

PLEASE TAKE NOTICE the following ordinance was introduced and passed on first reading at the November 27, 2017 meeting of the Mayor and Borough Council and will be considered for second reading and final passage during the meeting scheduled to begin at 8:00 p.m. on December 11, 2017 in the Municipal Building, located at 555 Brighton Avenue, Spring Lake Heights, at which time and place any person desiring to comment on this ordinance will be given the opportunity to be heard.

A copy of the ordinance is available in the clerk's office.

Janine Gillis, Borough Clerk

ORDINANCE NO. 2017-11

AN ORDINANCE OF THE BOROUGH OF SPRING LAKE HEIGHTS AMENDING CHAPTER XV WATER SECTION 15-1.14 RATES OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE HEIGHTS, NEW JERSEY

15-1.14 Rates.

- a. The minimum charge for yearly service, in addition to the amount charged for yearly usage, to each customer shall be:
 1. Residential (Single Family Unit) - Two hundred eighty (\$280.00) dollars per unit of service use. Residences having a second service use shall be charged for a second unit of use. If, however, the second use shall have been vacated and not used for a period of at least two (2) full years then the second service charge may be eliminated and a special service charge of twenty-five (\$25.00) dollars per year imposed in its place which shall not be prorated. The owner thereof shall make application in writing prior to June 1st of any billing year for elimination of the above second billed unit and acceptance of the special water service charge. A required Certificate of Occupancy shall determine the right of the Borough for a second service use charge.
 2. Apartments (Multifamily Unit) - Two hundred eighty (\$280.00) dollars per apartment unit.
 3. Motel Rooms - Two hundred (\$200.00) dollars per motel unit.
 4. Convalescent Rooms - Two hundred (\$200.00) dollars per unit. Each additional sleeping room shall be classed as a unit.
 5. Rooming Houses - Two hundred (\$200.00) dollars per rooming unit. Each individual sleeping room shall be classified as a rooming unit.
 6. Commercial Units - Five hundred (\$500.00) dollars per unit.
- b. The foregoing "service rate" is due and payable in advance of four (4) quarterly installments on August 1, November 1, February 1 and May 1. The hereinafter "water used" rate shall be determined from the previous quarter's meter reading to show excess used for the previous quarter, and shall be billed each quarter. In the event that a payment date falls on a Saturday, Sunday, or holiday, the payment date shall then be the first business day thereafter.
 1. Any combination of uses within a structure for residential and/or commercial or other uses shall pay the combined rates for all such uses.
 2. Customers connecting into the water system, shall at the time of connection, pay the applicable charges for the quarterly installment most previously billed by the Borough.
- c.
 1. For the first ~~nine thousand (9,000)~~ eleven thousand (11,000) gallons of water each quarter the charge shall be included in the basic charge for service as set forth in subsection 15-1.14a above.

2. For each one thousand (1,000) gallons or fraction thereof in excess of ~~nine thousand (9,000)~~ Eleven thousand (11,000) and up to twenty-five thousand (25,000) gallons (water used), there shall be the additional charge of ~~five dollars and sixty (\$5.60) cents~~ Four dollars and fifty (\$4.50) cents per one thousand (1,000) gallons or fraction thereof in excess of this amount.
 3. For usage which exceeds twenty-five thousand (25,000) gallons, the excess shall be billed at the rate of ~~seven dollars fifty (\$7.50) cents~~ six dollars fifty (\$6.50) cents per one thousand (1,000) gallons or fraction thereof in excess of this amount.
 4. To all bills paid more than thirty (30) days after the same shall become due, interest shall be charged at the rate established on January 1 by resolution of Mayor and Council.
 5. The Borough shall have the right through inspection to determine the proper billing usage unit classification and to determine the true number of billing units on which to base the yearly charge.
 6. Rate effective with next billing cycle after adoption.
- d. *Senior Citizen and Disabled Reduction.* Any person owning a single family unit and residing in the Borough of the age of sixty-five (65) or more years, or less than sixty-five (65) years of age and permanently and totally disabled according to the provisions of the Federal Social Security Act, 42 U.S.C. s.301 et seq., or disabled under any Federal law administered by the United States Department of Veterans Affairs if the disability is rated as sixty (60%) percent or higher, and the person either is annually eligible to receive assistance under the "Pharmaceutical Assistance to the Aged and Disabled" (PAAD) program, P.L. 1975, c.194 (C.30:40D-20 et seq.) or has a total income not in excess of ten thousand (\$10,000.00) dollars per year exclusive of benefits under any one of the following:
1. The Federal Social Security Act, 42 U.S.C. s.301 et seq. and all amendments and supplements thereto;
 2. Any other program of the Federal government or pursuant to any other Federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under paragraph d,1 of this subsection including, but not limited to, the Federal "Railroad Retirement Act of 1974," 45 U.S.C. s.231 et seq., and Federal pension, disability and retirement programs; or
 3. Pension, disability or retirement programs of any state or its political subdivisions, or agencies thereof, for persons not covered under paragraph d,1. of this subsection except that, the total amount of benefits to be allowed exclusion by any owner under paragraphs d,2 or d,3 of this subsection shall not be in excess of the maximum amount of benefits payable to, and allowable for exclusion by, an owner in similar circumstances under paragraph d, 1 of this subsection shall be entitled to a reduction in their annual water service charge in the sum of twenty-five (\$25.00) dollars. Such reduction shall be limited to one (1) reduction per single family unit and one (1) reduction per qualifying person. To obtain the benefit of the reduction, a person must have made an initial application by January 30, 2012 to the Collector on a form which certifies that the person meets the qualifying criteria. Thereafter, those who have previously qualified shall file an annual application for a continuation of the reduction no later than January 30th of the year for which the reduction is sought to the Collector on a form which certifies that the person meets the qualifying criteria. However, no new initial applications shall be accepted after January 30, 2012.

SECTION 3

All other ordinances, not specifically amended by this ordinance shall remain in full force and effect,

SECTION 4

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5

This Ordinance shall take effect immediately upon final passage and publication according to law.

Please note: deletions are indicated by ~~strikeout~~ and additions by underline.