

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

ORDINANCE BH 01-2025

**AN ORDINANCE OF THE MENDHAM BOROUGH BOARD OF HEALTH TO
MODIFY REQUIREMENTS AND FEES IN CONNECTION WITH SEWAGE
DISPOSAL SYSTEM INSTALLATION AND REINSPECTION FEES**

WHEREAS, Section 232-5 of the Mendham Board of Health Code governs the standards for construction of subsurface disposal systems; and

WHEREAS, all construction for sewage disposal systems must be completed within 10 business days from the commencement of installation, unless an extension is requested in writing to the Borough Engineer and Health Officer; and

WHEREAS, if the owner/applicant fails to meet the deadline, the Health Officer must make daily inspections of the system until the work is deemed complete; and

WHEREAS, the inspection fee is \$250 per day for each day the system is not completed beyond the 10th day; and

WHEREAS, the Board of Health desires to amend the Code to: (1) clarify that the deadline to complete construction applies to the contractor, in addition to the owner/applicant; (2) increase the inspection fee to \$250 per day to account for the Health Officer's administrative time in and out of the office to address the missed deadline; and (2) establish a 5-year period that permeability tests shall remain valid.

NOW, THEREFORE, BE IT ORDAINED, by the Borough of Mendham Board of Health, County of Morris, State of New Jersey, as follows:

SECTION 1. Chapter 102, Fees and Rates, Section 102-2, Board of Health Fees, Section 232-5B(3), of the Borough Code is amended to read as follows:

<p>§ 232-5B(3) Construction of sewage disposal systems</p> <p>Inspection fee</p>	<p>\$250 per day for every day the system is not completed past the 10th day, unless an extension was given</p>
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SECTION 2. Chapter 232, Sewers, Article I, Sewage Disposal and Individual Water Supply Systems, Section 232-5B, of the Borough Code, is hereby amended to read as follow:

- B. Construction of sewage disposal systems. All construction for sewage disposal systems shall be completed within 10 business days from the commencement of the installation of the sewage disposal system.
 - (1) A request for an extension of the above ten-day period must be in writing to the Borough Engineer and Health Officer and must set forth the detailed reasons for the extension. Construction shall be deemed to have

commenced when the excavation for the disposal area, septic tank or other components begins. Construction will be complete when the final grading of the disturbed areas is complete. The house connection need not be constructed for the work to be deemed complete.

- (2) If the owner/applicant/contractor fails to complete installation of the sewage disposal system within 10 business days, the Health Officer shall make daily inspections of the systems until it is completed.
- (3) An inspection fee as set forth in Chapter 102, fees shall be charged to the owner/applicant for every day the system is not completed past the 10th day, unless an extension was given pursuant to Subsection B(1) above.

SECTION 3. Chapter 232, Sewers, Article I, Sewage Disposal, Section 232-5, of the Borough Code is amended add new paragraph D to read as follows:

D. Permeability testing. A test for the determination of soil permeability shall be valid for a period of five years, provided that the site has not been disturbed by filling or other material change in topography. The Board of Health may extend the five-year length of approval in increments of one year, not exceed three such extensions.

SECTION 4. All ordinances of the Mendham Borough Board of Health that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 6. This Ordinance may be renumbered for codification purposes.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Dated:

MENDHAM BOROUGH BOARD OF HEALTH

Lauren McBride, Board Secretary

Laura Montenegro, President

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Mendham Borough Board of Health at its meeting held on September 18, 2025.

Lauren McBride, Board Secretary

Dated: September 18, 2025

