



Attention All Property Owners,
Property Investors/Developers, Property
Buyers and Realtors Important info!!!!!!!!!!!!

Willingboro Township has enacted Ordinance 2021-13
(Inspection of Private Sewer Laterals - Chapter 291)

These new regulations will require a video inspection and a certified inspections report from a Master Plumber to indicate whether the private sewer lateral is in satisfactory condition. If it is determined that the sewer lateral needs to be repaired, such repairs must be completed prior to the issuance of a Certificate of Occupancy.

These regulations will begin in January 2022.
Please see attached ordinance for your review.

TOWNSHIP OF WILLINGBORO

ORDINANCE NO. 2021 - 13

AN ORDINANCE REQUIRING INSPECTION AND REPAIR OF PRIVATE SEWER LATERAL SERVICE UPON THE SALE OR TRANSFER OF PROPERTY

WHEREAS, the Township of Willingboro seeks to establish and implement regulations governing the maintenance of private sewer laterals and the transfer of ownership of any real property; and

WHEREAS, the new regulations in general, will require a certified inspections report from a Master Plumber to indicate whether the private sewer lateral is in satisfactory condition; and

WHEREAS, if it is determined that the sewer lateral needs to be repaired, such repairs must be completed prior to the issuance of a certificate of occupancy, and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and the Council of the Township of Willingboro, County of Burlington and State of New Jersey that the Township of Willingboro Municipal Code Book shall be amended to add Chapter 291 as follows:

Article VI Chapter 291

Inspection and Replacement of Private Sewer Laterals

291-23 Definitions.

A. Unless the context specifically indicates otherwise, the meanings of terms used in this article shall be as follows:

COMPLIANCE

Whenever necessary, means compliance with the provisions of this article set forth herein, and any amendments thereto, as well as Willingboro Township Code of Ordinances, and all rules, regulations, and resolutions of the Township of Willingboro

EMPLOYEES

Whenever necessary, means and includes such employees and designated representatives or officials of the Township of Willingboro, as the Township shall, from time to time, designate and utilize in the making of the inspection and/or tests hereafter described in carrying out the duties as prescribed herein to be performed on behalf of the Township.

NOTICE

Advising when inspections and tests of the system should be performed by the Township.

PRIVATE SEWER SERVICE LATERAL

The sewer pipe extending from a building to the sewer main, including the saddle connection, if any.

SUMP PUMP

Any pump connected to the private sewer service lateral, or to any lateral connected to the private sewer service lateral that is being used to pump ground stormwater into the sanitary sewer system.

SYSTEM

All facilities for collecting, pumping, and disposing of sanitary sewage, which are owned by the Township of Willingboro or the Municipal Authority of Willingboro Township

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TOWNSHIP

The Township of Willingboro

TRANSFER

The transfer of title to real estate when sale or gift is intended and excluding transfers that occur for the following reasons:

- (1) Conversion: a change in an entity's form or organization, place of organization or name;*
- (2) Financing transaction: when realty is transferred by the debtor solely for the purpose of serving as security for the payment of a debt; or when no sale or debt is intended;*
- (3) Living trust is established;*
- (4) Confirmatory deeds;*
- (5) The transfer of newly constructed properties from the developer to the first purchaser.*

USER

The owner, lessee, or occupant of the property on which the buildings and/or appurtenances that are connected to the system are located.

B. Throughout this article, references to the singular shall include the plural, and vice versa, wherever required by the context.

291-24 Inspection required upon transfer of properties.

A. Inspection.

(1) Prior to the transfer of any property located in the Township which is connected to the system, the seller of the property shall be required to retain the services of a master plumber or utility contractor for the purposes of conducting an inspection of the property to ensure compliance with the provisions of this article, as well as the Township's rules, regulations, and resolutions, and to issue a certified report regarding the state of the private sewer service lateral serving the property.

(2) Said inspections shall also require a video inspection of the sanitary sewer service lateral from the residence to the connection to the system to ensure compliance.

(3) Such certified report shall clearly indicate whether the private sewer service lateral serving the property is in satisfactory or defective condition as set forth herein and based upon the rules, regulations and resolutions of the Township and/or sound engineering practice.

(a) If the private sewer service lateral is in satisfactory condition, the certified report shall clearly indicate that there is no inflow and/or infiltration into the private sewer service lateral, nor any illegal connections, and that the cleanout vent is capped and not damaged. The report shall identify the type of cap and the height above grade. All mushroom caps shall be a minimum of six inches above grade.

(b) If the private sewer service lateral serving the property is in defective condition, the certified report shall identify the deficiencies.

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(4) Exception. An inspection shall not be required where the private sewer service lateral has been inspected and a certified report indicating that the private sewer service lateral is in satisfactory condition, that there is no inflow and/or infiltration into the private sewer service lateral, nor any illegal connections, and that the cleanout vent is capped and not damaged within the six months immediately preceding the transfer of the property in question.

B. Deficiencies.

(1) Should the certified report state that the private sewer service lateral is defective based upon the rules, regulations, and resolutions of the Township, and/or sound engineering practice, the lateral pipe shall be replaced or realigned, as appropriate. In the sole discretion of the Township, limited permission for spot and/or minor repairs and maintenance may be granted. The pipe replacement/realigning/spot repair shall be performed by a master plumber or utility contractor in accordance with Township Code of Ordinances requirements, as well as the then-in-place rules, regulations, and resolutions of the Township.

(2) A private sewer service lateral that contains a whole building trap shall not by itself constitute a deficiency under this article. However, if an inspection reveals inflow and/or infiltration or any other condition requiring replacement of the lateral, a new or replacement whole building trap shall not be permitted.

(3) If the private sewer service lateral requires replacement or realignment, the property owner shall first obtain the necessary permit(s) from the Township. The Township shall inspect the work as the replacement or realignment is performed to ensure compliance with all applicable Township Code of Ordinances requirements.

(4) If, in its sole discretion, the Township grants permission to perform spot and/or minor repairs, upon completion of same, the seller or property owner shall be required to retain the services of a master plumber or utility contractor for the purposes of reinspecting the private sewer service lateral, including a video inspection, and issuing a certified report regarding the state of the private sewer service lateral.

C. In the event that any transfer of title occurs without an inspection having being conducted and without the seller obtaining a certified report, the buyer or purchaser of the property shall be responsible for having the aforementioned inspection conducted, for the submission of the certified result to the Township, and for the correction of any deficiencies identified in the certified report.

D. Upon receipt of a certified report from a master plumber or utility contractor that the private sewer service lateral is in satisfactory condition, as specified in § 291-24.2A(3)(a) herein, or upon final inspection or approval from the Township of the replacement or realignment of the private sewer service lateral, the property owner or seller may submit an application for a private sewer service lateral inspection permit. Upon payment of any application and inspection fee, and upon the Township's receipt and approval of the certification set forth herein, including a copy of the televised video inspection, the Township shall issue a private sewer service lateral

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inspection permit to the seller who shall deliver said permit to the buyer or purchaser of the property at the time of the sale or conveyance.

E. In the event that the property owner or seller fails to replace the private sewer service lateral as required by § 291-24.2B(1) herein, the Township shall be authorized as permitted by law to go onto the property and replace the private sewer service lateral and charge the property owner or seller for the cost and expenses incurred by the Township to replace the private sewer service lateral. In the event that satisfactory payment arrangements are not agreed upon between the Township and property owner or seller, the Township may file a municipal lien against the property pursuant to

F. The property owner shall permit the designated employees or agents of the Township access during reasonable hours of the day to all parts of the property to make necessary inspections and observations.

G. Any notice to repair a sewer lateral issued as a result of an inspection under this section shall be in compliance with the Municipal Code of Willingboro Township, and any penalties under that Act shall be in addition to the penalties imposed by this article.

291-25 Violations and penalties.

A. Fines for violations. A violation of any section or subsection of this code shall be subject, upon conviction, to a penalty as prescribed in Chapter I, Article II, General Penalty, of the Code of the Township of Willingboro.

First Reading – September 9, 2021

Councilmember	Motion	2 nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson	X		X				
Councilwoman Perrone			X				
Councilwoman Whitfield			X				
Deputy Mayor McIntosh		X	X				
Mayor Worthy			X				

Public Hearing and Final Reading September 21, 2021

Councilman Anderson	X		X				
Councilwoman Perrone			X				
Councilwoman Whitfield			X				
Deputy Mayor McIntosh		X	X				
Mayor Worthy			X				

ATTEST:

Brenda Bligen
 Brenda Bligen, MBA
 Acting Township Clerk

Tiffani A. Worthy
 Dr. Tiffani A. Worthy, Mayor