

ORDINANCE NO. 16-2011

**AN ORDINANCE TO MODIFY CHAPTER 51-12
OF THE CODE OF THE BOROUGH OF HOPATCONG
REGARDING WATER RATE AND FEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Hopatcong, Sussex County, New Jersey as follows:

Section 1.

Subsection 51-12 of the Code of the Borough of Hopatcong is hereby deleted and replaced in its entirety as follows:

§ 51-12. Rates and fees.

A. There is hereby established the following schedule of rates and fees for water use and water-related services for users of the Borough water supply system:

(1) Water rates.

(a) For the first 10,000 gallons, quarterly, as measured by water meter, the fee shall be \$72. In the event that any multi-unit residential building shall contain individual living units, which are not separately metered, each separate residential unit shall be charged at the rate of \$72 per quarter. Water used in excess of 10,000 gallons per quarter multiplied by the number of residential units in the structure or structures serviced by a single water meter shall be billed in accordance with Subsection A(1)(b).

(b) For each 1,000 gallons in excess of the first 10,000 gallons, per quarter, the fee shall be \$3.00 per 1,000 gallons or part thereof.

(c) For all unmetered users connected to the above-ground portion of the water system, the fee shall be \$150 per annum.

(d) For all unmetered users resulting from broken meters, the fee shall be \$72 per quarter.

(e) For users failing to provide meter access or their return of a meter card for three consecutive quarters, the fee shall be \$100 per quarter, to be charged in the fourth quarter following three consecutive estimates. The aforesaid method of billing shall continue until such time as meter access is provided to establish an actual meter reading. In the event of an underestimation of usage by the Borough of Hopatcong, the user shall be responsible to pay the full fee for actual usage through the time of meter reading, irrespective of the period of time in which the Borough has been charging the estimated fee of \$100. However, in the event of an overpayment by the user, the Borough shall only be responsible to refund any overpayment prorated to January 1 in the calendar year in which the actual meter reading occurs.

(f) For users failing to provide access to their home or business to install a new meter or replace a broken meter after three consecutive notices, the fee shall be \$130 per quarter, to be charged at the start of the next quarter following the third and final notice. The aforesaid method of billing will continue until installation of the meter and continue until start of the next quarter.

(g) All of the above water use charges will be billed on a quarterly basis.

(2) Water-related service fees.

(a) For water for building construction, the fee shall be a minimum flat rate charge of \$100.

(b) For service connection to an existing water main, the fee shall be \$2,550, plus \$55 per foot for the installation of service line from the Borough main to the property line. Said sum shall be due and payable as follows:

[1] Five hundred fifty dollars, plus the cost of installation of the service line at installation.

[2] The balance due shall be payable in eight equal consecutive quarterly billings, plus interest, commencing with the first quarterly billing.

[3] Any amount not paid shall bear interest at the rate established for delinquent taxes and water bills by the Borough of Hopatcong.

(c) For repair of pipes or appurtenances by the Borough, the fee shall be the cost of materials and labor, plus 33 1/3% per employee required to perform the service.

(d) For all user-requested testing of water meters for accuracy, the fee shall be \$75 per test.

(e) For turnoff charge, the fee shall be \$30.

(f) For turn-on charge, the fee shall be \$30, plus any amount then due for water use or related service.

(g) For services of the Borough Water Inspector, the fee shall be the cost of labor and materials, plus 33 1/3%.

(h) For extension of a new water main by a developer under an agreement with the Borough, the fee shall be paid by the developer for each service connection from the extended main.

(i) Extensions.

[1] Should the Borough of Hopatcong undertake the extension of a water main, there shall be a minimum charge of \$3,000 for each new customer along that main. The charge of \$3,000 may be paid as follows:

[a] Five hundred dollars of down payment payable within 30 days of completion of the main installation.

[b] The balance due shall be payable in 12 equal consecutive quarterly billings, plus interest, commencing with the first quarterly billing.

[2] Payment in full may be made at any time prior to the last quarterly payment. In the event that the property is transferred prior to final payment, the balance, and all accrued interest, shall become due upon transfer. The charge of \$3,000 shall remain in effect for all new customers along an installed section of main for a period of 10 years commencing with the date that water service became available. At the close of the ten-year period, the fee shall revert back to the water connection service fee in effect at that date. The \$3,000 shall not apply to any main extension funded entirely by a new user at the time of installation.

(j) Mark-outs of Borough-owned waterlines and curb boxes shall be provided by the Water Department at no charge to the customer. The Borough will not locate private service lines or any other waterlines on private property.

(k) The replacement of a curb box necessitated by damage caused solely by the customer shall be charged at a rate of \$150, plus the cost of materials. It shall be the responsibility of the Borough of Hopatcong to determine the cause of curb box damage.

(l) For an account status search and issuance of a written statement as to the current status of the account (outside of normal billing cycle), the fee shall be \$10.

(m) For an account status search and issuance of a verbal statement as to the current status of the account (outside of normal billing cycle), there shall be no fee.

(n) For a final or special meter reading and issuance of an invoice (site visit necessary to read meter), the fee shall be \$20.

(o) For a final reading and issuance of a final invoice (no site visit necessary), the fee shall be \$10.

(p) Replacement of customer-damaged meters.

[1] The replacement of a water meter for damage caused solely by a customer, including frozen meters, shall be charged at the following rates:

Size

(inches)

Fee

5/8 x 3/4
\$125

1
\$200

1.5
\$400

2
\$1,300

[2] In addition to the above, the customer shall be responsible for the cost of all Borough labor (including applicable overtime expenses) and material costs, plus 33 1/3%.

B. Terms of payment for water rates. The water rates shown above in Subsection A(1) shall be paid within 30 days after the billing date. In the event that any bill is not paid within 30 days after the billing date, there shall be a late charge of \$10. In addition thereto, any unpaid balance not paid within 30 days of the billing date shall accrue interest at the rate of 8% from 30 days after the billing date until paid. Service is subject to discontinuance where a bill is not paid within 30 days after being rendered.

C. Terms of payment for water related service fees. All water related service fees established in Subsection A(2) above shall bear interest at the rate of 3% per annum which shall be payable with each quarterly installment payment. In the event that any payment is not made within 15 days of its due date, a late penalty of \$10 shall also be paid in addition to the quarterly payment, plus interest. In the event that any payment is not made within 30 days of its due date, said payment shall be considered delinquent and shall bear interest at the rate established for delinquent taxes and water bills by the Borough of Hopatcong. Service is subject to discontinuance where a bill is not paid within 30 days after being rendered.

Section 2. When Effective

This ordinance shall take effect July 1, 2011.

Introduced: June 1, 2011
Adopted: July 6, 2011

Sylvia Petillo, Mayor

Catherine Gleason, RMC

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Hopatcong held on June 1, 2011 commencing at 7:30 p.m., and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on July 6, 2011, commencing at 7:30 p.m. or as soon thereafter as the Borough Council may hear this Ordinance, at the Municipal Building, 111 River Styx Road, Hopatcong, New Jersey 07843, at which time all persons interested may appear for or against the passage of said Ordinance.

Catherine Gleason
Borough Clerk