

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, Section 20 is hereby amended as follows:

§ 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
1	March 1st
2	June 1st
3	September 1st
4	December 1st

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. 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.

(c) 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 H 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.

E. All water accounts will be listed in the name of the property owner and the customer, forwarded to the last known address of each.

F. 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.

G. 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.

H. Water rates, fees and charges. The following rates shall prevail and continue until changed, altered or amended by ordinance of the Borough Council.

1. Domestic, laundromat, industrial and lawn hydrants.

(a) Effective January 1, 2021, the domestic rate per 100 cubic feet shall be \$4.09.

(b) 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.

(c) Effective January 1, 2021, the laundromat rate per 100 cubic feet shall be \$4.09 for the first 1,350 ccf; thereafter the rate is \$4.29 per 100 cubic feet.

(d) Effective January 1, 2021, the industrial rate per 100 cubic feet is \$4.09 for the first 1,350 ccf; thereafter the rate is \$4.29 per 100

cubic feet. Both industrial rates are based upon the rate charged to the Borough by the Morris County Municipal Utilities Authority.

(e) Lawn hydrant per quarter, in addition to metered water use: \$25.

2. Private fire service charges. Annual charge based on diameter of service main furnished:

Service Main Diameter (inches)	Rate
2	\$50
2 ½	\$60
4	\$150
6	\$250
8	\$300
10	\$400
12	\$600

3. Public fire service. Annual charge per hydrant: \$125.

4. 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:

(a) For three-fourths inch: \$800.

(b) One inch or larger: based on actual cost incurred, but not less than \$1,500.

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

5. Meter charges. Water meter installation and labor charges: actual cost, not less than:

Size (inches)	Rate
5/8	\$260
3/4	\$310
1	\$365
1 1/2	\$635
2	\$735

6. Miscellaneous charges:

- (a) Turn on and/or off during hours of 7:00 a.m. to 2:00 p.m., Monday through Friday: \$30 each.**
- (b) Turn on and/or off before or after business hours as stated in Subsection D(4)(f)[1] above, including weekends and Borough holidays: \$200 each.**
- (c) Turn off water illegally turned on: \$500.**
- (d) Unscheduled meter readings: \$50.**
- (e) Transfer fee for ownership changes: \$30.**
- (f) Returned checks: as set forth in the resolution annually adopted by the Borough.**
- (g) 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

- (h) 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
3	\$10
4	\$15
6	\$125

plus (i) Meter repair for damaged meter: cost of repair or replacement, labor and material.

(j) Illegal hydrant opening: \$800.

(k) Service charge for restoration of service when service to a property has been discontinued due to nonpayment of water bill: \$50.

(l) Mail fee for certified delinquent notices: price as set forth by the U.S. Postal Service.

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

7. A connection charge, which shall be payable in advance, shall be made for the connection of each dwelling to the water system, which connection fee shall be established by the Borough Council as provided for by law. The water connection fee shall be based upon 100 gallons of daily usage. Connection fees shall be assessed based upon the Water Demand standard established by NJAC 5:21-5.3 otherwise known as Residential Site Improvement Standards found in table “Water Demand / Generation by Type / Size of Housing.” Connection fees for facilities not included in table “Water Demand / Generation by Type / Size of Housing” shall be determined by the Borough Engineer based upon projected water demand utilizing water volume requirement established by NJAC 7:10-12.6.

For example. As of the writing of this ordinance (2019), residential site improvement standard shows a single-family detached home with 3 bedrooms has a daily demand of 320 gallons per day. Therefore, their connection fee would be 3.2 multiplied by the connection fee.

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 7, 2020

Second Reading: December 28, 2020

ATTEST:

**Robin Ghebreal,
Deputy Borough Clerk**

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**