

ORDINANCE 2022-03

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 153 OF THE BOROUGH CODE, ENTITLED "SEWERS AND WATER", TO REVISE THE WATER AND SEWER RATE SCHEDULES.

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

SECTION 1. Section 153-17 of Article I of Chapter 153 of the Borough Code of the Borough of Barnegat Light, entitled "Water rates and charges," is hereby amended and supplemented to provide as follows:

Chapter 153  
SEWERS AND WATER

Article I  
Operation and Supervision of Systems

§ 153-17. Water rates and charges.

The rates for water furnished to the consumers of the borough water system shall be classified and shall be in accordance with the following schedules:

A. Schedule A: Dwelling Units in Residential Zone.

1. The minimum annual charge for each one-family dwelling unit having not more than five cold water spigots or outlets, completely enclosed therein shall be \$180.00.
2. The additional annual charge for every cold water spigot or outlet above five in the dwelling shall be \$16.50 each.
3. The additional annual charge for every outside spigot or outlet shall be \$16.50.
4. The aforesaid minimum annual charge shall apply to each dwelling unit contained in two-family or multiple unit dwellings.
5. In computing the above charges, the following shall be counted as additional spigots or outlets: kitchen sinks, laundry sinks, slop sinks, bar sinks, garbage disposals, refrigerators with ice makers, ice maker units, toilets, bathtubs, bathtubs with shower, stall showers, bathroom sinks, dishwashers, clothes washers, outside showers, outside showers with bibb, hose bibbs, swimming pools, hot tubs, urinals/bidets and water heaters.
6. In addition to the above service charges, there shall be an annual charge of \$200 for each account serviced by a lawn sprinkler system.
7. All water services shall be metered.

B. Schedule B: Metered Service for Business and Commercial Units.

1. The minimum annual charge to commercial users, which shall include but not be limited to motels, bathhouses, restaurants, taverns, stores, docks, wharves and any residential activities that shall be classified as excess users of water, and others shall be metered and shall be charged according to the following table of minimum rates:

Water Service (inches)	Annual Minimum Charge
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- ¾ \$180 for 25,000 gallons
- 1 \$229 for 35,000 gallons
- 1½ \$411 for 70,000 gallons
- 2 \$595 for 105,000 gallons
- 3 \$778 for 140,000 gallons
- 4 \$960 for 175,000 gallons

- 2. The rate for excess use shall be \$1.55 per 1,000 gallons or any part thereof over the minimum.
- 3. Where water shall be drawn for other purposes on a temporary basis the same shall be by permit only, which shall be obtained from the Water Superintendent, who shall fix the charge for the same at a rate of not less than \$10 per day, plus \$1.55 per each 1,000 gallons used.
- 4. All water services shall be metered. In the event that any meter is found to be defective, inaccurate or inoperable, the Borough will then charge the for water usage based 110% of the usage during the previously metered period. An additional 5% shall be added to the charges for each additional meter reading period that the meter remains defective, inaccurate or inoperable.

C. Schedule C: Combined Residential and Commercial Uses.

In the event that any unit has a combined or mixed residential and commercial or business use, then the rate applied to said unit shall be the greater of the residential or commercial rates and charges which would otherwise be applicable to said unit.

SECTION 2. Section 153-29 of Article II of Chapter 153 of the Borough Code of the Borough of Barnegat Light, entitled "Sewer rates and charges," is hereby amended and supplemented to provide as follows:

Chapter 153  
SEWERS AND WATER

Article II  
Sewer Use

§153-29. Sewer rates and charges.

- A. All residential, commercial, industrial, institutional and governmental users shall be charged at a uniform rate per dwelling unit. In the case of commercial, industrial or multifamily residential units, the charge shall be based upon equivalent dwelling units.
- B. The following table shall constitute the basis for sewer charges:

Schedule of Equivalent Dwelling Units

Type	Number of Equivalent Dwelling Units
Single-family dwelling	1
Multifamily	
First family	1
Each additional family	1
Swimming pool drainage	1

Sewer rates.

- (1) The sewer uniform rate per residential dwelling unit (or equivalent unit) shall be \$365 per year.
- (2) The sewer uniform rate per business or commercial unit (or equivalent unit) shall be \$365 per year.
  - (a) The rate for commercial or business users where metered water consumption exceeds 50,000 gallons per year shall be determined on the basis of one commercial or business unit for the first 50,000 gallons of metered consumption plus \$3.20 per 1,000 gallons of water usage over 50,000 gallons.
  - (b) Where water is not returned to the Borough's sanitary sewer system, the commercial or business user of 200,000 gallons of water per year or more may, at user's own expense, and under the direction of the Borough, install a separate meter to determine that amount which may be deducted from the total amount of metered use. In addition, the user, and not the Borough, shall be responsible for all costs and expenses involved in maintaining the operation of the meter.
- (3) When a professional office or business is located in a residential dwelling as a mixed use in which a family resides, the user shall pay the commercial or business user rate.
- (4) When separate multiple uses or enterprises exists within a single system user or on a single property, separate unit user charges shall be applied to each applicable type or use contained therein, set forth in this schedule.
- (5) In addition to the above service charges, there shall be an annual charge of \$100 for each account serviced by a garbage disposal unit.

D. Sewer charges shall be billed annually, payable in two (2) equal one-half (1/2) installments for March 1 and September 1 each year. All sewer statements shall be due and payable no later than March 1 and September 1, respectively, of each year. Any March 1 statements not paid by March 10, and any September 1 statements not paid by September 10, shall be considered delinquent and subject to interest. Where meters are applicable, excess sewer in the period shall be added to and become due and payable in the succeeding statement.

E. In regard to new structures, the sewer statements shall reflect that portion of the billing period from the date of the issuance of a certificate of occupancy for the subject structure.

SECTION 3. All ordinances of parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

#### NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of Barnegat Light, in the County of Ocean, State of New Jersey, on February 22, 2022, and will be considered for final passage at a regular meeting of said governing body to be held at the Municipal Building, 10 East 7th Street, Barnegat Light, New Jersey, on March 9, 2022, at 5:00 p.m., at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

BRENDA L. KUHN, Municipal Clerk