

AN ORDINANCE AMENDING CHAPTER 330 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WHARTON, COUNTY OF MORRIS, STATE OF NEW JERSEY

BE IT ORDAINED by the Governing Body of the Borough of Wharton that Chapter 330, Sections 4, 5, 6, 17, and 20 are hereby amended as follows:

§ 330-4. Meter responsibilities.

A. All owners or occupants using water supplied by the Borough Water Department must have meters installed by the Borough Water Department. No bypasses around the meter shall be allowed or maintained. The owner or occupant of any premises having a Borough Water Department-owned meter shall be held responsible for its care and protection from freezing or hot water and from damage thereto or incorrect operation, stoppage or damage to a meter; the owner or occupant shall notify the Borough Water Department immediately. Access by the Borough of Wharton or its designated agents to the property must be granted by the homeowner. The Borough reserves the right to gain access to the property within a reasonable time period.

B. **Any multi-family dwelling that has one water line feeding in must install an individual curb-stop for each unit under the following conditions:**

1. A title transfer

2. Any construction which requires a permit

3. A break in the existing service line that requires repair

§ 330-5. General rules and regulations.

A. Meters to be sealed. No person shall permit or allow in any building any unsealed or damaged water meter through which water is supplied to such person without immediately notifying the Department that the meter is unsealed or damaged. All Borough water used on any premises where a meter is installed must pass through the meter. No bypass or connection between the meter and the main shall be made or maintained by any person, except as otherwise specified herein. Meters shall be sealed by the Borough Water Department, and no one except an authorized employee of the Borough Water Department shall break or damage any of such seals.

B. Connections. Borough water shall be taken and used only through supply and service pipes established by or under the supervision of the Department. The owner of any property shall not permit a connection to exist by which water may pass from the property to another property, even though the ownership

of both properties may be the same. A minimum of two weeks' notice must be given to the Public Works Director before any work may begin.

- C. Meters to be property of the Borough Water Department. Meters controlling the services are and shall remain the property of the Borough Water Department, and all meters will be at all times under its control.
- D. Protection of pipes from freezing. Water connections running from curb-stop to a building and between the cellar wall and the meter are likely to be exposed to freezing temperatures and must be effectively protected from freezing in a manner acceptable to the Borough Water Department. All service pipes must be installed at a minimum depth of not less than four feet, unless otherwise directed by the Borough Water Department or its designated agents.
- E. Filling surface pond, pools, etc. Borough water shall not be used for filling cisterns, cesspools, surface ponds or swimming pools unless a written permit be first obtained from the Water Department. The fees for this service are as set forth in the fee schedule of the chapter.
- F. Unusual construction. Owners of property desiring any unusual construction, alteration or attachments connected with the water supply must submit plans and specifications for the same to the Department and Plumbing Inspector for inspection and approval or disapproval and determination as to whether the same are permissible and the terms and conditions under which their use will be allowed.

§ 330-6. Use of fire hydrants.

Fire hydrants are to be opened and used only by the Borough Water Department or the Fire Department of the Borough or by such persons as may be specifically authorized by the Borough Water Department by a hydrant permit only. Failure to obtain a permit will result in penalties.

§ 330-17. Material for construction.

- A. Service pipe. (Main to curb box) shall be of copper tubing, type K. The copper tubing shall be American-made, such as Anaconda or approved equal.
- B. Curb box with rod. Shall be approximately four feet in length and shall be Mueller Company model H-10314 or equal.
- C. Corporation stop. Shall be case bronze and conform to AWWA Specification C800, Mueller Company model H-15000 or equal.
- D. Meter yoke. Shall be Mueller Company model H-14111 or equal.

E. Water mains. Shall be ductile iron pipe with cast iron fittings and shall have a minimum diameter of eight inches. Ductile pipe shall be centrifugally cast per ANSI Specification A21.51, latest revision.

- 1. The wall thickness shall be Class 52 for twelve-inch diameter and smaller and Class 51 pipe sizes above thirteen-inch diameter. The pipe shall be in nominal sixteen-foot to twenty-foot laying lengths. Joints shall be Tyton or approved equal and shall be furnished complete with gasket and lubricant. Fittings as required for the ductile iron pipe shall be gray case iron standard mechanical joint fittings conforming to ANSI Specifications A21.10 and A21.11 latest revisions Call 250 for all sizes and shall be furnished complete with accessories consisting of cast iron follower gland, corrosion-resistant alloy bolts and nuts and plain rubber gaskets.**
- 2. All pipe and fittings shall be cement-lined and seal-coated per ANSI Specification A21.4-1971, minimum thickness (three-inch through twelve-inch diameter) 1/8 inch, (fourteen-inch through twenty-four-inch diameter) 3/16 inch, and coated on the outside.**
- 3. Where restrained joints are called for on the plans, ductile iron retainer glands shall be supplied in lieu of regular.**

F. Gate valves.

- 1. All gate valves 2 1/2 inches and smaller shall be of bronze. Valves that are three inches and larger shall be of iron body, bronze mounted. They shall be designed for 150 psi (pounds per square inch) working pressure and tested in accordance with AWWA standards.**
- 2. Gate valves larger than 2 1/2 inches shall be Mueller or approved equal. The valves shall open by turning in a counterclockwise direction. When fully open, each valve shall afford an unobstructed waterway of not less than the full nominal diameter of the valve. Each valve, six inches to 12 inches inclusive, shall be equipped with "O" ring. All valves shall have nonrising stems.**
- 3. All valves shall be equipped with a cast iron, adjustable valve box and cover.**

G. Hydrants. Shall be Mueller Company model A-24015, or approved equal, and shall be painted. Fluorescent.

H. Anchor tees. Shall be of the Mechanical Joint Type, Call 250. All applicable requirements of American Standards A21.10 and A21.11 shall be met. Material shall be cast iron.

- I. Plugs. Shall be Mechanical Joint Type, Flat, Number U517, as manufactured by U.S. Pipe or approved equal. Pressure rating shall be 250 psi.**
- J. Air vents. Shall be provided at all high points in the waterlines.**
- K. Valve boxes. Shall be cast iron, sliding type, two piece. They shall be furnished with a flange at the top of the top section and have a shaft of 5 ¼ inches in diameter. Covers shall be marked “water.”**
- L. Butterfly valves. Shall be mechanical joint end, iron body, rubber seated and designed for direct burial. Valves shall be bubble tight at 150 psi-rated pressure with flow in either direction. All butterfly valves shall meet the requirements of AWWA C504, Class 150B. Butterfly valves shall be used on all mains larger than 12 inches in diameter unless otherwise specifically ordered by the Water Department.**
- M. Blowoffs. Shall be provided at all low points in the waterlines.**
- N. Water taps. Shall be made subject to the approval of the Water Department. The tapping sleeve shall be mechanical joint Mueller Company H-615 or H-616, or equal, depending on the outside diameter of the pipe being tapped, with a minimum working pressure of 200 pounds per square inch. The tapping valve shall be a mechanical joint, O-ring packed, double disc, parallel seat gate valve, Mueller H-667, as manufactured by Mueller Company, or an approved equal, with a minimum working pressure of 200 pounds per square inch and the direction of opening shall be counterclockwise. The sleeve and valve shall be void of leaks before any waterpipe is attached. Each valve shall be furnished with a valve box and cover. Valve box and cover shall conform to the requirements of the applicable sections of these rules and regulations. The valve shall be laid on a firm bedding of crushed stone or other suitable material, so that the valve is not supported by the adjoining pipe, and so that the tapping sleeve will not turn on the existing pipe due to settlement of the valve. Service may not be interrupted in the water distribution system.**

§ 330-20. Billing and collecting.

The Water Department will prepare bills setting forth water and other Department charges and send them to its customers through the U.S. Postal System. Bills that are not delivered by the U.S. Postal System shall, nevertheless, remain due and owing. The amount of such non delivered bills shall, upon request, be made available to customers either in person, in writing, or by telephone.

A. Due dates for quarterly water payments

Quarter	Due Date
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1	March 1 st
2	June 1 st
3	September 1 st
4	December 1 st

All bills shall be due no later than the due date set forth on said bill. To avoid additional charges, such as on and off fees, payments for delinquent accounts must be paid before 10:00 a.m. on the scheduled shutoff day. If the payment is not received by this time and date, the water will be shut off and any fees so stated in this chapter will be imposed.

B. ~~An eight percent interest per annum will be charged if the bill is not paid within 30 days of the due date. That rate will be set annually by the governing body at its reorganization meeting. If any part of the amount due and payable for any charges remains unpaid for 30 days following the date for the payment thereof, interest upon the unpaid balance shall accrue. The Water Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500 of water charges delinquent after the due date and 18% per annum on any amount of water charges in excess of \$1,500 delinquent after the due date. If the delinquency is in excess of \$10,000 and remains in arrears beyond December 31, an additional penalty of 6% shall be charged against the delinquency. Notwithstanding the foregoing, interest shall be determined in accordance with the provisions of N.J.S.A. 40A:26A-7.~~

C. In the event that more than one resident is connected to the curb box preventing a shutoff, the shutoff fee will nevertheless be imposed. Furthermore, a delinquent owner of a residence which cannot be shut off due to a shared curb box will be required to install a separate curb box in the event that a shutoff would have been imposed for two consecutive quarters. It is the intent of this chapter to permit a shared curb box only if it may be accomplished without conflict and without problems. In the event a conflict or problem should arise, the Department of Public Works, in its sole and absolute discretion, may require the property owner to install separate curb boxes.

D. In the event that a water bill remains unpaid for 30 days or more after the due date of such bill, the Department may discontinue water service to the property for which the water bill is due, provided that the Department has complied with the following procedure.

1. A delinquent notice shall be sent to all accounts where the bill remains unpaid for 30 days.

(a) This notice shall be deemed satisfactory if sent as follows:

- [1] By personal service or by regular mail, provided that the mailing is made to the last known address of the customer and the property owner.**
- [2] The notice must be postmarked at least 10 days prior to the date of the discontinuation of service.**
- (b) In the event that the delinquent account is that of a landlord/tenant situation, then the tenant will have the option of paying the delinquent bill.**
- € In the event that a partial payment of the amount due and owing on a bill is made but the outstanding balance is more than \$25, no additional notices will be given before discontinuance of service as set forth in § 330-20.**
- (d) A customer must contact the Water Clerk, by phone, in person or in writing, to arrange for a payment plan to avoid the scheduled discontinuation of service. If the payment plan is violated, service may be terminated, provided notice is given 10 working days prior to discontinuation.**
- (e) In the event that water service is shut off due to nonpayment of a water bill, and the homeowner does not realize this until after regular business hours of the Borough, then the Water Department shall turn on the water at such time when the homeowner realizes this. However, all payments must be made to the Water Clerk by the next business day, or the water will be shut off and not be restored until payment is received no matter what the circumstances are.**
- (f) A service charge shall be assessed for the restoration of service when service to a property has been discontinued, pursuant to Subsection D(4), Water rates, fees and charges. Said service charge shall be due and payable immediately upon restoration of service. If said service restoration fee is not paid within one business day of the date of restoration, the service may be discontinued without further notice.**
- (g) There shall be no discontinuation of service during the months of December, January and February by reason of nonpayment of bills. However, amounts due shall continue to accrue during that period as shall interest on unpaid amounts pursuant to N.J.S.A. 40A:31-17.**
- (h) The Mayor and Council shall have the authority to waive any fees or service charges incurred on account of the provisions of § 330-20 for reasons of hardship or upon other good cause shown.**

- (i) All water accounts will be listed in the name of the property owner and the customer, forwarded to the last known address of each.
- (2) Final readings/change of ownership. Any water customer requesting a final reading because of change of ownership must pay the final read bill within one week of the final read. This payment is the sole responsibility of the owner requesting the final read. Any unpaid bill will become a lien on the property.
- (3) Malfunctioning meters or registers. If a reading of the meter or register indicates a malfunction or zero use, and it is deemed that the property is occupied, then an estimated bill will be sent to the owner of record based on the last accurate reading.
- (4) Water rates, fees and charges. The following rates shall prevail and continue until changed, altered or amended by ordinance of the Borough Council.
 - (a) Domestic, laundromat, industrial and lawn hydrants.
 - [1] Effective **January 1, 2019**, the domestic rate per 100 cubic feet shall be **\$3.78**.
 - [2] Where there are multiple units, the minimum rate for such multiple units shall be the minimum rate of a single service meter multiplied by the number of units.
 - [3] Effective **January 1, 2019**, the laundromat rate per 100 cubic feet shall be **\$3.78** for the first 1,350 ccf; thereafter the rate is **\$3.96** per 100 cubic feet.
 - [4] Effective **January 1, 2019**, the industrial rate per 100 cubic feet is **\$3.78** for the first 1,350 ccf; thereafter the rate is **\$3.96** per 100 cubic feet. Both industrial rates are based upon the rate charged to the Borough by the Morris County Municipal Utilities Authority.
 - [5] Lawn hydrant per quarter, in addition to metered water use: \$25.
 - (b) Private fire service charges. Annual charge based on diameter of service main furnished:

Service Main Diameter (inches)	Rate
2	\$50

	Service Main Diameter (inches)	Rate
$\frac{1}{2}$	60	
4		\$150
6		\$250
8		\$300
10		\$400
12		\$600

(c) Public fire service. Annual charge per hydrant: \$125.

(d) Tapping charges. Effective July 15, 2007, tapping of the main, the curbstop and box and the service line from the main to the property line, cost per connection shall be:

[1] For three-fourths inch: \$800.

[2] One inch or larger: based on actual cost incurred, but not less than \$1,500.

[3] Supply pipe installation in county road and state highways: based on actual cost incurred, but not less than \$1,800.

(e) Meter charges. Water meter installation and labor charges: actual cost, not less than:

	Size (inches)	Rate
$\frac{5}{8}$		\$250 -\$260
$\frac{3}{4}$		\$300 \$310
1		\$355 \$365
1 $\frac{1}{2}$		\$625 -\$635
2		\$725 \$735

(f) Miscellaneous charges:

- [1] Turn on and/or off during hours of 7:00 a.m. to 2:00 p.m., Monday through Friday: ~~\$10 each.~~ **\$30 each.**
- [2] Turn on and/or off before or after business hours as stated in Subsection D(4)(f)[1] above, including weekends and Borough holidays: ~~\$180.~~ **\$200 each.**
- [3] Turn off water illegally turned on: \$500.
- [4] Unscheduled meter readings: \$50.
- [5] Transfer fee for ownership changes: \$30.
- [6] Returned checks: as set forth in the resolution annually adopted by the Borough.
- [7] Meter test, payment for meter accuracy to within 3%, where test is at customer's request:

Size (inches)	Fee
5/8	\$75
3/4	\$75
1	\$75
1 1/2 and larger	Actual cost incurred but not less than \$100

- [8] Quarterly meter maintenance charge:

Meter Size (inches)	Charge
5/8	\$2.50
3/4	\$3.50
1	\$4.50
1 1/4	\$5.50
1 1/2	\$6.50
2	\$7.50

	Meter Size (inches)	Charge
	3	\$10
	4	\$15
	6	\$125

[9] Meter repair for damaged meter: cost of repair or replacement, plus labor and material.

[10] Illegal hydrant opening: \$800.

[11] Service charge for restoration of service when service to a property has been discontinued due to nonpayment of water bill: \$50.

[12] Mail fee for certified delinquent notices: price as set forth by the U.S. Postal Service.

[13] Hydrant permit fee: \$100 (includes Borough provided hydrant meter) plus nominal water charges for water used.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed only to the extent of such inconsistency.

This ordinance shall take effect on the noted effective dates after final passage and publication as required by law.

First Reading: December 3, 2018

Second Reading: December 17, 2018

ATTEST:

**Gabrielle Evangelista,
 Borough Clerk**

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
 MAYOR**