

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**ORDINANCE No. 2022-24**

**CREATION OF CHAPTER 470 SUMP PUMP REGULATIONS**

**WHEREAS**, the Township of Verona desires to control sump pump discharges in the Township of Verona.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Verona does hereby Ordain that Chapter 470 entitled "Sump Pump Regulations", of the Code of the Township of Verona is hereby created and shall read as follows:

**SECTION 1:**

**§ 470 -1 Purpose**

The purposes of this article is to establish regulations controlling sump pump discharge to control flooding, creation of nuisances in the form of build-up of icing, standing water, algae growth and erosion of the street, sidewalk or public right of way.

**§ 470-2 Definitions**

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**DISCHARGE** - The end of the pipe from the sump pump where water becomes unconfined and reverts to gravity flow.

**PIPE DRAIN** - a pipe that drains water without the use of a pump using gravity flow.

**STORM SEWER** - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township or other public body, and is designed and used for collecting and conveying stormwater.

**STORMWATER** - Water resulting from precipitation (including rain and snow) that runs off the surface of the land, is transmitted to the subsurface, and is captured by storm sewers or other drainage facilities.

**SUMP PUMP** - A pump, with related valves, pipe and fittings, installed for the purpose of evacuating water, usually from a basement area.

**§ 470 -3 Sump pump and pipe drain installations made on or after September 1, 2022**

Sump pumps and pipe drains installed on or after September 1, 2022, shall comply with the following conditions:

- A. The sump pump or pipe drain discharge shall preferably be directed onto an absorbent surface as grass, mulch, rock or soil so that the discharge will be dissipated and not immediately drain to the Township right-of-way or adjacent properties. The discharge location shall be as approved by the Engineer or Public Works Manager or his/her designee. In the event that it is not feasible to direct discharge on to an absorbent surface, the discharge may be directed to a storm sewer, swale, ditch, detention basin, drainage basin or other drainage facility or location as approved by the Engineer, Public Works Manager or his/her designee. If a connection to the storm sewer is approved, a permit will be required from the Engineer, Public Works Manager prior to installation.

- B. The discharge location shall not create a public nuisance which is anything, condition or act which is or may become injurious or hazardous to the public.
- C. The discharge shall not create a build-up of icing, standing water or algae growth on the street, sidewalk or public right-of-way.
- D. The discharge shall not be directed towards an adjacent property in such a manner as to cause damage to the adjacent property or create a nuisance.
- E. No person shall connect, or cause or permit to be connected, any sump pump, pipe drain, floor drain, surface drain, subsoil drain or leader pipe with the house sanitary sewer, or to use the sanitary sewer connection or any pipe or drain connected therewith for the purpose of receiving and discharging drainage of any kind other than from plumbing fixtures.
- F. Sump pump and pipe drain discharges may not be directed into a Township street or right-of-way unless permission is granted by the Engineer, Public Works Manager or his/her designee.

**§ 470 -4 Sump pump and pipe drain installations made before September 1, 2022**

Sump pumps and pipe drains installed prior to September 1, 2022, shall comply with the following conditions:

- A. An existing sump pump or pipe drain discharge may continue at the location where the discharge was made on September 1, 2022, as long as such discharge does not:
  - (1) Create a public nuisance which is anything, condition or act which is or may become injurious or hazardous to the public, and
  - (2) Create a build-up of icing, standing water, algae growth or cause erosion on the street, sidewalk or public right-of-way.
  - (3) It is not in violation of § 519-44B(21).
- B. An existing sump pump or pipe drain discharge that is causing a public nuisance or is creating a build-up of icing, standing water, algae growth or cause erosion on the street, sidewalk or public right-of-way shall be corrected by the owner to bring the sump pump or pipe drain discharge into compliance with the requirements of § 470 -2.
- C. The Public Works Manager or his/her designee may require the following:
  - (1) That the sump pump or pipe drain have a point of discharge that is located a minimum of ten feet or greater, as directed by the Public Works Manager or his/her designee, from any property line or Township right-of-way.
  - (2) That the discharge be directed within the limits of the owner's property onto an absorbent surface as grass, mulch, rock or soil so that the discharge will be dissipated and not immediately drain to the Township right-of-way or adjacent properties.

**§ 470-5 Violations and penalties**

Any person who violates any of the provisions of this article shall, upon conviction thereof, be subject to the penalties set forth in Chapter 1, Article II, General Penalty, of the Township Code.

**SECTION 2: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**SECTION 3: SEVERABILITY**

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

**SECTION 5: CODIFICATION**

This ordinance shall be a part of the Code of the Township of Verona as though codified and fully set forth therein. The Municipal Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.



ATTEST:

*Jennifer Kiernan*  
JENNIFER KIERNAN  
MUNICIPAL CLERK

**I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF JULY 29, 2022 AND AUGUST 12, 2022**

**JENNIFER KIERNAN  
MUNICIPAL CLERK**

INTRODUCTION: July 25, 2022  
PUBLIC HEARING: August 8, 2022  
EFFECTIVE DATE: August 28, 2022