

**BOROUGH OF FAIR HAVEN**  
**ORDINANCE NO. 2019-13**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF MONMOUTH SUPPLEMENTING CHAPTER 23, STORMWATER MANAGEMENT AND MUNICIPAL STORM SEWERS BY ADDING SECTION 3, DRAINS AND SUMP PUMP DISCHARGES.**

**WHEREAS**, the intent of this Ordinance is to adopt regulations relating to drain and sump pump discharges and codifying permit requirements related thereto.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough of Fair Haven, County of Monmouth, New Jersey, that Chapter 23 of the Revised General Ordinances of the Borough of Fair Haven, is hereby amended and supplemented as follows:

**SECTION I.**

**23-3 DRAINS AND SUMP PUMP DISCHARGES.**

- a. No person will discharge roof drains, area drains, yard drains or sump pump drains into the public right-of-way; connect them to any portion of the stormwater drainage system or discharge them outside of the public right-of-way in a manner to cause concentrated flow into the public right-of-way without obtaining a permits
- b. A permit to discharge roof drains, area drains and other facilities, which do not convey groundwater and only flow during immediately after rainfall, into the public right-of-way or to connect them to the municipal storm drainage system will be issued if the Borough Engineer determines that:
  1. No groundwater will be conveyed; and
  2. No hazard to public health or safety will result; and
  3. No damage to any public infrastructure or to any portion of the right-of-way will result; and/or
  4. All disturbed portions of the public infrastructure will be adequately replaced or repaired.
- c. A permit to discharge sump pump drains or other facilities which convey groundwater into the public right-of-way or connect them to the municipal drainage system is subject to the following:
  1. No permit will be issued if:
    - i. The Borough Council, on the advice from the Borough Engineer or other Borough official(s), finds that the proposed discharge will create significant, unacceptable public safety or public health issues; or
    - ii. The Borough Engineer determines that a reasonable alternative other than discharge into the public right-of-way exists. Reasonable alternatives include modifications of the system to reduce or eliminate the volume of discharge and/or discharging into ponds, water courses or landscaped or natural areas on or adjacent to the property.
  2. The Borough Engineer will only issue a permit subject to use of the following options when available:
    - i. Connection to a stormwater drainage system or adequate receiving piping available or to be made available on or adjacent to any portion of the permittee's property; or

- ii. Connection to a stormwater drainage system or adequate receiving piping available or to be made available not more than one (1) property away from the permittee's property which can be reached within the public right-of-way without crossing a street; or
  - iii. Any other reasonably available alternative.
3. When issuing a permit to allow discharges into the public right-of-way or a connection to the stormwater drainage system, the Borough Engineer may designate the location of the discharge or connection.
- d. Drains and sump pump discharges in the public right-of-way legally existing on the date of adoption of this section may be continued without a permit and will not constitute violations of this ordinance until:
  1. The property owner is notified by the Borough Engineer that a permit must be obtained for the existing discharge; and
  2. One (1) year elapses from the date of notice by the Borough Engineer without the applicant obtaining a permit.
- e. Permit fees shall be paid to the Borough as set forth in Section 2-56.4.

#### **SECTION II.**

All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

#### **SECTION III.**


The Mayor, Clerk, Borough Attorney, and such other officials as may be necessary are authorized to perform such ministerial actions as are necessary to effectuate the purposes of this Ordinance.

Introduced: 10/28/2019

Adopted: 11/12/2019

Attest:

Approve:

  
Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk

  
Benjamin Lucarelli  
Mayor

**BOROUGH OF FAIR HAVEN  
ORDINANCE NO. 2019-14**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF  
MONMOUTH SUPPLEMENTING CHAPTER 2, ADMINISTRATION BY ADDING SECTION 2-56.4, NON-  
REFUNDABLE PERMIT FEES.**

**WHEREAS**, the intent of this Ordinance is to create fees necessary for the regulations relating to drains and sump pump discharges.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough of Fair Haven, County of Monmouth, New Jersey, that Chapter 2 of the Revised General Ordinances of the Borough of Fair Haven, is hereby amended and supplemented as follows:

**SECTION I.**

**2-56.4 NON-REFUNDABLE PERMIT FEES.**

The following non-refundable permit fees are established and shall be collected by the Borough Clerk before issuing a permit:

- a. Unless a specific fee is established hereinafter, the permit fee shall be \$200.00.
- b. Moving building along a street -- \$1,000.00.
- c. Discharge of a sump pump drain, roof drain or area drain into the public right-of-way where no connection to the public stormwater connection system is proposed -- \$200.00 (paragraph #4 below applies if a connection is proposed).
- d. Connecting to the sanitary sewer or stormwater collection system -- \$200.00, and where a pavement opening is required, \$25.00 additional for each 100 square feet, or fraction thereof, of area disturbed.
- e. For construction or replacement of curbs, sidewalks or driveway aprons – greater of \$200.00 or \$1.00 per lineal foot of curb plus \$0.50 per square foot of sidewalk and driveway apron.
- f. For other excavations or occupancies which disturb improvements, such as utility connections -- \$200.00, plus \$25.00 additional for each 100 square feet, or fraction thereof, of area disturbed.
- g. For utility infrastructure installation, repairs, upgrades, or replacements -- \$200.00, plus \$0.50 per linear foot of utility main installed, repaired, upgraded, or replaced for the purposes of the fee calculation, lineal footage of directional drilling, micro-tunneling, Jack and Bore, moling or other trenchless installation shall be included.

**SECTION II.**

All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

**SECTION III.**

The Mayor, Clerk, Borough Attorney, and such other officials as may be necessary are authorized to perform such ministerial actions as are necessary to effectuate the purposes of this Ordinance.


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Allyson M. Cinquegrana, RMC/CMR  
Borough Clerk

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Benjamin Lucarelli  
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