinances, rules and regulations of such agencies.

The applicant shall conduct all excavations in a safe manner and in accordance with all applicable OSHA Standards.

- 3.2 **Conformance to Health and Plumbing codes.** All work performed by the applicant must meet the local and State Board of Health rules and regulations and the prevailing plumbing codes of the Township of Hillsborough and the State of New Jersey.

- 3.3 **Construction and Material Requirements.** All construction and material requirements shall be as set forth in the current Standard Sanitary Sewer Specifications for The Township of Hillsborough Municipal Utilities Authority and as the same may be amended from time to time.
- 3.4 **Prohibited Connections.** Under no circumstances are any of the following connections to be permitted to sanitary sewers, whether directly or indirectly, but the Authority reserves the right to prohibit connections, other than those specified below, when it deems such prohibition necessary to properly protect Authority facilities.
- 3.41 Rain conductors, downspouts or sump pumps.
 - 3.42 Floor drains, area drains or yard drains.
 - 3.43 Storm water inlets or catch basins.
 - 3.44 Any wastes prohibited under Section 5.4.
- 3.5 **Special Connections.** Connections for all non-residential users and multi-family residential users shall be installed to conform to detailed plans and specifications submitted to the Authority by the applicant and only after review and approval of those plans and specifications by the Engineer on behalf of the Authority.
- 3.6 **Multiple Family Dwelling Connections.** Each townhouse, condominium, or apartment two (2) stories or less shall be serviced by an individual building connection. Each such connection shall have an inspection riser located one (1) foot within the right-of-way, general utility easement or Authority sanitary sewer easement. A common lateral may be used to connect the individual building connections to the sewer main if approved by the Engineer.
- 3.7 **Maintenance by Customer.** The maintenance of the building connection (from the Inspection Riser to the building) shall be the responsibility of the owner and these building connections shall be kept in good condition and order. Special attention is directed to the fact that if fixtures and connections are installed to basements, protective devices i.e., check-valves, are to be installed to prevent backups caused by stoppages, either in the main, the laterals, or the building connections.
- 3.8 The property owner, commercial owner, and / or developer (“owner / developer”) shall not be entitled to, nor shall they receive credit, reimbursement or payment for subsequent connection fees paid to The Hillsborough Municipal Utilities Authority for hookups or connection to the improvements installed by owner / developer including and / or any service areas utilizing any portion of the improvements.

ARTICLE 4

RULES AND REGULATIONS APPLICABLE FOR RESIDENTIAL WASTES

- 4.1 **Prohibited Discharges.** Residential customers of the sewage system shall not discharge any waste into the system which is prohibited to industrial and commercial users as set forth in Article 5. Attention is especially called to the provisions of paragraph 5.4 prohibiting the discharge into the system of storm water, surface water, ground water, roof run-off, or subsurface drainage.
- 4.2 **Area of Authority Responsibility.** Attention of the residential customer is especially called to the provisions of Article 10.3 limiting Authority responsibility and control only to those portions of the sewer system which lie within public rights-of-way or within sanitary sewer easements and/or general utility easements, up to, and including the Inspection Risers,
- 4.3 **Connection Requirements.** Attention of the residential customer is especially called to the provisions of Articles 2 and 3 relating to applications for service and connection requirements which shall apply to all customers.

ARTICLE 5

RULES AND REGULATIONS APPLICABLE FOR COMMERCIAL, INDUSTRIAL AND OTHER NON-RESIDENTIAL WASTES

- 5.1 **Agreement Required.** The Authority will entertain applications with respect to the acceptance of industrial waste into its sanitary sewerage system. If the application is approved by the Authority, a formal written agreement between the Authority and the applicant may be required before connection can be made. The Authority reserves the right to reject any and all applications seeking permission to discharge industrial waste into the system. The terms and conditions of any agreement, for the acceptance of industrial wastes, will be the subject of individual negotiations. It is the policy of this Authority to consider each such application on its own merits and to establish specific conditions applicable to the particular situation in each contract. No contractual provisions shall be regarded as establishing any precedent with respect to any other application. No connection facilitating the discharge of said industrial wastes shall be made prior to the execution of the agreement herein mentioned.
- 5.2 **Special Application.** Prior to approving an application for connection of a commercial, industrial, or other non-residential user, the applicant shall submit a full set of plans showing the facilities/equipment discharging into the sewer system and complete data on forms provided by the Authority with respect to the following:
- 5.2.1 Number of persons employed.
 - 5.2.2 Period of plant operation.
 - 5.2.3 Water consumption.
 - 5.2.4 Description of processes using water.
 - 5.2.5 List of chemicals used.
 - 5.2.6 Source, volume and rate of wastewater discharge.

5.2.7 Analysis of composite samples of wastewater or anticipated characteristics of sewerage and wastes to be discharged.

5.2.8 Any other information the Authority may deem necessary for the proper operation of its facilities.

5.3 Application for Retail Food Establishments. Retail Food Establishments shall include but not limited to all full service and fast-food restaurants, public and private kitchens, food preparation and producing retail facilities, delicatessens, bakeries, and any other facilities whose discharge contains fats, oils, and/or grease. Prior to approving an application for connection to the sanitary sewer system the applicant/owner shall submit, in addition to the requirements in Article 5.2, plans for a grease trap in accordance with the Authority's specifications and the prevailing plumbing code. All new construction shall require an external grease trap sized in accordance with applicable standards. Existing facilities will be reviewed on their own merits in determining whether an external or internal grease trap will be acceptable.

Upon issuance of the connection permit the applicant/owner agrees to comply with the Authority's Grease Trap Program. The Authority's Grease Trap Program requires the applicant to properly dispose of all grease and maintain the grease trap in accordance with applicable standards. The applicant/owner is required to submit documentation to the Authority that the grease trap has been maintained and/or serviced by a licensed contractor or other appropriate means. Standard operating procedure of the Grease Trap Program includes periodic inspections of the grease trap and sanitary sewer mains downstream of the discharge point by Authority representatives.

All costs and/or fines associated with blockages, spills or preventive maintenance cleanup of the sanitary sewer mains downstream of the discharge point, resulting from lack of appropriate maintenance of the grease trap, will be the sole responsibility of the applicant/owner whether performed by Authority personnel and equipment or a private contractor.

Violations of this section by an individual or retail food establishment will result in a five hundred dollar (\$500.00) fine per violation per individual and/or retail food establishment. Each and every day a retail food establishment or a retail food establishment manager has not complied with the provisions of this section will constitute a separate and distinct offense.

5.4 Prohibited Discharges. The discharge of the following wastes into the sewerage system will not be permitted.

5.4.1 Storm water, surface water, ground water, roof run-off, sub-surface drainage, uncontaminated cooling water or unpolluted industrial process waters.

5.4.2 Any gasoline, benzene, naphtha, mineral oil, fuel oil or other volatile, flammable or explosive liquid, solid or gas.

5.4.3 Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving water of the sewage treatment plan, including, but not limited to:

- a. Any liquid or vapor having a temperature higher than one hundred ten degrees Fahrenheit (110° F), (43.3° C).
- b. Any water or waste containing fats, wax, grease, or any oils, whether emulsified or not, in excess of twenty-five (25) mg/l or containing substances which may solidify, or become viscous, at temperatures between thirty-two (32) and one hundred ten (110) degrees Fahrenheit (0-43.3° C).
- c. Any un-shredded garbage including paper products such as paper towels, and/or wipes, etc.
- d. Any water or waste containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
- e. Any water or wastes containing any of the following:

Arsenic	in excess of 0.05 mg/l
Barium	in excess of 4.0 mg/l
Boron	in excess of 1.0 mg/l
Cadmium	in excess of 0.02 mg/l
Total Chromium	in excess of 0.5 mg/l
Copper	in excess of 1.0 mg/l
Cyanides	in excess of 1.0 mg/l
Lead	in excess of 0.1 mg/l
Selenium	in excess of 0.02 mg/l
Zinc	in excess of 2.0 mg/l
TOTAL AGGREGATE OF THE ABOVE	10.0 mg/l
Chlorides	in excess of 250 mg/l
Oils & Greases	in excess of 25 mg/l
Hydrogen Sulfide	in excess of 20 mg/l

Iron (Total)	in excess of 5.0 mg/l
Nickel	in excess of 1.0 mg/l
Nitrous Oxide	in excess of 10.0 mg/l
Oils, Mineral	in excess of 15.0 mg/l
Phenols	in excess of 0.2 mg/l
Phosphorous	in excess of 10.0 mg/l
Silver	in excess of .05 mg/l
Sulfur Dioxide	in excess of 10.0 mg/l
Mercury	in excess of 0.005 mg/l

and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, or to such degree that such material received in the composite sewage at the sewage treatment works exceeds the limits of the treatment processes, as established by the Engineer, for such materials.

- f. Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- g. Solid or viscous substances in quantities, or of such size, capable of causing obstruction to the flow in sewers, or other interference with the proper operations of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- h. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Engineer, as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction of such discharge to the receiving waters.
- i. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Engineer in compliance with applicable State or Federal regulations.
- j. Any waters or wastes having a pH in excess of 9.0.
- k. Materials which exert or cause:

1. Unusual concentrations of suspended solids, over 250 ppm (such as, but not limited to, sodium chloride and sodium sulfate).
2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions), in such concentrations so as not to exceed 200 platinum-cobalt standard units or such other limits as may be established by the Engineer, as necessary, after treatment of the composite sewage to meet the requirements.

- 5.5 **Federal Effluent Limitations and Pre-Treatment.** Effluent limitations promulgated by the Federal Act shall apply in any instance where they are more stringent than those stipulated in these Rules and Regulations. Under Section 307(b) of the Act, Federal pre-treatment standards are designed to achieve two purposes; (1) to protect the operations of publicly owned treatment works, and (2) to prevent the discharge of pollutants which pass through such works inadequately treated. Industrial dischargers subject to effluent guidelines issued under Section 304 (b) of the Act that are discharging pollutants to the Authority's system which are beyond the limits stated herein and beyond the treatment capability of the installed treatment facility, are required to adopt best practicable control technology currently available, as defined by the Administrator pursuant to Section 304 (b) of the Act.
- 5.6 **Excess Biochemical Oxygen Demand – Pre-Treatment.** The admission into the system of any water or wastes having a five-day biochemical oxygen demand (BOD5) in excess of three hundred fifty (350) parts per million, by weight on twenty-four-hour composite basis, or for any grab sample having a five-day BOD5 in excess of 500 MG per liter, will be subject to review by the Authority. Where necessary, in the opinion of the Authority, the Owner shall provide and operate, at their own expense, such pre-treatment as may be required to reduce the biochemical oxygen demand to meet the above requirements.
- 5.7 **Excess Suspended Solids - Pre-Treatment.** The admission into the system of any waters or wastes having a suspended solids content in excess of three hundred fifty (350) parts per million by weight on a twenty-four-hour composite basis or for any grab sample having a suspended solids content in excess of 500 MG per liter, will be subject to review by the Authority. Where necessary, in the opinion of the Authority, pre-treatment may be required to reduce the suspended solids content to meet the above requirements.
- 5.8 **Water or Wastes Affecting Dilution Conditions in the System.** The admission into the system of any waters or wastes in volumes, or with constituents, such that the existing dilution conditions in the system would be affected to the detriment of the Authority, shall be subject to review and approval of the Authority. Where necessary in the opinion of the Authority, pre-treatment or equalizing units may be required to bring constituents or volume of flow within the limits previously described or to an otherwise acceptable level, and to hold or equalize flows such that no peak flow conditions may hamper the operations of any unit of the system. Said equalization or holding unit shall have a capacity suitable to serve its intended purpose and be equipped with acceptable outlet control facilities to provide flexibility in operation and accommodate changing conditions in the waste flow.

5.9 **Prohibitions Imposed By the Somerset-Raritan Valley Sewerage Authority.** In addition to the prohibition of certain discharges prohibited by paragraph 5.4 hereof, the Authority hereby specifically prohibits the discharge into its system of all or any types of sewage prohibited by the Somerset-Raritan Valley Sewerage Authority.

5.10 **Prohibitions Imposed By the Commissioner of the State Department of Environmental Protection.** In addition to the prohibition of certain discharges prohibited by paragraphs 5.4 and 5.4 hereof, no sewage shall be permitted to be discharged into the system of the Authority which does not meet or comply with the standards from time to time prescribed and stated by or contained in the rules and regulations of the Commissioner of the Department of Environmental Protection acting pursuant to N.J.S.A. 58:11-51 or other State law. If the Commissioner shall hereafter amend such regulations, this resolution shall be deemed amended accordingly.

Any application form for sewage use shall inform any prospective customer of the prohibitions contained in this resolution and such prohibitions and rules and regulations of the Somerset-Raritan Valley Sewerage Authority and the Commissioner of the State Department of Environmental Protection.

5.11 **Additional Requirements.** If any waters or wastes are being discharged or are proposed to be discharged to the Authority's sewer system, and such waters contain the substances, or possess the characteristics enumerated in sections 5.4 et.al. through 5.10 hereof and which, in the judgment of the Engineer, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to health or life or constitute a public nuisance, the Authority may:

5.11.1 Reject the wastes

5.11.2 Require pretreatment to an acceptable condition for discharge to the public sewers or system of the Authority

5.11.3 Require a control manhole for metering and composite sampling of wastes.

5.11.4 Require control over the quantities and rates of discharge, and/or

5.11.5 Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges.

If the Authority permits the pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of the Engineer, and subject to the requirements of all applicable codes, ordinances, regulations, rules and law. Where preliminary treatment facilities are provided for any water or waste, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

Control manholes and/or pretreatment facilities shall be subject to periodic inspection by representatives of the Authority.

- 5.12 **Sampling.** Each industrial customer shall be responsible for maintaining a quality of effluent from their premises which shall conform to the regulations herein established and with any agreement made with the Authority. Sampling and analysis shall be done to conform with accepted practice, and in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater as Approved by the American Public Health Association, American Wastewater Association and the Water Pollution Control Federation."
- 5.13 **Inspection.** The Authority or any of its agents or representatives shall make or cause to be made inspection of the discharging facilities of any person, corporation, or municipality who may be discharging sewage or permitting sewage to be discharged into the system of the Authority in order to determine compliance with these standards or pretreatment standards set forth herein.
- 5.14 **Additional Costs.** The cost of preparing and submitting this data for consideration by the Authority shall be borne by the customer. Likewise, the cost of sampling and analysis to determine compliance with the requirements herein imposed or with any agreement with the Authority shall be borne by the customer notwithstanding such work that has been performed by the Authority.
- 5.15 **Adherence to Articles 2 and 3.** Without limiting the specificity of this paragraph, the attention of the non-residential customers is called to the provisions of Articles 2 and 3 hereof relating to applications for service and connection requirements which shall apply to all customers of the system.
- 5.16 **Conflict in Regulations.** In the event there exists a conflict, in the opinion of the Executive Director, in the rules and regulations hereby imposed by this Authority and the rules and regulations of the Somerset-Raritan Valley Sewerage Authority or the State Commissioner of the Department of Environmental Protection, or either one of them, each to the other, the most stringent shall govern, unless, upon application to the Authority, the Authority shall agree in writing, to rules and regulations less stringent. Such an agreement by the Authority shall be effectuated via a resolution approved by the Board.

ARTICLE 6

SEWER LINE EXTENSIONS

- 6.1 **General.** The Authority will consider approval of sewer line extensions from time to time, following review and recommendation of the Engineer and subject to:
- 6.1.1 The availability of adequate capacity of the sewer system. Under no circumstance will TTHMUA allow any entity to tap into an existing high-pressure line.
- 6.1.2 The availability of funds, or determination by the Authority of the ability to sell additional bonds on reasonable terms and conditions, and at reasonable expense to the Authority to finance such extensions.

- 6.2 **Sewer Line Extensions Financed by Applicant.** Any person who desires to obtain sewer service from the Authority in an area in which the Authority does not have existing sewer lines or facilities may, as a condition precedent to his application being approved, provide for construction of the facilities necessary to provide the requested service in accordance with these rules and regulations. With respect to any such extension of facilities, the Authority shall have the sole and exclusive right to specify the size, type, composition, and quality of the facilities, as well as their location, depth and the termination of the sewer extension. The facilities shall likewise be constructed in accordance with plans and the Authority's current Standard Sanitary Sewer Specifications which have been approved by the Authority's Engineer and shall be subject to his/her final inspection and approval during the course of construction and at the completion thereof.

Any facilities constructed, installed, or otherwise connected with the Authority system, pursuant to the provisions hereof shall, upon final approval and acceptance by the Authority, following recommendation by the Engineer, become the sole and exclusive property of the Township of Hillsborough Municipal Utilities Authority, except such facilities as may be otherwise designated in service contracts and by resolution of the Authority, and except building connections, as defined herein.

Any application for sewer line or facility extensions, to serve a new subdivision, housing project, commercial or industrial development, or organized service district, may proceed in accordance with the aforesaid rules governing sewer extensions generally, or may be the subject of a private contract between the Authority and the proposed developer.

- 6.3 **Individual Grind Pump/Low Pressure Force Main.** The Authority may approve, at its discretion, the use of an individual grinder pump, low pressure force main system when a gravity sewer system extension or connection is not immediately available. The individual grinder pump and force main, if approved, shall be considered temporary. Should a gravity sewer extension or connection become available within a reasonable distance to the property and a gravity connection is available, the owner, at their expense, shall make a gravity connection within one and a half years to the gravity system and flows from the individual grinder pump, force main and all apparatus shall be discontinued and permanently disconnected. A restrictive covenant may be placed upon the property by the Authority to ensure the system is disconnected should a gravity connection become available. Low pressure laterals shall belong to the property owner in their entirety including the public right of way. The above shall be effectuated via approving resolution.

ARTICLE 7

SEWER LINE EXTENSION APPLICATION PROCEDURES AND FEES AND CHARGES DUE THE AUTHORITY

- 7.1 **Subdivision Review.** If the Authority is required to review conceptual sewerage plans of the applicant for a subdivision or site plan approval, a fee of \$100.00 will be charged to

the applicant for the Engineer's review and inspection, payable at the time the application is received by the Authority.

- 7.2 **Sewerage Plan Review.** Whenever an applicant shall submit a sewerage plan to the Authority involving an extension of sewerage lines, such plans, specifications, and engineering reports shall be prepared by a licensed professional engineer and submitted in duplicate together with an application for such extension and a fee of \$650.00 plus \$.20 per linear foot of sewer main (or force main) to cover the costs of review by the Authority. In addition to the aforesaid fee, an additional fee shall be deposited with the Authority for any sewerage plan incorporating a sewerage pumping station, said fee to be \$750.00 for each such pumping station. If the Authority's review cost is in excess of any deposit therefore made by the applicant, the applicant shall pay such excess prior to any such time as the Authority shall approve such application for further review by the appropriate state officials.
- 7.3 **Approval to Construct.** Upon Authority approval of construction plans for sewer line extensions, said plans and appropriate applications shall be submitted by the applicant to the Somerset-Raritan Valley Sewerage Authority and the New Jersey Department of Environmental Protection. Upon approval of said agencies and upon the issuance of a New Jersey Department of Environmental Protection Treatment Works Approval, the applicant, owner, or developer may begin construction in accordance with said plans upon compliance with the following requirements:
- 7.3.1 Posting of a performance guarantee in a form approved by the Executive Director in an amount to be determined by the Engineer.
- 7.3.2 Depositing with the Authority a fee to cover inspection costs in the amount of 6% of the total estimated construction costs as determined by the Engineer. If the Authority's inspection costs are in excess of any fees paid by the owner or developer, the owner or developer shall pay such excess in order to proceed with construction. If such fees paid by the developer or owner are in excess of the Authority's inspection costs, such excess shall be refunded to the owner or developer upon completion and acceptance of construction.
- 7.3.3 The Authority reserves the right to issue a "Stop-Work" order in the event of improper construction. The Authority shall be under no obligation to provide sewer service if the sewer system is not built in accordance with the approved construction plans and the Authority's rules, regulations, and specifications.
- 7.4 **Acceptance of Completed Construction.** Upon satisfactory completion of construction, and prior to release of the performance guarantee, the applicant shall submit the following:
- 7.4.1 "As-built" drawings of the sewer system certified by the engineer for the applicant. Upon final acceptance of the "As-Built" drawings, the applicant will

provide two (2) set of final "As-Built" drawings on reproducible Mylar in accordance within the Authority's As-Built Standards.

- 7.4.2 Documentation by deed with 8-1/2" x 14" map of all easements necessary for the maintenance and operation of the sewer system, including any easements required for future extensions of the sewer system to adjacent properties.
- 7.4.3 Two-year maintenance guarantee in a form approved by the Executive Director in an amount to be determined by the Engineer. Upon satisfactory completion of all requirements herein set forth, and upon determination by the Engineer that the sewer system has been constructed in accordance with the approved plans, specifications, rules and regulations, the sewer system shall be accepted by the Authority. The Authority shall not accept any sewer system or portion thereof not located in the public right-of-way or in easement areas approved by the Authority. The Authority may approve construction not located in the public right-of-way or easement areas, via resolution, but the facilities shall remain the private property of and shall be maintained by the applicant.

ARTICLE 8

WASTEWATER TREATMENT AND DISPOSAL FACILITIES APPLICATION PROCEDURES AND FEES AND CHARGES DUE THE AUTHORITY

- 8.1 **Plan Review.** Whenever an applicant shall submit a plan to the Authority for on-site wastewater treatment and disposal facilities, such plans, specifications and engineering reports shall be prepared by a licensed professional engineer and submitted in duplicate together with an appropriate application and a fee of \$1,500 as an initial deposit to be applied to the costs of review by the Authority. In addition to the aforesaid deposit, an additional fee shall be deposited with the Authority in the event the Authority deems it necessary to retain a professional consultant to review said plans. The amount of such additional fee shall be established based on the consultant's charges for said service. If the Authority's review cost, including that of the consultant, is in excess of any deposit therefore made by the applicant, the applicant shall pay such excess prior to any such time as the Authority shall approve such application for further review by the appropriate state or local officials.
- 8.2 **Approval to Construct.** Upon Authority approval of construction plans for on-site sewerage treatment and disposal facilities, said plans and appropriate applications shall be submitted by the applicant to the New Jersey Department of Environmental Protection. Upon approval and upon the issuance of a New Jersey Department of Environmental Protection Treatment Works Approval, the applicant, owner or developer may begin construction in accordance with said plans upon compliance with the following requirements:

- 8.2.1 Posting of a performance guarantee in a form approved by the Executive Director in an amount to be determined by the Engineer.
- 8.2.2 Depositing with the Authority a fee to cover inspection costs in the amount of 6% of the total estimated construction costs as determined by the Engineer. If the Authority's inspection costs are in excess of any fees paid by the owner or developer, the owner or developer shall pay such excess in order to proceed with construction. If such fees paid by the developer or owner are in excess of the Authority's inspection costs, such excess shall be refunded to the owner or developer upon completion and acceptance of construction.
- 8.2.3 The Authority reserves the right to issue a "Stop-Work" order in the event of improper construction.
- 8.3 **Approval of Completed Construction.** Upon satisfactory completion of construction, and prior to release of the performance guarantee, the applicant shall submit "As-Built" drawings of the on-site wastewater treatment and disposal facilities certified by the engineer for the applicant. Upon final acceptance of the "As-Built" drawings, the applicant will provide two (2) set of final "As-Built" drawings on reproducible Mylar in accordance with Authority's As-Built Standards.

Upon satisfactory completion of all requirements herein set forth, and upon determination by the Authority that the facilities have been constructed in accordance with the approved plans, specifications, rules and regulations, the Authority shall approve the construction. The facilities shall remain the private property of and shall be operated and maintained by the applicant in accordance with all requirements of the New Jersey Department of Environmental Protection.

ARTICLE 9

BILLING AND PAYMENT OF FEES BY CUSTOMERS

- 9.1 **Service and Connection or Tapping Fee Charges.** Each customer of the Authority shall be billed for service and connection or tapping fee charges according to the rate schedule of the Authority, and the provisions of said rate schedule establishing such rates or charges and as the same may hereafter be amended from time to time, are hereby incorporated as part of these rules and regulations as if fully set forth herein.
 - 9.1.1 Connection fees shall be payable following approval of an application by the Executive Director or Engineer, receipt of the Somerset Raritan Valley Sewerage Authority Connection Permit and prior to issuance of a Sewer Connection Permit.

9.1.2 Service Charges shall be payable upon completion of physical connection to the system, satisfactory inspection of said connection by the Executive Director, the Engineer or his designated representative, and issuance of a Sewer Use Permit.

9.2 **Remedies of Authority for Unpaid Bills.** In the event that any charge of the Authority shall be unpaid, the Authority shall have all of the rights and remedies to enforce collection thereof granted it by law and by the provisions of the rate schedule or resolution of the Authority, and as the same may hereafter be amended from time to time, which provisions are hereby incorporated as part of these rules and regulations as if fully set forth herein.

ARTICLE 10

MISCELLANEOUS PROVISIONS

10.1 **Entry Upon Lands.** Pursuant to the provisions of N.J.S.A. 40:14B-20 (9), the Authority's authorized agents or employees are hereby given authority to enter on any lands, water, or premises upon due notice to the owner or occupier thereof for the purpose of making surveys, borings, soundings and examinations for the purposes of the Authority.

10.2 **Access to Lands and Lines of Customer.** Authorized agents or employees of the Authority shall have the right of access to all premises serviced by the Authority for the purpose of examining fixtures, pipes or other sewerage facilities of any customer, the manner of using water, and for any other purpose which is proper, desirable or necessary in the conduct of the Authority's business.

10.3 **Limitation of Area of Authority Control and Responsibility.** The Authority shall exercise control over and shall assume responsibility for only that portion of utility service facilities lying within the public right-of-way or within sanitary sewer easements and/or general utility easement, up to, and including, the Inspection Riser. All other facilities are the responsibility of the customer, and the customer, both in the construction, installation and use of the same, shall be individually responsible for compliance with such standards regarding the construction, installation, maintenance and use of such facilities as are established by these rules and regulations or other municipal and state standards, including, where necessary, the rules and regulations of the Somerset Raritan Valley Sewerage Authority.

10.4 **Federal Compliance.** This Authority, being a member of the Somerset Raritan Valley Sewerage Authority, hereby binds itself to operate and to charge its customers, including charges for industrial cost recovery, in accordance with and pursuant to the provisions of Title II of the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500, 33 U.S.C. 1251 et seq.) and any amendments thereto and in accordance with rules, regulations and procedures of the Environmental Protection Agency Section 35.928-1 and Section 35.935-13 and any amendments, additions and supplements thereto and thereof.

- 10.5 **Conflict in Regulations and Modification by the Authority.** The provisions of Article 5.11 relating to a conflict between or among the several bodies of rules and regulations shall apply to all customers of the Authority. The Authority reserves the right in any given case, and for good cause shown, to modify or amend the application of these rules to any customer, provided however, that no such modification or amendment shall be made except by resolution of the Authority adopted at its regular meeting.

ARTICLE 11

VIOLATIONS AND PENALTIES

- 11.1 **Penalties for Violations.** In the event of any violation of the Rules and Regulations of this Authority, or of any improper or unauthorized use of any portion of the sewer system by any user, the user shall, in the discretion of the Authority, be fined a maximum of \$100.00 for each violation or improper or unauthorized use. Each action constituting a violation or improper use, as well as each property affected by the violation or improper or unauthorized use, as well as each day that the violation or improper or unauthorized use exists, shall be counted as separate violations for the purposes of determining the fine to be imposed.

11.1.1 All fines shall be paid within 15 days of the date that the owner is notified in writing of the violations charged and the fine to be imposed. In the event that any person wishes to contest the violation or the fine imposed, the person aggrieved must file with the Authority, within 15 days of receipt of notification of the violation and fine imposed a written notice that the violation and fine shall be contested. A hearing shall thereafter be scheduled before the Authority at which time the Executive Director or his/her designee as well as the person aggrieved or his attorney, may present evidence regarding either the violation or the fine imposed. The fine, if any, which is imposed by the Authority after the hearing shall be paid within 15 days after the person aggrieved receives written notice of the decision of the Authority.

11.1.2 In the event that the fine is not paid as required under these Rules, the Authority, in its discretion, may terminate all sewer service to the user and may declare all agreements or contracts with the user null and void and of no force and effect.

11.1.3 The penalties imposed in this Article shall be cumulative to penalties which may be described in other Articles of these Rules and Regulations and to the other remedies afforded to the Authority in its rate schedule or resolution and by statute.

- 11.2 **Penalties for Nonpayment of Bills.** Attention is called to the provisions of Article 9.2 hereof granting to the Authority all of its rights and remedies to collect unpaid charges granted it by law and by the provisions of its rate schedule or resolution.
- 11.3 **Cumulative and Concurrent Rights and Remedies.** All rights and remedies of the Authority herein provided shall be cumulative and concurrent, and the exercise by the

Authority of any one of them shall not be deemed a waiver of its rights to exercise any other one of them.

ARTICLE 12

AMENDMENT

- 12.1 These rules and regulations may be amended from time to time by further resolution of the Authority acting pursuant to and by authority of N.J.S.A. 40:14B-1 et seq., and especially, under N.J.S.A. 40:14B-20 (12).

ARTICLE 13

SEVERABILITY

- 13.1 If any section, paragraph, sentence, clause, phrase, term, provision or part of these Rules and Regulations shall be adjudged by any court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, provision of part thereof, directly involved in the controversy in which such judgment shall have been rendered.

ARTICLE 14

EFFECTIVE DATE

- 14.1 These rules and regulations shall be deemed effective on February 22, 2023, and from thenceforward all customers of the Authority shall comply therewith. Pursuant to the findings and determinations hereinabove set forth in the preamble to these rules and regulations, the same were duly adopted by vote of the Authority at its meeting of February 22, 2023.

**THE TOWNSHIP OF HILLSBOROUGH
MUNICIPAL UTILITIES AUTHORITY**

Attest: Madisen Cap

By/s/ Michael A. DeLoe
Chairman

By/s/ [Signature]
Secretary

CERTIFICATION

The undersigned, Certifying Officer of The Township of Hillsborough Municipal Utilities Authority, duly certifies that the above Rules and Regulations were adopted by resolution of the Authority in the form and manner herein set forth at its meeting on October 25, 2023.



10-25-23

[Signature]

By/s/ Kimla Borel
Executive Director