

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

ORDINANCE #13-2023

ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 168, SEWERAGE SYSTEM, OF THE BOROUGH CODE TO MODIFY CERTAIN EXCESS SEWER RATE AND BILLING LANGUAGE

WHEREAS, Chapter 168, Sewerage System, Article V, of the Code of the Borough of Mendham governs sewer utility fees and rates, and service connection fees, for properties located in the Borough; and

WHEREAS, the Finance Committee has reviewed the proposed changes finds them acceptable and the Borough desires to amend §§ 168-51 to -53 to modify certain language.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Mendham, County of Morris, State of New Jersey, as follows:

SECTION 1. Chapter 168, Sewerage System, Article V, Sewer Utility Fees and Service Connection Fees, § 168-51, Excess usage rate for residential users, § 168-52, Excess usage rate for nonresidential users, and § 168-53, Billing and payment of quarterly Sewer Utility bills, are hereby amended to read as follows:

§ 168-51. Excess usage rate for residential users.

There shall be an excess usage rate charged as set forth in Chapter 102, Fees and Rates, per quarter per gallon of water consumption by a residential user or EDU in excess of 27,375 gallons per billing quarter.

§ 168-52. Excess usage rate for nonresidential users.

There shall be an excess usage rate charge as set forth in Chapter 102, Fees and Rates, per gallon feet of water consumption by a nonresidential user or EDU in excess of 18,750 gallons per billing quarter.

§ 168-53. Billing and payment of quarterly Sewer Utility bills.

- A. The Sewer Utility fees and rates shall be prorated to take effect on the date of the issuance of a certificate of approval for the installation of a sewer connection to the sewerage system, but in no event shall the charge be less than for one month.
- B. Sewer Utility bills shall be billed quarterly and shall be payable quarterly on the first day of April, July, October and January in each year at the place where sewer

utility bills are paid, but the failure to bill for such charge shall not relieve the owner of any building of the obligation to pay such charge as herein provided.

- C. Sewer Utility bills, to the extent that any part thereof is unpaid, shall draw interest from the date they or any part thereof become due, in accordance with the schedule set forth in Chapter 102, Fees and Rates, and shall be a lien upon the land and buildings thereon connected to the sewerage system until paid. The Borough shall have the same remedies for the collection thereof, with interest, costs and penalties, as it has by law for the collection of taxes on real property. If a charge is paid in full within 10 days following the due date of the billing, interest thereon shall be waived. On payments made thereafter, interest shall be charged for the entire period of delinquency, beginning with the due date of the billing.

SECTION 2. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication in the manner according to law.

INTRODUCED: October 23, 2023

ADOPTED: November 8, 2023

EFFECTIVE DATE: November 8, 2023

BOROUGH OF MENDHAM,
COUNTY OF MORRIS,
STATE OF NEW JERSEY

ATTEST:

Lauren McBride, Acting Clerk

Christine Serrano-Glassner, Mayor

CERTIFICATION

I HEREBY CERTIFY the foregoing to be a true copy of the Ordinance adopted by the Council of the Borough of Mendham at a duly noticed regular meeting held on November 8, 2023 after a public hearing was held and all interested persons were given an opportunity to be heard on this ordinance.

Lauren McBride, CMR
Acting Borough Clerk