

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. 2024-25

BOROUGH OF SPRING LAKE HEIGHTS

COUNTY OF MONMOUTH

AN ORDINANCE AMENDING CHAPTER 15, SECTION 15-1.14 RATES & Section 15-1.15 MICELLANEOUS CHARGES 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 15, Section 1.14 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 15, Section 1.14 Rates shall be amended as follows:

Chapter 15 WATER-

15-1.14 Rates.

[Ord. #2-1966, § 117-14; Ord. #2-1969; Ord. #15-1971; Ord. #6-1972; Ord. #4-1978; Ord. #3-1982, § 2; Ord. #4-1985, § 1; Ord. #9-1986, § 1; Ord. #2-1988, § 1; Ord. #11-1990, § 1; Ord. #21-1990, § 1; Ord. #6-1992; Ord. #6-1993, § 1; Ord. #7-1995, §§ 2, 3; Ord. No. 4-2003, §§ 1, 2; Ord. #16-2007, § 2; Ord. #02-2012; Ord. No. 2017-11]

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) - ~~\$280~~ **\$320** 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 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 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): ~~\$280~~ \$320 per apartment unit.

3.

Motel Rooms: \$200 per motel unit.

4.

Convalescent Rooms: \$200 per unit. Each additional sleeping room shall be classed as a unit.

5.

Rooming Houses: \$200 per rooming unit. Each individual sleeping room shall be classified as a rooming unit.

6.

Commercial Units: ~~\$500~~ \$600 per unit.

b.

The foregoing "service rate" is due and payable in advance of four 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 ~~9,000~~ 6,000 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.

[Amended 12-21-2020 by Ord. No. 2020-05]

2.

For each 1,000 gallons or fraction thereof in excess of ~~9,000~~ 6,000 gallons and up to ~~25,000~~ 15,000 gallons (water used), there shall be the additional charge of ~~\$5.60~~ \$7.50 per 1,000 gallons or fraction thereof in excess of this amount.

[Amended 12-21-2020 by Ord. No. 2020-05]

3.

For usage which exceeds ~~25,000~~ 15,000 gallons, the excess shall be billed at the rate of ~~\$7.50~~ \$8.50 per 1,000 gallons or fraction thereof in excess of this amount.

[Amended 12-21-2020 by Ord. No. 2020-05]

4.

To all bills paid more than 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.

[Amended 12-21-2020 by Ord. No. 2020-05]

d.

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.30:40D-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:

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 \$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.

Chapter 15, Section 1.15 Miscellaneous Charges shall be amended as follows:

§ 15-1.15 Miscellaneous Charges.

[Ord. #2-1966, § 117-15; Ord. #2-1969; Ord. #15-1971; Ord. #4-1978; Ord. #9-1986, § 2; New; Ord. #2-1988, § 2; Ord. #10-1990, § 2; Ord. #6-1992; Ord. #2-1995, § 1; Ord. #5-2007, § 1; Ord. #16-2007, § 2; Ord. No. 27-2010; Ord. No. 02-2012]

a.

~~***The charge for installing a complete water service shall be the sum of \$1,000, which shall include a three-fourths-inch tap in the main, running service to the curb and installing a curb stop with a meter, yoke and three-fourths-inch-by-five-eighths-inch water meter.***~~

The charge for providing and installing a new customer meter shall be the sum of \$400, which includes a three-fourths inch meter assembly comprised of the water meter, customer will be responsible to provide meter spread.

b.

For a one-inch meter, the charge shall be the sum of \$450.

~~***For a one-inch tap, the charge shall be the sum of \$1,100.***~~

c.

For a one and one-half-inch meter, the charge shall be the sum of \$750

~~***For a two-inch tap, the charge shall be the sum of \$1,700.***~~

d.

For a two-inch meter, the charge shall be the sum of \$2000.

~~***For a three-inch tap, the charge shall be the sum of \$2,300.***~~

e.

For a three-inch meter, the charge shall be the sum of \$4000.

For a four-inch tap, the charge shall be the sum of \$2,900.

f.

For any larger meters, the price thereof shall be fixed at the time of application

For any larger taps, the price thereof shall be fixed at the time of application.

g.

The cost to furnish and install the MTU and associated wiring shall be \$500 for all new meters.

For any tap where the scope of the work requires the services of an outside heavy equipment contractor to excavate for the service tap, the applicant shall pay any incurred charges over and above the code charge for that size of tap and the actual amount of the bill incurred plus an amount sufficient to cover the cost of the meter and administrative charges.

1.

Any fees imposed by any other agency in connection with the installation of a water service, such as for State highway opening permits, shall also be paid by the applicant for service.

h.

For any meter installation where the scope of the work is in excess of the scope stated above, the applicant shall pay any incurred charges over and above the code charge for that size of meter and the actual amount of the bill incurred plus an amount sufficient to cover the cost of the meter and administrative charges.

At the time of application with respect to a meter to be installed, the amount due shall be paid for in advance, together with the current quarterly billing of the amount of the water bill as estimated by the Water Department. Application for a water meter shall only be made once the service has been installed and the appropriate connections have been provided for the meter.

At the time of application with respect to a tap to be made, the amount due shall be paid for in advance, together with the current quarterly billing of the amount of the water bill as estimated by the Water Department.

i.

When service is discontinued due to lack of occupancy, nonpayment of bills or violation of the Borough's rules, charges will be made as follows:

1.

For turning off or turning on the water at the curb, \$100.

2.

When water is turned off at the main, involving excavation in a public street: in a graveled street, \$500; in a paved street, the full cost thereof.

3.

For temporarily or seasonally discontinuing water service (turn off), ~~\$10~~ \$25.

4.

For temporarily or seasonally starting up water service (turn on), ~~\$10~~ \$25.

j.

Changing and Testing Meters.

1.

The charge for changing meters, when a meter is removed for repairs for which the customer is responsible, will be at the price according to section 15-1.15 based on the size of water meter. It should be noted that customers are responsible for maintaining conditions that provide a suitable environment for meters. When at no fault of customer, Borough will incur cost of meter.

~~**The charge for changing meters, when a meter is removed for repairs for which the customer is responsible, will be \$100 for meters up to one inch in diameter plus \$50 per inch for meters over one inch.**~~

2.

The Water Department will, at the request of any consumer, test the meter by having it sent to a certified meter inspection company upon the payment of ~~\$50~~ \$100, payable in advance. If the meter is found to be fast, bills rendered will be adjusted with the understanding that, when the test is made, the meter or meters will record within 2% of absolute correctness upon ordinary-size flows or openings. In no case shall there be an adjustment of less than the minimum of the annual service charge. If the meter is found to be correct the consumer or owner shall be responsible for all cost of the inspection in addition to the ~~\$50~~ \$100 paid in advance. If the meter is found to be defective, the consumer or owner shall be refunded the test fee.

k.

When the water has been turned off for nonpayment of charges or for violation of any of the provisions of this section, it shall not be turned on again without the direction of the Water Department and until all expenses attending to the turning off and turning on of the water, together with the charges accrued, shall have been paid. If it is found that the water has been turned on again without compliance with this section, the Superintendent of the Water Department may cause the service connection to be removed, and it shall not be restored until the provisions of this section have been fully complied with and until all back charges and expenses have been paid and directions issued for the turning on of water.

l.

Where a meter is set at the request of a customer, the customer shall pay for such setting the amount determined by the Water Department.

m.

Filling of Swimming Pools.

1.

Application may be made to the Water Department to arrange for the filling of swimming pools and other such uses. A fee of \$50 will be charged upon application. Such filling and usage of water shall be under the strict supervision of the Superintendent of the Water Department and shall be done at his discretion.

2.

There shall be a fixed charge of \$50 for each fifty-foot length of filling hose required from the hydrant to the swimming pool site.

3.

Water usage to fill such pools, etc., shall be charged at the average rate of ~~\$5.60~~ \$7.50 for each 1,000 gallons used.

n.

In any case where the Water Department is caused to respond to premises for the making of repairs that are caused by the actions or inaction of the owner and/or occupant of the premises and the making of said repairs are required to be made during hours other than the Water Department's regular business hours, the owner of said property shall be obligated to reimburse the Borough for a minimum of two hours work at the rate of \$150 per hour and shall additionally reimburse the Borough the sum of \$150 for each hour thereafter. The decision as to who is responsible for the repairs that are required to be made shall rest with the manager and/or superintendent from the Water Department on site.