



Township Council  
1 Municipal Plaza  
Bloomfield, NJ 07003

Louise M. Palagano  
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 09/20/21 07:00 PM

**2021 ORDINANCE NEW ORDINANCE**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 556, Article III -  
WATER - CONNECTION & INSTALLATION**

BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, County of  
Essex, State of New Jersey, as follows:

**Section 1.**

**I. Mandatory Replacement of Lead Service**

**Definitions.**

**TOWNSHIP**

Shall mean the Township of Bloomfield.

**CONTRACTOR**

Shall mean a licensed vendor that contracts with the Township of Bloomfield to replace lead service lines.

**DEPARTMENT**

Shall mean the Township Bloomfield Engineering Department, New Jersey.

**DWELLING**

Shall mean a building or structure or part thereof containing one or more dwelling units. This chapter shall also apply to buildings and structures that are not used for residential purposes.

**DWELLING UNIT**

Shall mean any room or groups of rooms or any part thereof located within a building and forming a single habitable unit with facilities which are used or designed to be used for living, sleeping, cooking, eating or bathing.

**LEAD SAFE**

Shall mean any condition that does not allow access or exposure to lead, in any form, to the extent that adverse human health effects are possible.

**LEAD SERVICE LINE**

Shall mean the water line on private property that leads to the structure or building that is connected to the curb box in the street. This is also described and defined as the "service pipe."

**LEAD SERVICE LINE REPLACEMENT PROGRAM(S)**

The Township of Bloomfield from time to time, when funding is available, may engage in a public contract to remove and replace known or documented lead service and supply lines which will be performed at no cost to the property owner or occupant.

**LEAD SUPPLY LINE**

Shall mean the water line within the Township Right of Way that leads from the curb box

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into the street to the watermain. This is also described and defined as the “supply pipe.” This section of piping is owned and maintained by the Township of Bloomfield

### **OCCUPANT**

Shall mean a person or persons in actual possession of and living in the building or dwelling unit.

### **OWNER**

Shall mean any person who has legal title to any dwelling, with or without accompanying actual possession thereof; or, who has equitable title and is either in actual possession or collects rents therefrom; or, who is executor, executrix, trustee, guardian, or receiver of the estate of the owner, or as mortgagee or as vendee in possession either by virtue of a Court order or by agreement or voluntary surrender of the premises by the person holding the legal title, or as collector of rents has charge, care or control of any dwelling or rooming house.

## **II. Lead Service Lines Prohibited.**

It is hereby established that the existence of lead service lines is prohibited in the Township of Bloomfield.

## **III. Exclusion from Requirement; Proof Required.**

A property owner may be excluded from the Mandatory Replacement of its lead service line by providing the Bloomfield Engineering Department, within 120 days of the effective date of this ordinance, with written proof from a licensed and certified plumber that it does not have a lead service line on its property and/or that the lead service line was previously removed and replaced.

## **IV. Mandatory Replacement of Lead Service Line.**

- a. The owner of any dwelling, building or structure serviced by a lead service line is required to replace the lead service line on their property. The replacement of the lead service line must be completed within 120 days from the discovery or uncovering of the lead service line. An extension of time may be granted where the owner can demonstrate, to the Bloomfield Engineering Department or its designee that a good faith effort has been made to comply with the ordinance.
- b. Every effort by the property owner shall be taken to inspect and document the service line coming into their property. This may be accomplished by any of the methods described herein.
  1. The property owner shall retain the services of a plumber, licensed in the State of New Jersey, to perform an inspection of the service line to determine and document its composition. Furthermore, any plumbing performed by a property owner should include an inspection of the service line if the material has not been determined by another method described herein
  2. The property owner will be advised of a lead service line during any contract performed by the Township including meter replacements or servicing; repair of a township-owned service line, or any other utility work that may expose the lead

3. The Township from time to time may, through its Department of Public Works, or through a contract, perform inspections of lead service lines at the curb box and notify a property owner if a lead service line was documented.
- c. The owner of the any dwelling, building or structure shall replace their lead service line by any of the following methods:
1. Signing up for the Lead Service Line Replacement Program when offered by the Township of Bloomfield and allowing contractors to access on their property to conduct the replacement. The Contractor will provide the owner with a Right of Entry form for completion. The Right of Entry form will provide the contractor with access to the property to verify the existence of a lead service line; or
  2. Replacing the lead service line on their own and at their own expense. If an owner selects this option, then replacement must be completed within 120 days of the discovery of the lead service line. An extension of time may be granted where the owner can demonstrate, to the Bloomfield Engineering Department or its designee that a good faith effort has been made to comply with the ordinance. An owner is required to provide the Engineering Department with proof that the lead service line has been replaced. Proof must include at a minimum: an invoice from the contractor who completed the work; a copy of the estimate along with any report of the work completed, and an inspection report verifying the removal.

## **V. Authorization to Access Property.**

- a. If an owner of the dwelling, building or structure does not sign up for the Lead Service Line Replacement Program when such a program is being offered through the Township of Bloomfield, or does not replace its lead service line within 120 days of the discovery of the lead service line (or within the time frame provided in an extension) or is inaccessible or otherwise denies access to the property to enable the replacement of the line, then the following procedure shall be followed:
1. The Township shall secure entrance to the property from the owner or current occupant of the dwelling, building or structure, and the township shall incur no liability from the owner. The contractor will provide the owner with a Right of Entry form for completion. The Right of Entry form will provide the Contractor with access to the property to verify the existence of a lead service line. The Township shall restore the property to its original condition, or as close as possible to its original condition; and
  2. If access is granted by the occupant of the dwelling, building, or structure, then the occupant shall be held harmless and no liability shall incur to the township or occupant due to the replacement of the lead service line by the Township of Bloomfield; and
  3. If access is denied by the current occupant or owner, then the township shall commence procedures, including filing a Court action, to conduct the replacement of the lead service line.

**VI. Proof of Lead Service Line Replacement Required for Certificate of Occupancy, Certificate of Code Compliance, and Smoke & Carbon Monoxide Detector Certificates.**

- a. Upon the sale or transfer of ownership of any dwelling, building or structure, the owner must provide proof that the lead service line has been replaced in order to secure a Certificate of Occupancy, a Certificate of Continued Occupancy, Certificate of Code Compliance, and Smoke & Carbon Monoxide Detector Certificates.

Proof shall be demonstrated by providing the following:

- i. Certification from a licensed plumber in the State of New Jersey that the lead service line has been inspected and is not comprised of lead or galvanized steel.

or

Providing a certification from the Bloomfield Engineering Department that the line has previously been inspected and was found not to be comprised of lead or galvanized steel when such records are available.

- ii. A lead and copper sample shall be provided for the property utilizing current sampling protocols developed by the N.J. Department of Environmental Protection and the U.S. Environmental Protection Agency. Sampling shall be performed by a N.J. Certified laboratory. A certification indicating that the said results were provided to the Bloomfield Fire Prevention Bureau and the purchaser of the property shall be provided with the submitted sample.
- b. Upon the sale of any Township-owned property, within 90 days of the closing, the buyer is responsible for replacing the lead service line, by either enrolling in the Lead Service Line Replacement Program, when offered by the Township, or in accordance with Section IV above.

**VII. Violations and Penalties.**

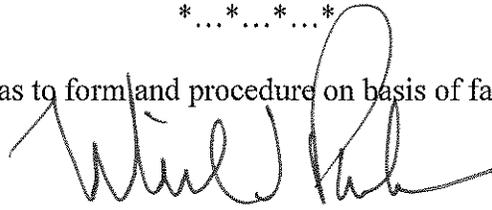
Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in § 1-15, General penalty, of this Code.

**Section 2.** All ordinances inconsistent herewith are hereby amended.

**Section 3.** This ordinance shall take effect upon final passage and publication in accordance with the law.

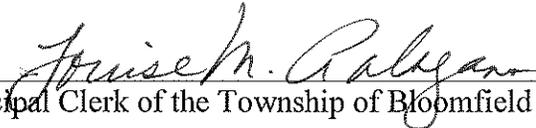
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Approved as to form and procedure on basis of facts set forth.

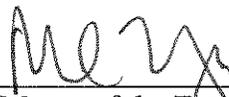


Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on September 20, 2021.



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Deny	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve						
<input type="checkbox"/> Veto by Mayor						
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						

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		Yes/Aye	No/Nay	Abstain	Absent	
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<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						