

BOROUGH OF HOPATCONG

ORDINANCE #22 - 2016

**AN ORDINANCE OF THE BOROUGH OF HOPATCONG,
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY
AMENDING CHAPTER 51 OF THE BOROUGH CODE
ENTITLED "WATER DEPARTMENT"**

BE IT ORDAINED by the Borough of Hopatcong, in the County of Sussex, and State of New Jersey that Chapter 51 entitled "Water Department" of the Code of the Borough of Hopatcong is hereby amended as follows:

SECTION I. Chapter 51 entitled "Water Department" is hereby amended, supplemented, and revised by deleting §51-3(C) and (D) in their entirety and replacing same as follows:

§51-3. Supply and service.

- C. Service connection; fee. No connection with a supply line shall be made without a permit being issued and 24 hours' notice having been given to the Supervisor of the Department. Any such connection shall be made and all work shall be done at the expense of the applicant, who shall also furnish the materials necessary for such work. All connections shall be made under the supervision of the Supervisor, and no connection shall be covered until the work has been inspected by him. Applications for such connections must be made to the Supervisor of the Department and the fee set forth in §51-12.
- D. Supply line; tapping fee. All supply lines from the mains to the curb box served shall be installed by the Borough, and the installation shall be paid for by the applicant for the service or the owner of the property to be served. The installation shall be made under the supervision of the Supervisor of the Water Department.

SECTION II. Chapter 51 entitled "Water Department" is hereby amended, supplemented, and revised by deleting §51-4(A) in its entirety and replacing same as follows:

§51-4. Meters.

- A. Meters required. All premises using the Borough water supply must be equipped with an adequate water meter furnished by the Borough. Meters shall remain the property of the Borough, and all meters will be at all times under Borough control, provided further that no meters need to be installed for premises on that portion of the Borough's water system serviced by aboveground pipes.

SECTION III. Chapter 51 entitled "Water Department" is hereby amended, supplemented, and revised by deleting §51-5 in its entirety and replacing same as follows:

§51-5. Use of water supply by construction contractors.

During the construction of any building and before any water meter is installed as herein provided, the contractor so constructing the building may be permitted to use the Borough water supply by making application and paying the fee prescribed by §51-12.

SECTION IV. Chapter 51 entitled “Water Department” is hereby amended, supplemented, and revised by deleting §51-12 (A)(1)(c)-(g) and replacing same as follows:

§51-12. Rates and fees.

(A)(1) Water rates.

- (c) For users not metered due to broken meters, the fee shall be \$85 per quarter.
- (d) 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 \$150. 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. Access denied for more than two quarters is subject to disconnection of service.
- (e) 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 \$150 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.
- (f) All of the above water use charges will be billed on a quarterly basis.

SECTION V. Chapter 51 entitled “Water Department” is hereby amended, supplemented, and revised by deleting §51-12 (A)(2)(a), (b), (b)(3), (d) and (p)[1] in their entirety and replacing same as follows:

§51-12. Rates and fees.

(A)(2) Water-related service fees.

- (a) For water for building construction, the fee shall be a minimum flat rate charge of \$150 per month.
- (b) For service connection, the fee shall be \$4,591 per EDU (with EDUs computed with the same formula as set forth in §186-9) payable at Certificate of Occupancy or activation of service.

Service lines shall be installed at \$1,000 for the first 10 feet of piping installed, plus \$55 per foot for each additional foot of piping installed in order to extend service value to the property line. Said sum shall be due and payable as follows:

- (b)(3) Any fee not paid shall bear interest at the rate established for delinquent taxes and water bills by the Borough of Hopatcong.
- (d) For all user-requested testing of water meters for accuracy, the fee shall be \$150 per test.

- (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 by 3/4	\$150
1	\$250
1.5	\$850
2.0	\$1,500

SECTION VI. Chapter 51 entitled “Water Department” is hereby amended, supplemented, and revised by adding §51-12 (A)(2)(q) and (r) as follows:

§51-12. Rates and fees.

(A)(2) Water-related service fees.

- (q) Meters for multiple family and condominium properties shall be supplied by the property owner. Meters shall be new and furnished by a manufacturer acceptable to the Water Department.
- (r) Cancellation of appointments by less than two (2) hours’ notice will be subject to a \$50.00 fee.

SECTION VII. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION VIII. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

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 the 7th day of September, 2016, 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 Council of the Borough of Hopatcong to be held on the 21st day of September, 2016, at 7:30 p.m., or as soon thereafter as the Borough 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 Schultz
Borough Clerk

CERTIFICATION

I, Catherine Schultz, Clerk of the Borough of Hopatcong, do hereby certify that the Council of the Borough of Hopatcong duly adopted the foregoing Ordinance on the 21st day of September, 2016, at 7:30 p.m.

Catherine Schultz, Clerk
Borough of Hopatcong

Sylvia Petillo, Mayor

Introduced: September 7, 2016
Adopted: September 21, 2016