

TOWNSHIP OF MOORESTOWN

ORDINANCE 11-2017

**AUTHORIZING AMENDMENT TO CHAPTER 175
OF THE CODE OF THE TOWNSHIP OF MOORESTOWN
TO REVISE CERTAIN WATER AND SEWER RATES**

BE IT ORDAINED by the Township Council of The Township of Moorestown in Burlington County, State of New Jersey that Chapter 175 of the Code of The Township of Moorestown is hereby amended as follows:

Section 1: The following sections of Chapter 175 shall be amended by deleting and adding language as follows:

§ 175-19 Rule 17: Payment of tariffs, rates and charges; enforcement.

- A. All prescribed tariffs, rates, charges and penalties for furnishing water and water service to private and public users shall be due and payable to the Township at the office of the Department of Finance, Town Hall; and on all combined bills for water and water service and sewerage service and for work done on materials furnished remaining due and unpaid for 30 days from the ~~date of invoice~~ due date, interest will be added at the rate of 8% per annum from the date of invoice on the first \$1,500 of delinquency and 18% per annum on any amount in excess of \$1,500, and, in the event that prompt payment thereafter shall not be made, the supply of water to the premises, including all structures thereon, may be shut off and remain shut off until all arrears, with interest and penalties, shall have been paid. Said arrears shall be a lien upon the premises, including land and structures, to which water or water service was furnished and in connection with which charges were incurred, in the same manner as liens for delinquent taxes upon real estate are enforced and collected.

§ 175-20 Rule 18: Violations and penalties.

In the event of the violation by any user of any of the rules established by this article, the Township reserves the right to turn off the water without notice, and the Township shall not be under any obligation to refund any payment made to the Township for furnishing water or water service; and after water has been turned off from any service pipe, it will not be turned on again until all unpaid charges and penalties shall have been paid to the Township, together with the expense of the Township in connection with turning the water off and on. Whenever the water shall have been shut off in consequence of the violation of any of the rules established by this article, the owner shall be subject to a penalty payable to the Township as follows: for the first offense, ~~\$5~~ \$25; for the second offense, ~~\$10~~ \$50; for the third offense, ~~\$15~~ \$75; and for the fourth and any subsequent offenses, the sum of ~~\$25~~ \$100. The owner shall promptly pay said penalty, and said penalty shall constitute a lien, as set forth in Rule 17, § 175-19, until paid fully.

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§ 175-21 **Rule 19: Establishment of tariffs, rates or charges.**

A. The following tariffs, rates or charges payable to the Township by public and private users for the furnishing of water and water service are hereby established:

- (4) Buildings utilized by Moorestown Community House, Moorestown Friends' School, Our Lady of Good Counsel School, the Township of Moorestown, the Moorestown Township Board of Education, the Moorestown Fire District Nos. 1 and 2 and Moorestown Ecumenical Neighborhood Development, Inc. (owned or leased for low- and moderate-income housing): no minimum charge; billings shall be based on the gallons furnished at ~~\$2.70~~ **\$3.00** per 1,000 gallons for the first 25,000 gallons per quarter; ~~\$6.50~~ **\$7.40** per 1,000 gallons for all water in excess of 25,000 gallons through 50,000 gallons; and ~~\$6.70~~ **\$7.60** per 1,000 gallons for all water in excess of 50,000 gallons per quarter. For all water furnished through a meter installed solely for the purposes of irrigation, billings shall be based on the gallons furnished at ~~\$6.50~~ **\$7.50** per 1,000 gallons for the first 50,000 gallons per quarter and ~~\$6.90~~ **\$7.95** per 1,000 gallons for all water in excess of 50,000 gallons per quarter.
- (5) Property used for commercial and/or industrial purposes and property containing both residential and commercial uses: a quarterly minimum charge based on the size of the meter as hereinafter shown, and including the number of gallons indicated; and an additional billing based on the gallons furnished as evidenced by the most recent meter readings in excess of the minimum quantity at the following rates: ~~\$3~~ **\$3.30** per 1,000 gallons for the first 25,000 gallons per quarter; ~~\$6.50~~ **\$7.50** per 1,000 gallons for all water in excess of 25,000 gallons per quarter through 50,000 gallons per quarter; and ~~\$6.90~~ **\$7.80** per 1,000 gallons for all water in excess of 50,000 gallons. For all water furnished through a meter installed solely for the purposes of irrigation, billings shall be based on the gallons furnished at ~~\$6.50~~ **\$7.50** per 1,000 gallons for the first 50,000 gallons per quarter and ~~\$6.90~~ **\$7.95** per 1,000 gallons for all water in excess of 50,000 gallons per quarter.

Meter Size (inches)	Gallons Included in Minimum Charge	Minimum Charge
5/8 and 3/4	3,000	\$9 <u>\$9.90</u>
1	10,000	\$30 <u>\$33</u>
1 1/2 and larger	20,000	\$60 <u>\$66</u>

- (6) ~~(Reserved)~~ **Property used for residential only purposes: a quarterly minimum charge based on the size of the meter as hereinafter shown, and including the number of gallons indicated; and an additional billing based on the gallons furnished as evidenced by the most recent meter readings in**

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excess of the minimum quantity at the following rates: \$3.15 per 1,000 gallons for the first 10,000 gallons per quarter; \$3.30 per 1,000 gallons for all water in excess of 10,000 gallons per quarter through 25,000 gallons per quarter; \$7.50 per 1,000 gallons for all water in excess of 25,000 gallons per quarter through 50,000 gallons per quarter; and \$7.80 per 1,000 gallons for all water in excess of 50,000 gallons. For all water furnished through a meter installed solely for the purposes of irrigation, billings shall be based on the gallons furnished at \$7.50 per 1,000 gallons for the first 50,000 gallons per quarter and \$7.95 per 1,000 gallons for all water in excess of 50,000 gallons per quarter.

<u>Meter Size (inches)</u>	<u>Gallons Included in Minimum Charge</u>	<u>Minimum Charge</u>
<u>5/8 and 3/4</u>	<u>3,000</u>	<u>\$9.45</u>
<u>1</u>	<u>10,000</u>	<u>\$31.50</u>
<u>1 1/2 and larger</u>	<u>20,000</u>	<u>\$64.50</u>

- (8) All other properties and accounts not subject to the foregoing rates: a quarterly minimum charge based upon the size of the meter, as hereinafter shown, and including the number of gallons indicated; and an additional billing based on the gallons furnished as evidenced by the most recent meter readings in excess of the minimum quantity at the following rates: ~~\$3~~ **\$3.30** per 1,000 gallons for the first 25,000 gallons per quarter; ~~\$6.50~~ **\$7.50** per 1,000 gallons for all water in excess of 25,000 gallons per quarter through 50,000 gallons per quarter; and ~~\$6.90~~ **\$7.80** per 1,000 gallons for all water in excess of 50,000 gallons per quarter. For all water furnished through a meter installed solely for the purposes of irrigation, billings shall be based on the gallons furnished at ~~\$6.50~~ **\$7.50** per 1,000 gallons for the first 50,000 gallons per quarter and ~~\$6.90~~ **\$7.95** per 1,000 gallons for all water in excess of 50,000 gallons per quarter.

<u>Meter Size (inches)</u>	<u>Gallons Included in Minimum Charge</u>	<u>Minimum Charge</u>
<u>5/8 and 3/4</u>	<u>3,000</u>	\$9 <u>\$9.90</u>
<u>1</u>	<u>10,000</u>	\$30 <u>\$33</u>
<u>1 1/2 and larger</u>	<u>20,000</u>	\$60 <u>\$66</u>

- B. The foregoing amended tariffs, rates or charges shall apply only to water bills reflecting readings of water meters on and after ~~May 1, 2009~~ **August 1, 2017**, flat rates for water and water services furnished on and after ~~May 1, 2009~~ **August 1, 2017**, and private fire sprinkler service charges billed on and after ~~May 1, 2009~~ **August 1, 2017**. The tariffs, rates or charges provided in this section, as previously

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amended and amended hereby, shall survive to the extent that they shall apply only to water bills reflecting readings of water meters prior to ~~May 1, 2009~~ August 1, 2017, flat rates for water and water services furnished prior to ~~May 1, 2009~~ August 1, 2017, and private fire sprinkler service charges billed prior to ~~May 1, 2009~~ August 1, 2017, 2017, notwithstanding the amendment contained in this article. In all other respects this article, as previously amended, is hereby preserved.

§ 175-36 Classified rates and charges established.

The following classified rates or charges for sanitary service furnished by Township of Moorestown are hereby established and shall apply to sewerage service furnished by Township on and after July 1, ~~2010~~ 2017.

§ 175-37 Dwellings.

For each and every dwelling receiving sewerage service, there shall be a quarterly rate or charge consisting of a base rate or charge of ~~\$20~~ \$25 and an additional sum calculated at the following rates: ~~\$5~~ \$5.50 per 1,000 gallons of water furnished by said Township to the premises for the most recent three-month period (based on the average per diem use between readings) ending upon the date of the water meter reading between February 1 and April 30. Dwellings receiving sewerage service that are not furnished water by said Township shall be charged for 20,000 gallons per quarter.

§ 175-38 Commercial and industrial establishments.

For each and every commercial or industrial establishment receiving sewerage service, there shall be a quarterly rate or charge consisting of a base rate or charge of \$50 and an additional sum calculated at the following rates: ~~\$5~~ \$5.50 per 1,000 gallons of water furnished by said Township to the premises for the most recent three-month period (based on the average per diem use between readings) ending upon the date of the water meter reading between February 1 and April 30.

§ 175-40 Establishments or institutions and other organizations.

For buildings utilized by the Township of Moorestown, the Moorestown Board of Education, Moorestown Fire District Nos. 1 and 2, Moorestown Ecumenical Neighborhood Development, Inc. (owned or leased for low- and moderate-income housing), churches, nonprofit nursing homes or homes for the aged, nonprofit schools, the Historical Society of Moorestown, Perkins Center for the Arts and the Moorestown Community House receiving sewerage service, there shall be a quarterly minimum rate or charge of \$50 and an additional sum calculated at the following rates: ~~\$5~~ \$5.50 per 1,000 gallons of water furnished by said Township to the premises for the most recent three-month period (based on the average per diem use between readings) ending upon the date of the water meter reading between February 1 and April 30.

§ 175-41 Multiple-use buildings.

For each and every multiple-use building receiving sewerage service, there shall be a quarterly rate or charge consisting of a base rate or charge of ~~\$20~~ \$25 for each dwelling unit

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and \$50 for each commercial, industrial or other unit located in the building and an additional sum calculated at the following rates: ~~\$5~~ \$5.50 per 1,000 gallons furnished by said Township to the premises for the most recent three-month period (based on the average per diem use between readings) ending upon the date of the water meter reading between February 1 and April 30.

§ 175-43 **Rates, charges or billing regulations.**

- B. The above dates are directory only and not mandatory. According to conditions and circumstances, meter reading and billings may occur before or after the stated periods, as appropriate. All bills shall be issued in the name of and rendered to the owners of the respective premises, and the respective owners of the respective premises shall be liable therefor. In determining the amount of the initial bill for sanitary sewerage service to be supplied to premises not previously receiving such service from the Township, the base charge shall be a sum equal to the prorated portion of the base charge for a three-month period and an additional sum equal to the prorated portion of the minimum water charge for a three-month period. All bills shall be due and payable upon presentation, and if the same are not paid within 30 days next thereafter, they shall bear interest at the rate of 8% per annum and 18% per annum of any amount in excess of \$1,500 running from the ~~date of invoice~~ due date. All unpaid charges, together with the accrued interest thereon, shall be a lien upon the premises, and no deduction or credit on any bill shall be allowed by reason of the fact that the property shall be or shall have been unoccupied.

Section 2. All other sections of Chapter 175 shall remain as written.

Section 3. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. Effective Date. This ordinance shall take effect 20 days after adoption.

Section 6. Short Title. This Ordinance shall be known as Ordinance 11-2017.

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NOTICE AND CERTIFICATION

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on June 12, 2017. This ordinance will be further considered for final passage by the Township Council at a meeting to be held at the Town Hall, 111 West Second Street, Moorestown, New Jersey on June 26, 2017 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC
Township Clerk

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