

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO.09-2020

**AN ORDINANCE AMENDING THE REVISED GENERAL
ORDINANCE CHAPTER 19: "WATER" OF THE BOROUGH
CODE TO ADJUST THE BOROUGH'S WATER USAGE RATES
AND ESTABLISH A WATER CONNECTION FEE.**

BE IT ORDAINED by the Mayor and Council of the Borough of Allentown, County of Monmouth, State of New Jersey, that Chapter 19 of the Revised General Ordinances of the Borough of Allentown, is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

19-1 FEES AND CHARGES.

19-1.1 Water Charges; Maintenance of Meters.

- ~~a. The following schedule of charges shall be effective with the first water billing due on and after July 1, 2019:
 - ~~1. All water used in the Borough of Allentown shall be billed at the rate of \$0.08228 per cubic foot per quarter or \$0.011 cents per gallon per quarter.~~
 - ~~2. A minimum flat rate fee will be billed at \$70.00 per quarter.~~~~
- ~~b. All water billing shall be measured in gallons and the following schedule of charges shall be effective with the first water billing due on and after January 1, 2020:
 - ~~1. All water used in the Borough of Allentown shall be billed at the rate of \$0.0125 cents per gallon per quarter.~~
 - ~~2. A minimum flat rate fee will be billed at \$75.00 per quarter.~~~~
- a. Effective with the first water billing due on and after January 1, 2021, a minimum flat-rate fee will be billed at \$75.00 per quarter, and all water used shall be billed at the rate of \$0.014 cents per gallon per quarter.
- eb. All water delivered in the Borough of Allentown shall be measured by Borough Water Department meters which shall, after installation, remain the property of the Borough. The owner of any premises where a meter is installed shall be held responsible for its care and protection from freezing, from hot water or from any other injury thereto. The owner of property shall notify the Water Department of any injury to or of the nonworking of a meter as soon as knowledge is had thereof. No bypass around a meter shall be permitted. All meters shall be sealed by an authorized official.

- dc. On and after May 1, 2019, the Borough's Annual Water Report shall be distributed electronically through the Borough's website and its distribution shall be advertised in accordance with law and on the next quarterly water billing for water service.

19-1.2 Payment Date; Late Charges.

Water bills shall be rendered on January 1, April 1, July 1 and October 1. An interest charge of eight (8%) percent per annum will be added if a bill is not paid within thirty (30) days, which interest charge shall be retroactive to the date in which the water bill is rendered. In the event the amount due on the water bill exceeds one thousand five hundred (\$1,500.00) dollars, then the interest charge shall be eighteen (18%) percent per annum. No discount will be allowed if paid in advance. The Chief Financial Officer shall have the authority to waive *de minimus* amounts due that are less than \$5.00 in value.

19-2 WATER SERVICE.

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19-2.6 Separate Meters Required for Each Unit.

- a. Each house, each building, each store and each apartment unit in a house or building on a property requiring or using water services shall be separately metered.
- b. In multiple-family dwellings or multiple-use dwellings that do not comply with paragraph a., above, where only one water meter is installed in such dwellings or buildings, the rates to be charged shall be the minimum rate multiplied by the number of families or tenants for which the dwelling or building may be used, whether occupied or not, and the charges in excess of minimum rates shall be as set forth herein; ~~however, in each category there shall be allowed a use of 2,000 cubic feet times the number of families or tenants for which the dwelling or building may be used, whether occupied or not.~~

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19-2.16 Connection Charges; Emergency and Other Repairs.

- a. Charges for tapping of the water main for service pipe to curb, including corporation and curb stops and street excavation, shall be paid by the owner making application therefor. Such connection shall be made under Borough supervision and in accordance with methods approved by the Water Department. In the event of an opening for the purpose of repair or replacement of connecting pipes between a dwelling or other structure, either within or without the Borough limits, the cost of such repair or replacement shall be borne by the owner of the property from the curb stop to the dwelling or other structure. The cost of repair or replacement from the water main to the curb stop shall be the responsibility of the Borough of Allentown, except if the repair or replacement is necessitated by action or inaction by a homeowner. However, any cost associated with the maintenance, repair or use of the shutoff valve, regardless of where located, shall be the sole responsibility of the homeowner. In this context, the words "repair" or "replacement" shall be synonymous with

"maintenance." The Borough reserves the right to determine the type, size and quality of the pipe to be employed, both from the water main to the curb stop and from the curb stop to the dwelling or other structure. In the event that the owner of the property fails to comply with the responsibility as stated herein for expenses incurred and the failure continues after written notice is received by the owner notifying the owner of responsibility for the costs, then the Superintendent of Public Works or the Licensed Water Plant Operator shall certify the cost to the Borough Council, which shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall become a lien upon the lands and be added to and become a part of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this section.

- b. ~~Fees~~The Borough's water connection fees for tapping and connection shall be \$3,650.00~~-as established by resolution of the Borough Council~~. In the event that such fees~~properly provided for by resolution shall not be~~ are not paid, such fees shall become a lien upon the property for which service is required and shall, after notice thereof by certified mail to the owner, carry interest at the rate of 8% until paid.
- c. "Emergency" is defined an unusual public exigency calling for exercise of the police power to alleviate common peril or need. Whenever a breach of a service line diminishes the water supply in the Borough standpipe to a level so low that danger of insufficient water to fight fires is present, the Mayor, the President of the Council, the Chairman of the Water and Sewer Committee of the Council, the Superintendent of Public Works or the Licensed Water Plant Operator may declare an emergency to exist, in which case the Borough shall repair the breach and take any action necessary to repair the same and shall bear the cost thereof.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

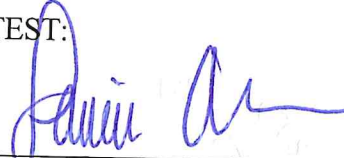
BE IT FURTHER ORDAINED by Mayor and Council that this ordinance shall be in full force and take effect after final passage and publication, as required by law.



THOMAS FRITTS, Mayor

DATED: November 10, 2020

ATTEST:

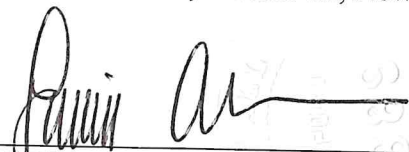


LAURIE A. ROTH, Borough Clerk

DATED: November 10, 2020

PUBLIC NOTICE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 27th day of October, 2020, at a meeting of the Mayor and Council of the Borough of Allentown and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Council of the Borough of Allentown to be held on the 10th day of November, 2020 at the Municipal Building, 8 N. Main Street, Allentown, New Jersey.



LAURIE A. ROTH, Borough Clerk