ORDINANCE 2015-15

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 74, ARTICLE II, OF THE TOWNSHIP CODE ENTITLED, "WATER/SEWER UTILITY"

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has been involved in discussions and review of the existing water utility funds with the Township Certified Financial Officer (hereinafter referred to as the "CFO"); and

WHEREAS, the water user rates for the Township have not been increased for approximately fifteen (15) years; and

WHEREAS, the Township finds it necessary and appropriate to modify and increase the Township water user rates in order to be certain that the Township water and sewer utility fund remains a self-liquidating fund.

NOW, THEREFORE, BE IT ORDAINED BY the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township amends and supplements Chapter 74 of the Township Code entitled, "Water/Sewer Utility", in particular Sections 74-14 entitled "User Charges", and 74-16 entitled, "Connection fees" to implement, effective January 1, 2016, the user rates throughout Barnegat Township. The user rates attached hereto and made a part herein are incorporated herein by reference as if set forth more fully herein.

DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

Section 74.14 User Charges

A. All residential, commercial, industrial, institutional and governmental users shall be charged a minimum fee (except as provided by 74.14C) based upon the size of the meter and a uniform excess usage charge based upon gallons used. The minimum charges for each water user shall be based upon the size of the meter as follows:

(1) Five eighths (5/8) of an inch or three quarters (3/4) of an inch: A minimum quarterly charge of forty-three dollars ($43.00).

(2) One (1) inch meter: A minimum quarterly charge of eighty-two dollars ($82.00).

(3) One and one-half (1 ½) inch meter: A minimum quarterly charge of one hundred twenty-four dollars ($124.00).

(4) Two (2) inch meter: A minimum quarterly charge of one hundred sixty-five dollars ($165.00).

(5) Three (3) inch meter: A minimum quarterly charge of one hundred sixty-five dollars ($165.00)

(6) Four (4) inch meter: A minimum quarterly charge of one hundred sixty-five dollars ($165.00)

B. Excess water user charges. All users shall be charged a uniform excess gallonage charge in addition to the minimum billing charge for all water usage which exceeds fifteen thousand (15,000) gallons per quarter. The excess charges shall be as follows:

(1) Excess over fifteen thousand (15,000) gallons to and including twenty-five thousand (25,000) gallons one dollar fifteen cents ($1.15) per thousand (1,000) gallons.

(2) Excess over twenty-five thousand one (25,001) gallons to and including fifty thousand (50,000) gallons two dollars thirty cents ($2.30) per one thousand (1,000) gallons.

(3) Excess over fifty thousand one (50,001) gallons to and including one hundred thousand (100,000) gallons, three dollars forty-five cents ($3.45) per one thousand (1,000) gallons.

(4) Over one hundred thousand one (100,001) gallons, four dollars sixty cents ($4.60) per one thousand (1,000) gallons.

C. Reduced rates for senior citizens and the permanently and totally disabled.

Effective January 1, 2000, all residential users who meet the criteria established in N.J.S.A. 40A:31-10.1 shall be charged a reduced minimum fee based upon the size of the meter and the uniform excess usage charge based upon gallons used as provided by 74-14B. The minimum charge for each qualified residential user shall be based upon the size of the meter as follows:

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(1) Five eighths (5/8) of an inch or three quarter (3/4) of an inch: A minimum quarterly charge of thirty-five dollars ($35.00)

(2) One (1) inch meter: A minimum quarterly charge of sixty-nine dollars ($69.00)

(3) One and one-half (1 ½) inch meter: A minimum quarterly charge of one hundred four dollars ($104.00)

(4) Two (2) inch meter: A minimum quarterly charge of one hundred thirty-eight dollars ($138.00)

(5) Three (3) inch meter: A minimum quarterly charge of one hundred thirty-eight dollars ($138.00)

(6) Four (4) inch meter: A minimum quarterly charge of one hundred thirty–eight dollars ($138.00)

E. Turn-on and turn-off charges: All customers shall be required to pay a forty-six dollar ($46.00) charge to turn-on and turn-off water service.

G. Fire hydrant charges: There is hereby established a fee of one hundred fifty-six dollars ($156.00) per annum for each fire hydrant serviced by the Barnegat Water/Sewer Utility. The Township owned fire hydrants shall be exempt from the within fire hydrant charges.

Section 74.16 Connection fees. Amended to include the following:

(2) In the case of a vacant lot owner where the Lot owner did not request and pay for a lateral at the time of main line construction, the Lot owner shall be responsible for the cost of the physical connection to the water main as well as and in addition to paying the Township the normal connection fee plus three hundred dollars ($300.00) for inspection fees

SECTION 2. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 3. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

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NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **November 16, 2015 at 6:30 p.m.**, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **December 14, 2015, at 6:30p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

Michele Rivers RMC

MICHELE RIVERS, RMC, Township Clerk

CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing Ordinance 2015-15 was duly adopted on second reading by the Barnegat Township Committee at their meeting held on the 14th day of December 2015.

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Michele Rivers, RMC Municipal Clerk

DASTI, MURPHY McGUCKIN, ULAKY, KOUTSOURIS & CONNORS

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