TOWNSHIP OF WEYMOUTH
ATLANTIC COUNTY
NEW JERSEY

ORDINANCE NO. 630-2026

AN ORDINANCE CREATING CHAPTER 69 OF THE CODE OF THE TOWNSHIP OF WEYMOUTH

WHEREAS, the Township Committee of the Township of Weymouth ("Township Committee"), Atlantic County, is of the opinion that the public health, safety, welfare, and interest will best be served by creating Chapter 69 of the Code of the Township of Weymouth titled "Lead and Galvanized Pipe Replacement Program";

WHEREAS, the New Jersey Legislature adopted P.L.2021, Ch. 183 on July 22, 2021 to establish N.J.S.A. 58:12A-40 through -47, and in doing so found that the presence of lead in drinking water represents a threat to the public health, especially the health and development of New Jersey's children; that pipes containing lead that connect water mains to homes and other buildings, often called lead service lines, are a primary source of lead in drinking water; and that, due in part to the age of New Jersey's housing, there does not exist a full and complete inventory of all lead service lines in the State;

WHEREAS, as a result of its findings, the New Jersey Legislature declared that public water systems should fully inventory all service lines and gradually replace all lead service lines, portions of which may exist on private property; and that, given the risk to public health and the resulting social costs that lead exposure imposes upon society as a whole, it is in the public interest that each public water system be obligated to replace lead service lines, including those that exist on private property, and be authorized to recoup the costs of lead service line replacements from all subscribers of the public water system;

WHEREAS, the Legislation referenced herein, and specifically N.J.S.A. 58:12A-41, states "a galvanized service line shall be considered a lead service line";

WHEREAS, as a result of the guidance from the New Jersey Legislature, the Weymouth Township Committee and the Weymouth Township Municipal Utilities Authority have been working to obtain funding and create a pathway forward in order to enable Weymouth Township, the Weymouth Township Municipal Utilities Authority, their professionals, agents, contractors, and employees to inventory and replace lead and galvanized service lines in need of replacement in order to maintain a safe and healthy water system for all Weymouth Township residents;

WHEREAS, after such inventory occurs, professionals, agents, contractors, and employees of Weymouth Township and the Weymouth Township Municipal Utilities Authority may need to access private property in order to effectuate the replacement of lead and galvanized water service pipes;

WHEREAS, access onto private properties to replace lead and galvanized water service pipes as referenced above is codified and permitted by the New Jersey Legislature pursuant to N.J.S.A. 58:12A-38(e), which states: "It is the intent of the Legislature to clarify that a municipality may enact an ordinance to enter properties to perform lead service line replacements as part of its powers to protect the health, safety, and welfare of its residents";

WHEREAS, the Legislature's codification of authority to adopt an Ordinance for the stated purpose is lawful and appropriate pursuant to N.J.S.A. 40:48-2, which states: "Any municipality may make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law";

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Weymouth in the County of Atlantic, State of New Jersey as follows:

SETION 1: Chapter 69 of the Code of the Township of Weymouth (Lead and Galvanized Pipe Replacement Program) is hereby established as follows:

§ 69-1. Definitions.
As used in this Article, the following terms shall have the meanings indicated:

Lead Service Line
A water supply connection that is made of, or lined with, a material consisting of lead, and which connects a water main to a building inlet. A lead pigtail, lead gooseneck, or other lead fitting shall be considered to be a lead service line, regardless of the composition of the service line or other portions of piping to which such piece is attached. A galvanized service line shall be considered to be a lead service line. A lead service line may be owned by the public community water system, a property owner, or both.

§ 69-2. Replacement required.
All lead service lines, portions of which may exist on private property, must be replaced.

§ 69-3. Entry Upon Private Property for Limited Purpose.
Weymouth Township, the Weymouth Township Municipal Utilities Authority, and any of their professionals, agents, contractors, and employees, are authorized to access private property for the limited purpose of inventorying and replacing lead service lines as defined herein and as required by P.L.2021, Ch. 183.

SECTION 2: All Ordinances of the Township of Weymouth which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 3: If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such holding shall not affect the remaining portions of this Ordinance.

SECTION 4: This Ordinance shall take effect immediately upon its advertisement, public hearing, adoption upon first and second reading, and publication according to law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEYMOUTH, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD ON WEDNESDAY, OCTOBER 21, 2026, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD AT THE WEYMOUTH TOWNSHIP MUNICIPAL BUILDING, 45 S. JERSEY AVENUE, DOROTHY, NJ, ON WEDNESDAY, NOVEMBER 4, 2026.

ATTEST: _____

Dorothy-Jo Ayres, RMC, Township Clerk

DATED: October 21, 2026