

**ORDINANCE NO. 17-02
BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH PLAINFIELD,
CHAPTER XIII ENTITLED, “WATER AND SEWER”,
ARTICLE II ENTITLED “SEWER”, SECTION 13-4.3, ENTITLED
“METHOD OF CALCULATION”,
MOST NOTABLY, THE APPENDIX ENTITLED
“SCHEDULE OF RATES (SUBSECTION 13-4.3)”**

WHEREAS, the Borough of North Plainfield, County of Somerset, State of New Jersey is authorized by State law to pass an Ordinance regarding the establishment of sewer usage charges within the Borough; and,

WHEREAS, the Borough of North Plainfield, County of Somerset, State of New Jersey has determined that the expense of operation and maintenance of any public sewage system shall be borne by the property owners connected thereto in the Borough of North Plainfield; and,

WHEREAS, the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey believes that it is in the best interest of the Borough to amend, revise and supplement the Appendix to Section 13-4.3 of the Borough Code of the Borough of North Plainfield entitled, “Schedule of Rates”; and,

WHEREAS, the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey believes that it is in the best interest of the Borough to adjust the current rates for the usage of the sewerage system.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Appendix “Schedule of Rates” to Schedule II of Chapter XIII, Section 13-4.3 of the Code of the Borough of North Plainfield, entitled “Method of Calculation”, is hereby amended, revised, and supplemented to the following “Schedule of Rates:”

Appendix Schedule of Rates

(Subsection 13-4.3)

- a. The usage charge for each property shall be calculated by dividing total water usage by the number of units, determining the corresponding usage charge per unit, and then multiplying the usage charge per unit by the number of units.
- b. The usage charge per unit shall be two dollars and ninety-six ~~two dollars and thirty-one~~ (\$2.96 ~~2.31~~) cents per hundred (100) cubic feet of water for 2017 ~~2011~~, provided, however, there shall be a minimum usage charge of ninety-seven dollars and sixty-nine ~~seventy-five dollars and seven~~ (\$97.69) ~~(\$75.07)~~ cents per unit, payable on each payment date as per subsection 13-4.8 of the Borough Code. For 2018 2012 and beyond, the usage charge per unit shall increase (for both cubic feet and/or minimum usage, whichever is applicable) based upon the percentage (%) increase from the Plainfield Area Sewerage Authority to the Borough, be two dollars and forty (\$2.40) ~~cents per hundred (100) cubic feet of water, with a minimum usage charge of seventy-eight dollars and seven (\$78.07) cents per unit, payable on each payment date as per subsection 13-4.8 of the Borough Code. For 2013, the usage charge per unit shall be two dollars and forty-seven (\$2.47) cents per hundred (100) cubic feet of water, with a minimum usage charge of eighty dollars and forty one (\$81.41) cents per unit,~~ payable on each payment date as per subsection 13-4.8 of the Borough Code.
- c. All residential users serviced by wells shall be charged on the basis of one (1) unit. All other sewer users with wells shall be charged a minimum of one (1) unit, plus such additional charges as the Borough Engineer shall deem appropriate based upon a review and analysis of the estimated average daily flow generated by that use.

* Additions in text indicated by underline; deletions by ~~strikeouts~~.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances that are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

3. This Ordinance shall take effect, after final passage, twenty (20) calendar days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the council, whichever is applicable, and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED: February 14, 2017
PASSED: February 14, 2017
PUBLISHED: February 17, 2017
ADOPTED: February 27, 2017

ROLL CALL: AYES: Miller, Singleterry, Stabile, La Ronde
NAYS: None
ABSTAIN: None
ABSENT: Merrill, Righetti, Schaefer

APPROVED BY THE MAYOR: Yes _____ No _____

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on _____, 2017

ATTEST:

BOROUGH OF NORTH PLAINFIELD

Richard K. Phoenix, RMC
Borough Clerk
Borough of North Plainfield
Date signed: _____, 2017

Lawrence La Ronde, Council President
Date signed: _____, 2017

Michael Giordano, Mayor

Date signed: _____, 2017