Introduced: February 11, 2019

Adopted: March 11, 2019

THE TOWNSHIP OF SOUTH ORANGE VILLAGE

ORDINANCE #2019-04

AN ORDINANCE AMENDING AND RESTATING CHAPTER 351, SECTIONS 351-1, 351-3, 351-10, 351-13, 351-14 AND 351-15 REGARDING USE OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE WATER SYSTEM, INCLUDING THE COST OF WATER

WHEREAS, the Water Committee of the Township of South Orange Village has recommended that certain sections of Chapter 351 of the Code of the Township of South Orange Village (the "Code") be amended;

NOW, THEREFORE, be it ordained, by the Board of Trustees of the Township of South Orange Village, a municipal corporation of New Jersey located in Essex County thereof, that the following sections of the Code be amended and restated as follows:

Section 1.

Chapter 351, Sections 351-1, 351-3, 351-10, 351-13, 351-14 and 351-15 are hereby amended and restated as follows:

§ 351-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BACK FLOW PREVENTER – A device that prevents the return of non-potable water to the potable water system.

CHECK VALVE – A valve which only permits water flow in one direction.

COMMERCIAL CUSTOMER – All Customers other than Residential Customers.

CONTRACT ADMINISTRATOR – The Village Administrator or his/her designee, charged with the responsibility to administer the contract with the Operator.

CORPORATION COCK — A valve installed at a water main to control the flow of water in a water service connection.

CURB BOX — A vertical pipe at a curb to permit the operation of a curb stop valve.

CURB STOP VALVE or CURB COCK — A valve installed at the curb end of a water service connection.

CUSTOMER — A person, by whom or for whom application is made to the Operator for water service or who, according to the records of the Operator or because of ownership of property, is responsible for use of water and distribution facilities at a location to which water is furnished by the Village.

FIRE SPRINKLER SYSTEM – An internal water distribution system for fire protection.

LAWN SPRINKLER SYSTEM – An external water distribution system which irrigates landscaping.

METER BYPASS – A connection made to the service line, before the meter, which permits water to flow around the meter and enter the domestic plumbing system.

RESIDENTIAL CUSTOMER – A Customer whose water service is connected to one to three-unit residential structure.

SERVICE HOUSE CONNECTION — A pipeline connecting a curb stop valve with a building.

THE OPERATOR – American Water Operations and Maintenance, Inc., the contract operator of the South Orange water system.

WATER METER — A device for measuring the volume of water passing through a pipe at a given location.

WATER SERVICE CONNECTION — A connecting pipe between a street main and the adjacent curb, together with a curb stop valve and curb box.

WRITING – Submission of a form that can be obtained/requested from the Operator's website and filed interactively, printed, and e-mailed, faxed, or mailed.

§ 351-3. Application for new service; use for construction; fees.

A. An application for a new water service connection shall be made in writing to the Contract Administrator. The applicant shall consult with the Contract Administrator regarding the size of a new water service connection.

B. Only one domestic water service connection shall be supplied to a single building or to a group of buildings occupied as a unit; provided, however, that any business establishment occupying street-level premises and having a separate entrance thereto may be supplied with a separate service connection. For the purposes of this subsection, a double house having a solid vertical partition wall shall be considered as two separate buildings.

C. A supply of water for construction purposes, except on a plot of ground or a premises already supplied with metered water, shall upon application to the Contract Administrator be furnished via a metered hydrant. Such meters shall be provided by the Contract Administrator for a fee and deposit established by the Contract Administrator based upon size and duration of use.

D. Service requiring extension of the water system beyond the boundaries of South Orange shall only be authorized by the Board of Trustees, subject to terms and conditions contained in any resolution or ordinance authorizing such extension and service.

E. Any costs incurred by the Village in the breaking of a county road shall be chargeable to the customer being serviced.

F. All water service connections shall be made by the Contract Administrator or its agents, the cost of which shall be paid for by the Customer. When a water service connection has been installed by the Operator, service shall not be provided until the full cost of the service connection has been paid. The Operator shall determine whether any previously

installed service connection is adequate for a new service. Should the previously installed service connection be deemed inadequate, the cost of removal of the previously installed service connection shall be paid for by the Customer.

G. The connection fee shall be composed of the actual cost of the physical connection plus an additional amount computed pursuant to N.J.S.A. 40A:31-11. Such additional amount shall be computed annually at the end of each budget year, after a public hearing is held.

§ 351-10. Plumbing requirements.

A. The Customer's Service House Connection shall conform to all current applicable codes.

B. Anytime that a Customer received notice that the Customer's Service House Connection is leaking, the Customer shall repair or replace the Service House Connection within seven calendar days of receipt of such notice. For good cause and upon a payment of $ 50 per day, a Customer may request an extension of time from the Contract Administrator to make the repair or replacement. Failure to make the repair or replacement as herein required, may result in the termination of service.

§ 351-13. Meters for lawn-sprinkling systems.

Lawn Sprinkling Systems shall require a permit, shall be connected to a separate meter and equipped with a Back Flow Preventer.

§ 351-14. Meter tests and adjustments.

A. The Operator and Contract Administrator reserve the right to test meters.

B. Upon the request of the Customer questioning the accuracy of a meter, such meter will be tested. A test shall be conducted off premises, the existing meter being replaced by a new meter. There shall be no charge for such test and replacement meter unless the meter registers more than 101.5% or less than 98.5% of the water that actually passed through the meter. In that event a residential Customer shall be charged a fee as provided for in Section 531-15B(4). Notwithstanding test results, Commercial Customers shall pay the cost of such test.

C. Adjustments. In case of disputed water bills which involve an alleged accuracy of the meter, such meter shall be promptly tested as described in Section 351-14B. If an error in excess of the allowable error is found to exist, the water bill shall be adjusted accordingly to apply a credit. However, the percentage of error shall apply only to the water used since the date of the last meter reading.

D. Where the meter has ceased to register, water consumption may be determined by previous meter reading while the meter was in working order or upon the test information available.

§ 351-15. Bills for metered service; miscellaneous water charges; service discontinuance for nonpayment.

4. Metered rates.

(1) Metered rates for water sold to Customers by the Township of South Orange Village shall be $6.27 per 100 cubic feet.

(2) In any case, where the metered volume is equal to or less than that noted by meter size in the following table during the time period noted, the minimum charge shall be the volume indicated below at the current rate.

For accounts billed quarterly:

Meter Size	100 Cubic Feet
5/8	6.21
3/4	6.21
1	6.21
1.5	6.21
2	6.21
3	275.00
4	400.00
6	800.00
8	1,250.00

For accounts billed monthly:

Meter Size	100 Cubic Feet
5/8	2.07
3/4	2.07
1	2.07
1.5	2.07
2	2.07
3	92.00
4	133.00
6	267.00
8	417.00

(3) As provided for in Section 351-16, standby fire-protection service shall be billed a fixed fee based on connection size as follows:

For accounts billed quarterly:

Connection Size (in.)	Fixed Fee
1	$105.21
2	$142.83
3	$180.14
4	$217.66
6	$482.51
8	$907.12

For accounts billed monthly:

Connection Size (in.)	Fixed Fee
2	$46.18
3	$60.15
4	$72.70
6	$160.84
8	$302.37

B. Miscellaneous Fees.

(1) Resumption of service after discontinuance for non-payment. $100.

(2) Final read: $35

(3) Return check: $30, or such greater charge that Operator's bank may impose.

(4) Residential Customer Meter Test Charge: pursuant to Section 351-14B: $200.00.

C. Bills for metered water service shall be rendered quarterly, unless otherwise agreed to by the Customer, and shall show the readings of the meter at the beginning and at the end of the period for which the bill is rendered, together with the dates on which the readings

were taken.

D. Customers shall be responsible for all charges accruing for water services until the effective date of the written notice to the Operator to discontinue the service as provided in § 351-9.

E. Water bills shall be due when presented. If bills are not paid within 30 days after the date of the bill, a late fee of 8% of the unpaid balance shall be due on the 31st day and an additional 8% on the 77th day. Nonreceipt of a bill for water charges shall be no excuse for failure to pay or for delay in payment.

F. Water service may be discontinued on or after the 78th day following the date of an unpaid bill, provided the following steps are taken:

(1) A letter shall be sent to the Customer on or about the 33rd day.

(2) A phone call shall be made to the Customer on or about the 59th day, if the Customer has provided the Operator with a phone number...

(3) A letter advising that service shall be discontinued shall be sent on or about the 65th day, which letter shall provide the date on which service will be discontinued.

(4) A phone call advising service shall be discontinued shall be made on or about the 71st day, if the Customer has provided the Operator with a phone number.

G. Issuers of bad checks may experience a shutoff off of water service if restitution of the full amount of the check is not made within 10 days following notification of a returned check.

H. Water bills in arrears for six months, together with interest, shall be a lien upon the real estate to which the water was furnished, to the same extent as taxes are a lien upon real estate, and may be collected by the same proceedings as in the case of other delinquent taxes.

Section 2.

Repealer.

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

Section 3.

This ordinance shall take effect upon final passage and publication as required by law.

Section 4.

On passage this ordinance shall be codified.

Introduction – First Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke			X			
Davis Ford			X			
Hartshorn Hilton			X			
Levison	X		X			
Rosner			X			
Schnall		X	X			

CERTIFICATION

I, Kevin D. Harris, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was introduced on first reading by the Board of Trustees at their meeting held on February 11, 2019.

Kevin D. Harris
Village Clerk

Adoption – Second Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke		X	X			
Davis Ford			X			
Hartshorn Hilton			X			
Levison	X		X			
Rosner			X			
Schnall			X			

CERTIFICATION

I, Kevin D. Harris, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading by the Board of Trustees at their meeting held on March 11, 2019.

Kevin D. Harris
Village Clerk

Adopted:

Sheena C. Collum, Village President

Attest:

Kevin D. Harris, Village Clerk