

PLEASE TAKE NOTICE the following ordinance was introduced and passed on first reading at the November 18, 2024 meeting of the Mayor and Borough Council and will be considered for second reading and final passage during the meeting scheduled to begin at 7:00 p.m. on December 16, 2024 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. 2024-24

BOROUGH OF SPRING LAKE HEIGHTS

COUNTY OF MONMOUTH

AN ORDINANCE AMENDING CHAPTER 14, SECTION 14-1.5 RATES OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE HEIGHTS

BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Spring Lake Heights in the County of Monmouth, State of New Jersey, that the Borough's Land Development Ordinance at Chapter 15, Section 1.14 Rates is hereby amended as follows:

NOTE: Sections of Chapter 145, Section 1.5 Rates & Section 1.14 Miscellaneous Charges that are to be amended are set forth below. All additions are shown in **bold italics with underlines**. All deletions are shown in ~~**bold italics with strikeouts**~~. All sections that are unchanged remain in regular typeface.

Chapter 14, Section 1.5 Rates shall be amended as follows:

Chapter 14 SEWERS-

§ 14-1.5 Sewer Rates.

[Ord. #2-1966, § 91-5; Ord. #3-1966; Ord. #4-1966; Ord. #14-1971; Ord. #5-1978; Ord. #2-1983, § 1; Ord. #3-1986, § 1; Ord. #3-1988, § 1; Ord. #11-1990, § 1; Ord. #22-1990, § 1; Ord. #6-1992; Ord. #3-2003, §§ 1, 2; Ord. #16-2007, § 1; Ord. #02-2012]

a. Annual Charges.

1.

The following sewer rates are hereby established as the annual charges for the use of sanitary sewers:

(a)

Sewer rates for residential units.

(1)

Single family unit: ~~\$280~~ **\$320** per year, which shall provide the unit with a base amount of ~~9,000~~ **6,000** gallons per quarter. Any excess above the base amount per quarter and up to ~~25,000~~ **15,000** gallons per quarter (also known as the "second tier" amount) shall be billed at the rate of ~~\$1.90~~ **\$2.50** per 1,000 gallons or fraction thereof in excess of the base amount. For usage which exceeds ~~25,000~~ **15,000** gallons per quarter, the excess shall be billed at the rate of ~~\$2.50~~ **\$2.80** per 1,000 gallons or fraction thereof in excess of the "second tier" amount.

Residences having a second service use shall be charged for a second unit of use. If, however, the second service use shall have been vacated and not used for a period of at least two full years then the second service charge may be eliminated and a special service charge of \$25 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 sewer service charge. A required Certificate of Occupancy shall determine the right of the Borough for a second service use charge.

(2)

Multifamily unit, per unit: ~~\$280~~ **\$320** per year, which shall provide the unit with a base amount of ~~9,000~~ **6,000** gallons per quarter. Any excess above the base amount per quarter and up to ~~25,000~~ **15,000** gallons per quarter (also known as the "second tier" amount) shall be billed at the rate of ~~\$1.90~~ **\$2.50** per 1,000 gallons or fraction thereof in excess of the base amount. For usage which exceeds ~~25,000~~ **15,000** gallons per quarter, the excess shall be billed at the rate of ~~\$2.50~~ **\$2.80** per 1,000 gallons or fraction thereof in excess of the "second tier" amount.

(3)

Motels: ~~\$150~~ **\$200** per year per unit, which shall provide the unit with a base amount of ~~9,000~~ **6,000** gallons per quarter. Any excess above the base amount per quarter and up to ~~25,000~~ **15,000** gallons per quarter (also known as the "second tier" amount) shall be billed at the rate of ~~\$1.90~~ **\$2.50** per 1,000 gallons or fraction thereof in excess of the base amount. For usage which exceeds ~~25,000~~ **15,000** gallons per quarter, motel units shall be billed at the rate of ~~\$2.50~~ **\$2.80** per 1,000 gallons or fraction thereof in excess of the "second tier" amount.

(4)

Convalescent rooms: ~~\$110~~ **\$150** per year per unit, which shall provide the unit with a base amount of ~~9,000~~ **6,000** gallons per quarter. Any excess above the base amount per quarter and up to ~~25,000~~ **15,000** gallons per quarter (also known as the "second tier" amount) shall be billed at the rate of ~~\$1.90~~ **\$2.50** per 1,000 gallons or fraction thereof in excess of the base amount. For usage which exceeds ~~25,000~~ **15,000** gallons per quarter, convalescent room units shall be billed at the rate of ~~\$2.50~~ **\$2.80** per 1,000 gallons or fraction thereof in excess of the "second tier" amount.

(5)

Rooming house: ~~\$110~~ \$150 per year per unit, which shall provide the unit with a base amount of ~~9,000~~ 6,000 gallons per quarter. Any excess above the base amount per quarter and up to ~~25,000~~ 15,000 gallons per quarter (also known as the "second tier" amount) shall be billed at the rate of ~~\$1.90~~ \$2.50 per 1,000 gallons or fraction thereof in excess of the base amount. For usage which exceeds ~~25,000~~ 15,000 gallons per quarter, rooming house units shall be billed at the rate of ~~\$2.50~~ \$2.80 per 1,000 gallons or fraction thereof in excess of the "second tier" amount.

(6)

Senior Citizen and Disabled Reduction: Any person owning a single family unit and residing in the Borough of the age of 65 or more years, or less than 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 60% 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.30:4D-20 et seq.) or has a total income not in excess of \$10,000 per year exclusive of benefits under any one of the following:

(i)

The Federal Social Security Act, 42 U.S.C. s.301 et seq. and all amendments and supplements thereto;

(ii)

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 a,1(a)(6)(i) 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

(iii)

Pension, disability or retirement programs of any state or its political subdivisions, or agencies thereof, for persons not covered under paragraph a,1(a)(6)(i) of this subsection except that, the total amount of benefits to be allowed exclusion by any owner under paragraph a,1(a)(6)(ii) or (iii) 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 a,1(a)(6)(i) of this subsection, shall be entitled to a reduction in their annual sewer charge in the sum of \$25. Such reduction shall be limited to one reduction per single family unit and one 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.

(b)

Sewer rate for commercial units, per unit: ~~\$475~~ \$600 per year per unit, which shall provide the unit with a base amount of ~~9,000~~ 6,000 gallons per quarter. Any excess above the base amount per quarter and up to ~~25,000~~ 15,000 gallons per quarter (also known as the "second tier" amount) shall be billed at the rate of ~~\$2.80~~ \$3.75 per 1,000 gallons or fraction thereof in excess of the base amount. For usage which exceeds ~~25,000~~ 15,000 gallons per quarter, commercial units shall be billed at the rate of ~~\$3.70~~ \$4.20 per 1,000 gallons or fraction thereof in excess of the "second tier" amount.

(c)

Sewer rates for combination units.

(1)

Any combination of use of a structure for residential and commercial purposes shall pay the combined minimum residential and commercial rate.

b.

Any use not covered by the foregoing classifications will be subject to rates to be determined by the Borough Council after due and proper investigation of the sewer requirements.

c.

In accordance with law, authorized officers, agents or employees of the Borough may enter into all premises in the Borough in order to determine the use made or to be made of the sewer system by the owners, tenants or occupants of the premises.

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.

d.

The foregoing sewer rate is due and payable in advance of four quarterly installments on August 1, November 1, February 1 and May 1. The hereinafter sewer rate shall be determined from the previous quarter's water 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 sewer system, shall at the time of connection, pay the applicable charges for the quarterly installment most previously billed by the Borough.