

201. APPLICATIONS FOR SEWER SERVICE

A. Applications for Service In General

1. An application for service will not be approved by the Authority until the Applicant has paid all review fees and charges as indicated in writing from the Authority, which were due from the Applicant for any prior services, in addition to providing supplemental funds for known future Authority work.
2. An approved application constitutes a contract between the Authority and the Applicant, obligating the Applicant to pay to the Authority its rents, rates, fees, or other charges as established from time to time and to abide by and comply with its Rules and Regulations.
3. Prior to the submission of an application for service, it is the responsibility of the Applicant to inspect and examine all treatment works on the Applicant's property to determine whether they are in good condition. An application for service constitutes a representation by the Applicant that the inspection has been made and that all such items have been found to be in good condition. The Authority is not liable for any accident, breaks, leakage, or damage to the property, which may result from sewerage services supplied to the premises.
4. All Applicants that apply for a “will serve” determination, change of use, service, or any other Authority matter related to wastewater flow must provide the following information to the Authority, in addition to other information required by the various applications:
 - a. General:
 - i. Identify if the proposed development is generating flow from residential or non-residential sources. Any flow not emanating from a residential dwelling such as from a community clubhouse is considered non-residential flow.
 - ii. Proposed method to secure a deduction for Bordentown City supplied potable water utilized for irrigation.
 - iii. Provide projected flow quantities calculated in

accordance with N.J.A.C. 7:14A-23.3 except for the following:

Type	Unit of Measure	GPD
Factories/Warehouses/Flex Space (does not include Office Space or process wastewater)	Per square foot	0.02
Churches (worship area only, other uses to be calculated separately)	Sanctuary Area	1 EDU
Day Care Centers	Per square foot	0.25
Fitness Center	Per square foot	0.10

In the event that a type of use is not listed in N.J.A.C. 7:14A-23.3 or in the above list the Authority shall consider the best judgement recommendation of the Authority Engineer in determining the projected flow.

For determining the projected flow, any reference to "seat" in N.J.A.C. 7:14A-23.3 shall be deemed to mean the maximum permitted occupancy established pursuant to the Uniform Construction Code and/or the Uniform Fire Code.

Connection fees for all previously unsewered non-residential uses shall be subject to the minimum connection fee for a single family residential unit, pursuant to the current Authority Rate Schedule.

The term "Office Space" shall include, but not be limited to, supporting areas such as bathrooms, storage areas, conference rooms, computer rooms, mail room, and reception/lobby area.

- b. Residential Connection: The application shall provide details on all wastewater generating facilities including but not limited to for permanent living units, the type of

dwelling (single family; apartment; townhouse, etc.) along with the number of bedrooms in each unit.

- c. Non-Residential Connection: The application shall provide details on all wastewater generating facilities including but not limited to the following sources:
- i. Detailed description of the type and size of buildings.
 - ii. Nature of the business to be conducted in each building.
 - iii. Square footage for the type of usage (office, factory, warehouse, etc.)
 - iv. The type, volume and chemical characteristics of the wastewater to be discharged. Identify if sources of flow, such as but not limited to, brewery wastes, manufacturing process, refrigerate condensate, non-recycled car wash wastes, and swimming pool backwash are present.
 - v. Flow characteristics of the discharge such as uniformly consistent, diurnal, batch, or periodic.
 - vi. Number of restaurant seats including outdoor seating.
 - vii. Facility seating capacity.
 - viii. Inclusion of grease traps and sediment traps.
 - ix. Other information as may be required by the Authority's Wastewater Discharge Regulations. Provide any available laboratory sampling results for the proposed discharge.
 - x. Other information as requested by the Authority.

Completed applications for sewer service will be approved on a first come, first-served basis. The obligation of the Authority to approve completed applications for sewer permits is contingent upon the availability of capacity, both at the plant and in the wastewater conveyance system.

The Authority will not grant S-3 application approval until the Authority is in receipt of all necessary approvals from NJDEP or any other municipal, State or Federal agency which may be required.

B. Applications for New Service

1. All Applicants for new service must submit a complete application for service to the Authority. As used in these Rules and Regulations, "a complete application" includes and is defined as the following:

a. S-1 Application. The fully completed S-1 "Application for Sewerage Service" must be submitted as follows:

- One physical copy of the application package provided for the Authority.
- One physical copy of the application package for the Authority Engineer.
- For both the Authority and the Authority's Engineer provide a PDF copy of the entire application package by either emailed link, submittal of two thumb drives or other method as indicated by the Authority.

The entire submission consists of a completed S-1 Application, conceptual engineering plans, reports, S-1 application fee, initial escrowed review fee, and from the appropriate municipal land use board or municipal official, either preliminary or final approval documentation. The application and initial escrow review fee amounts are as stated on the Authority's S-1 Application form. Without the noted level of municipal approval, the application will not be approved.

The submission inventory may be increased after an initial Authority project review. The Authority will either direct the Authority's Engineer or the Applicant to perform a capacity availability study of the downstream wastewater conveyance system and/or the Authority's wastewater treatment plant. At the time of the proposed date for the project's temporary certificate of occupancy, wastewater conveyance capacity must be physically available or will be made available by capacity improvements approved by the Authority, and contractually financed and performed by the Applicant in order to be provided Authority S-1 Application approval.

The conceptual engineering design documents and reports which are required to be submitted with the S-1 application are to be in accordance with the Rules, Regulations and

Specifications of any State or Federal agency asserting jurisdiction over sewer services. Minimum requirements are as follows:

1. The S-1 submitted report shall address items listed in previous paragraph 201.A.4 in its entirety.
2. Report to establish proposed connection location to the Bordentown Sewerage Authority sewerage system.
3. Report to establish if a pump station is required.
4. Drawings shall be provided showing the overall site layout with existing and proposed grades added. In addition, for the two closest Bordentown Sewerage Authority sanitary sewer manholes to the project site identify the manhole rim elevations and the pipe invert elevations for all pipes in each manhole along with their pipe diameter.
5. The drawings are to be in a minimum scale of one-inch (1") equals thirty feet (30').
6. Datums shall be provided on the Drawings based on the criteria as listed in Section 202.B of these Rules and Regulations.

The S-1 application must be recommended for approval by the Authority's Engineer to the Authority and by the Authority itself. During the S-1 Application review period the party responsible (i.e., Authority or Applicant) for the future ownership, operation and maintenance of the proposed Treatment Works will be established by the Authority. The Authority is under no obligation to accept future ownership, operation and maintenance of any proposed Treatment Works no matter what circumstances exist.

- b. S-2 Agreement. The fully completed and executed S-2 "Service Agreement" must be submitted to the Authority with a written or verified e-signature. Compliance with each term, condition and stipulation contained in the executed S-2 "Service Agreement" including, but not limited to, compliance with Authority Rules, Regulations and Specifications, and payment of all fees and conditions precedent to the submission or approval of an S-3 "Application for Approval of Sewer Construction Plans". Final approval of the appropriate municipal land use board, municipal official and Burlington

County Planning Board approval must be obtained prior to the submission of an S-3 application.

c. S-3 Application.

The fully completed S-3 “Application for Approval of Sewerage Construction Documents” must be submitted as follows:

- One physical copy of the application package provided for the Authority.
- One physical copy of the application package for the Authority’s Engineer.
- For both the Authority and the Authority’s Engineer provide a PDF copy of the entire application package by either emailed link, submittal of two thumb drives or other method as indicated by the Authority.

The application for Treatment Works design approval and processing to the construction phase must be submitted on an S-3 "Application for Approval of Sewer Construction Documents". A project’s S-3 Application is considered complete for review if the following have been verified by the Authority:

1. The Authority’s S-1 Application has been approved.
2. The Authority’s S-2 Application has been endorsed by the Applicant and the Authority.
3. The Applicant’s project has received final approval from the appropriate municipal land use board or municipal official and, Burlington County Planning Board approval.
4. All Authority fees have been paid.
5. All the outstanding escrow notices are paid to the Authority and the project’s escrow balance satisfies the criteria provided on the S-3 application form.

Once a project’s S-3 application submission is complete the Authority will commence the S-3 application review.

The engineering plans which are required to be submitted with the S-3 application must be in accordance with the Rules, Regulations and Specifications of any State or Federal agency asserting jurisdiction over sanitary sewer services. All submitted plans are to be in a minimum plan scale of one inch

(1") equals thirty feet (30') with piping profiles in a minimum scale of three feet (3') vertical to thirty (30') horizontal. The plans and piping profiles must also include all underground utilities and appurtenances such as water and sewer mains, storm sewers, gas, electric, fiber, or cable, as may be applicable.

An Applicant must have project specific items resolved prior to the Authority approval of the S-3 application including but not limited to:

- All easements finalized and filed with Burlington County;
- Obtain a NJDEP Treatment Works permit if the project conditions meet the requirements of NJAC 7:14A-22.3;
- Obtain a USEPA ESA waiver which must be filed by the Authority based on supporting information provided by the Applicant's engineer.
- Obtain a railroad occupancy permit

d. S-4 Application.

The Applicant must obtain all S-1, S-2, and S-3 approvals, including satisfying any S-3 approval conditions, and all other necessary approvals from NJDEP or any other municipal, State or Federal agency which may be required (except for a municipal building permit) before the Applicant can receive an endorsed application for S-4 sewer construction approval by the Authority. The S-4 application submittal along with the Bordentown Sewerage Authority connection fee payment must be provided based on which of the two below timelines occurs first:

1. Provided at least one week prior to any request for the Authority to provide a recommendation to the local municipal government for authorization of footings and foundation construction.
2. Provided at least one week prior to any request to connect to the Bordentown Sewerage Authority sewerage system.

3. Notwithstanding anything contained in these Rules and Regulations, in the event that an application for new service is made for property which abuts existing sewer mains, and a NJDEP Treatment Works permit is not required, the Authority may, in its discretion, waive the S-1 Application procedures and allow the Applicant to submit both the S-2 and S-3 Application packages together.

C. Applications for Additional Capacity or Change of Use

1. An application for additional capacity must be made by an existing residential or nonresidential Customer whenever there is any physical or operational change associated with an increase in estimated, projected flow of either water to, or sewage from, any building, facility or structure for which a building permit, site plan, subdivision or other municipal approval is required.
2. If an application for additional capacity does not require that TWA be issued by NJDEP, then the Authority may, in its discretion, waive the S-1 procedures and allow the Applicant to submit S-2 and S-3 applications with engineering plans, reports and required fees as a condition precedent to submission of S-4 applications.
3. Whenever the reason for submitting an S-4 application is associated with requesting additional capacity, an additional connection fee will be charged to the Applicant based upon the increase in estimated flow associated with the physical or operational change.
4. The Authority may waive the conditions in section C. 1. – C.3. above for a residential use where a single family unit dwelling is extended onto the existing structure to add an additional bedroom or additional square footage.

D. Application for Service Based Upon Change in Ownership

1. In the event a development changes ownership while under the application process, and the S-3 application has been previously approved, then only the S-2 and S-3 applications need to be resubmitted by new Applicant.

E. Applications for Reinstatement of Service

1. An application for reinstatement of service must be made whenever a Customer is renewing a previous service that had been abandoned or terminated or when replacing a structure which has been demolished or deemed uninhabitable by a Municipal officer.
2. In the event that sewer service was terminated by the Authority because of improper construction, maintenance or use of any connections to the Authority's sewerage system, the Customer must correct the deficiency before service can be reinstated.
3. In the event that an application is made to reinstate a service for a structure that was previously terminated or abandoned when the prior structure was demolished or deemed uninhabitable by a Municipal officer, no connection fee will be due provided that the application for service is made within five (5) years of the date of the prior termination of service. If there will be an increase in the estimated water or sewage usage of the building, then the application will also be considered as an application for additional capacity and an additional connection fee will be due on the amount of the increase in the estimated water or sewer usage.
4. Guidelines for Calculation of Credit towards a connection fee for a previously connected property which is being redeveloped with a change of use, where the law (P.L. 2018, c.74) indicates a connection fee credit equal to the amount of previously paid connection fees is due, and where a connection fee was not previously paid or cannot be determined is provided within this section.

The Authority's Engineer and staff are to evaluate the previous usage of the premises compared to the intended future usage.

Previously paid quarterly bills shall be reviewed for:

- a. Residential: continuous payment of fixed service charges each quarter:
Based on confirmation of continuous, up to date, service charge payments, a connection fee credit equal to the EDUs paid on a quarterly basis will be provided.
- b. Commercial: water usage and/or fixed service charges:

- i. If water usage is consistent, use an average of total quarterly flow for what is the highest consecutive five-year period of time.
 - ii. If water usage was not consistent, use the highest quarterly flow from data currently available in the Authority's computerized billing system.
 - iii. A connection fee credit will be provided for whichever is greater: number of fixed EDUs paid quarterly for service, or EDUs paid for usage. Per rate schedule Class 3: One EDU is assigned for every 18,000 gallons or part thereof used per quarter.
- c. Commercial Other: When comparing the proposed use of a property to the previous use of the property, provide credits for previously existing flow generation items, if the same will be rebuilt.
- Example: The redevelopment of a gas station received connection fee credits for the number of previously existing gas pumps. These credits were applied to the number of proposed gas pumps.

F. S-4 Sewer Construction Approval

1. An application for an S-4 sewer construction approval must be made whenever there is an application for either a new service, for additional capacity, or for reinstatement of a service for which a connection fee is due. See Section 501. Sewer Service Connection Fees.
2. An S-4 sewer construction approval which is issued for any residential unit will be valid for a period of twenty-four (24) months from the date of issue, and an S-4 sewer construction approval which is issued for any industrial or commercial unit will be valid for a period of twenty-four (24) months from the date of issue, unless physical connection is made within the appropriate period.
3. In the event that physical connection is not made within the appropriate period, the sewer construction approval will automatically expire and is void and of no force and effect. The Authority will retain twenty-five percent (25%) of the connection fee paid for each expired sewer construction approval as a charge for

administrative expenses and loss of service revenue. By the submission of an application, the Applicant agrees that this charge is reasonable in amount and is to be considered as liquidated damages, and not as a penalty, since actual damages would be difficult to calculate, and this amount is reasonable as liquidated damages. The balance of the connection fee paid for the expired sewer construction approval will be returned to the Applicant by the Authority. In the event, however, that the Applicant submits a written request for withdrawal of the sewer connection within sixty (60) calendar days after the sewer construction approval is issued, the full amount of the Authority designated S-4 Application connection fee paid will be refunded, less a \$100.00 administrative reimbursement for each sewer construction approval withdrawn.

4. Upon the date of physical connection, the Authority will charge, and the Applicant agrees to pay, sewer service charges for the unit connected.