**O: 2017-07**

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY**

**OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 485 “SEWAGE DISPOSAL SYSTEMS,” SECTION 4 “SEWER FACILITIES; CONNECTIONS,” OF THE CODE OF THE TOWN OF PHILLIPSBURG TO REQUIRE THE USE OF BACKFLOW VALVES FOR BASEMENT AND CELLAR SANITARY FIXTURES**

**WHEREAS,** § 485-4 of the Code of the Town of Phillipsburg regulates the maintenance of sewer connections by property owners; and

**WHEREAS,** the Town finds the current code to be unworkable and in need of revision; and

**WHEREAS,** the Town desires to require the installation of fixtures below street level to be protected by a backwater valve; and

**NOW THEREFORE BE IT ORDAINED** by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey amends § 485-4 of the code as follows:

**Section 1**

Section § 485-4 is hereby amended as follows:

§ 485-4. Sewer Facilities; Connections; Property Owner Responsibility.

1. Where a sanitary sewer is available, each and every property owner is required to provide and maintain a sewer connection for their improved property.
2. Any sanitary fixture installed in a building at an elevation lower than the curb or street, whichever is higher, must include backflow prevention to eliminate potential flooding of the premises with sewage. Further, all such fixtures shall be the sole responsibility of the owner and the Town of Phillipsburg will not be responsible for the installation, operation, or damage caused by sewerage backflow.
3. Upon a determination by the Municipal Engineer that an existing sewer connection is not properly discharging sewage flow into the sewer main, the owner shall be required to replace the existing sewer connection system. In the instance where the owner is not connected directly and separately to the sewer main, it shall be required, upon determination of improper discharge, that the owner connect separately to the sewer main.

**Section 2**

If any article, section, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**Section 3**

This ordinance shall take effect immediately upon final publication as provided by law.

**ATTEST: TOWN OF PHILLIPSBURG**

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VICTORIA L. KLEINER, STEPHEN R. ELLIS

Municipal Clerk Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their May 23, 2017 meeting.

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VICTORIA L. KLEINER,

Municipal Clerk