

## ORDINANCE 2022-13

### **AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE BOROUGH WATER/SEWER ORDINANCE TO PROVIDE FOR REVISED WATER & SEWER RATES, FEES AND CHARGES.**

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, fees and charges.

The following rates, fees and charges shall be made and collected for the services and facilities of the comprehensive water system, commencing the service year of 2023:

- A. As of January 1, 2023, all commercial and residential establishments shall be metered and the owner must bear the cost of meter, installation, and any and all repairs and maintenance of such meter or meters.
- B. Commercial properties.

The following water rates shall apply to commercial properties/users:

1. Commercial property/user flat fee = \$350 per year (\$87.50 per quarter)  
For each additional commercial unit, whether contained in a multi-unit structure or mixed-use project, there shall be an additional residential user flat fee of \$350 per year (\$87.50 per quarter).
2. Commercial property/user gallonage use fee: In addition to the flat fee noted above, commercial properties/users shall be charged for gallonage use at the rate of \$0.00268 per gallon of water used in excess of 14,000 gallons.

C. Residential properties.

The following water rates shall apply to residential properties/users:

1. Residential property/user flat fee = \$300 per year (\$75 per quarter)  
For each additional dwelling unit, whether contained in a duplex, apartment, condominium or other multifamily structure or mixed-use project, there shall be an additional residential user flat fee of \$300 per year (\$75 per quarter).
2. Residential property/user gallonage use fee: In addition to the flat fee noted above, each residential dwelling unit user shall be charged for gallonage use at the following rates, calculated quarterly:

0 - 14,000	@ \$0.00100/gallon
14,001 - 25,000	@ \$0.00180/gallon
25,001 - 50,000	@ \$0.00268/gallon
50,001 - 150,000	@ \$0.00550/gallon
150,001 – 300,000	@ \$0.00810/gallon
Over 300,000	@ \$0.00950/gallon

3. Notwithstanding any provision to the contrary, effective January 1, 2023 all new residential construction, and major renovations to any structure, including residential dwelling units, shall install remote-read water service connection meters and meter pits, in accordance with the specifications adopted by the Borough Superintendent. No Certificate of Occupancy for any such new construction or renovation shall be issued until a certification of the installation of the appropriate water meter is provided by the Borough Superintendent to the Construction Code Official. For the purpose of this subsection, major renovation shall mean any repair, reconstruction, rehabilitation addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the assessed value of the structure either before the improvement is started or if the structure has been damaged and is being restored before the damage occurred. Substantial improvement is commenced when the first alteration of any structural part of the building is begun.
4. All water service connection meters and equipment shall be obtained from a vendor with specifications provided by the water/sewer department.
5. Water connection activation/reinspection fee: \$50 (per occurrence)
6. Turn Off Fee: \$175 (for the first hour or part thereof), plus \$200 per hour for each hour or part thereof after the first hour

D. Water service charges for all commercial and residential properties shall be billed and payable quarterly. Payment shall be due on the 15<sup>th</sup> of the month following the quarter. All quarters shall have a 10-day grace period before interest charges begin to accrue. Interest charged on late payments shall be calculated from the due date. In the event of unforeseen circumstances, the Mayor and Borough Council may adjust the due dates and grace periods as determined by Resolution of the governing body.

- 1<sup>ST</sup> quarter (January-March) shall be due on April 15<sup>th</sup>
- 2<sup>nd</sup> quarter (April-June) shall be due on July 15<sup>th</sup>
- 3<sup>rd</sup> quarter (July -September) shall be due on October 15<sup>th</sup>
- 4<sup>th</sup> quarter (October-December) shall be due on January 15<sup>th</sup>

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, fees and charges.

The following rates, fees and charges shall be made and collected for the services and facilities of the comprehensive sewerage system commencing the 2023 service year:

A. Residential properties.

The following sewer rates shall apply to residential properties/users:

1. Flat fee for each single dwelling unit, whether contained in single-family residence, duplex, apartment, condominium or other multi-family structure or mixed-use project: \$475 annually (118.75 per quarter)
2. For each additional dwelling unit, whether contained in a duplex, apartment, condominium or other multi-family structure or mixed-use project: \$475 annually (118.75 per quarter)
3. In addition to all the above pertaining to a multifamily structure and project, all metered use attributable to the multifamily structure or project, without regard to form of ownership, and not attributable separately to each dwelling unit, shall be charged to the owner, occupant or association as the case may be, according to the commercial establishment schedule set forth below.

B. Sewer service charges for all commercial and residential properties shall be billed and payable quarterly, Payment shall be due on the 15<sup>th</sup> of the month following the quarter. All quarters shall have a 10-day grace period before interest charges begin to accrue. Interest charged on late payments shall be calculated from the due date. In the event of unforeseen circumstances, the Mayor and Borough Council may adjust the due dates and grace periods as determined by Resolution of the governing body.

- 1<sup>ST</sup> quarter (January-March) shall be due on April 15<sup>th</sup>
- 2<sup>nd</sup> quarter (April-June) shall be due on July 15<sup>th</sup>

3<sup>rd</sup> quarter (July -September) shall be due on October 15th  
4<sup>th</sup> quarter (October-December) shall be due on January 15th

### C. Commercial Sewer

The following rates shall apply to commercial properties/users sewer charges:

1. Commercial property/user flat fee = \$475 annually (118.75 per quarter)
2. Commercial property/user gallonage use fee: In addition to the flat fee noted above, commercial properties/users shall be charged for gallonage use at the rate of \$0.00268 per gallon for each gallon in excess of 14,000 per quarter
3. When a property requires a disconnect from the sewer system, the owner and plumber shall be responsible for disconnecting the sewer and capping the sewer lateral. The water and sewer department will require 48 hours notice prior to installation/disconnection in order to schedule an inspection. An inspection fee of \$50 will be required for each sewer service lateral.
4. Inspection of disconnected sewer and cap: \$50
5. Turn Off Fee: \$175 (for the first hour or part thereof), plus \$200 per hour for each hour or part thereof after the first hour

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 October 12, 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 November 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