

ORDINANCE NO. 13-22 AN ORDINANCE AMENDING CHAPTERS 163 and 199 OF THE BOROUGH CODE, TITLED "SEWER CONNECTIONS" AND "WATER" BY REPEALING AND REPLACING §163-7 TITLED "DELINQUENT SEWER ACCOUNTS", BY REPEALING AND REPLACING §199-25 TITLED "WATER RATES, FEES AND CHARGES" AND BY ADDING A NEW §199-28 TO BE TITLED "DELINQUENT WATER UTILITY ACCOUNTS"

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Borough of Kinnelon ("Borough") desires to revise to its Municipal Code, specifically Part II General Legislation therein, by amending Chapter 163 titled "Sewer Connections" and Chapter 199 titled "Water" by repealing and replacing §163-7 titled "Delinquent sewer utility accounts", by repealing and replacing §199-25 titled "Water rates, fees and charges" and by adding a new § 199-28 to be titled " Delinquent water utility accounts"

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

SECTION 1. Existing Section 163-7 of the Code of the Borough of Kinnelon is hereby repealed and replaced with the following, to be titled “**§163-7 Delinquent sewer utility accounts**”:

§163-7 Delinquent sewer utility accounts.

Failure of a customer to pay required sewer fees and/or charges within the prescribed payment time shall cause that account to be deemed delinquent. Notification of a delinquency and its consequences shall then be mailed to the last known address of the customer. Upon that customer's failure to respond and eliminate the delinquency within 30 days from the date of the delinquency notice, a second notice shall be mailed to the delinquent customer advising that payment of sewer bills must be received by the date specified or their water service will be discontinued and water shut-off and turn-on fees will also incur.

SECTION 2. Existing Section 199-25 of the Code of the Borough of Kinnelon is hereby repealed and replaced with the following, to be titled “**§199-25 Water rates, fees and charges**”:

§199-25 Water rates, fees and charges.

B. The following additional charges are and shall be imposed for the following related services:

- (1) Fee for a new water meter, regardless of size, will be charged at the then current cost at the time of installation of the particular meter:
- (2) Application fee: \$20.
- (3) Water meter installation fee: \$75.
- (4) Shut-off fee: \$100 during normal business hours (weekdays between 8:00 a.m. and 3:00 p.m., excluding holidays) and \$200 at all other times.
- (5) Turn-on fee: \$100 during normal business hours (weekdays between 8:00 a.m. and 3:00 p.m., excluding holidays) and \$200 at all other times.
- (6) Construction water, single-family: \$100 for first six months and \$100 for each six months or part thereof in excess of six months. If the residence is occupied during construction, water will be billed at the prevailing rate.
- (7) Replacement meter charge, regardless of size, will be charged at the then current cost at the time of replacement of the particular meter:
- (8) House service connection inspection or repair inspection fee: \$50.
- (9) Meter test: at the cost prevailing at the time of the test.

SECTION 3. A new Section 199-28 titled "Delinquent water utility accounts", is hereby added to read as follows:

§ 199-28 Delinquent water utility accounts.

Failure of a customer to pay required water fees and/or charges within the prescribed payment time shall cause that account to be deemed delinquent. Notification of a delinquency and its consequences shall then be mailed to the last known address of the customer. Upon that customer's failure to respond and eliminate the delinquency within 30 days from the date of the delinquency notice, a second notice shall be mailed to the delinquent customer advising that payment of water bills must be received by the date specified or their water service will be discontinued, and water shut off and turn on fees will also incur.

SECTION 4. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.


SECTION 5. This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

BOROUGH OF KINNELON



Karen M. Iuele, RMC, Borough Clerk



James J. Fredda, Mayor