

**ORDINANCE 2020-01**  
**INTRODUCTION DATE: 03-09-2020**  
**ADOPTION DATE: 03-23-2020**

**AN ORDINANCE AMENDING CHAPTER 15: “WATER AND SEWER” OF THE  
BOROUGH CODE AT SECTION 15-4 TO CLARIFY THE OBLIGATIONS OF THE  
BOROUGH AND PROPERTY OWNERS AS TO THE REPAIR, REPLACEMENT, AND  
MAINTENANCE OF WATER TAPS AND SERVICE CONNECTIONS**

**C/Trammell** offered the following Ordinance and moved its introduction, which was seconded by **C/Esakoff**.

**WHEREAS**, the Borough of Roosevelt, County of Monmouth, State of New Jersey (the “Borough”) operates and maintains a combined Water/Sewer Utility Department, pursuant to the authority of N.J.S.A. 40:62-106; and

**WHEREAS**, it has been brought to the Borough’s attention that there is confusion amongst Borough property owners as to the responsibility for repair, replacement, and maintenance of water taps and service connections within the Borough; and

**WHEREAS**, the Borough’s currently policy of addressing all blockages and/or maintenance of water taps and service connections within the Borough regardless of their location is unsustainable from a budgetary and fiscal standpoint;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that Borough Code Chapter 15: “Water and Sewer” shall be amended to supplement Section 15-4 therein as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

**15-4 WATER TAPS AND SERVICE CONNECTIONS.**

**15-4.1 Installation.**

All water taps and sewer service connections must be made either by a licensed plumber; or at the discretion of the Mayor and Council, they may order by resolution, that the water taps and sewer service shall be made by the Water/Sewer Utility Department of the Borough or its authorized agent and at the expense of the applicant.

**15-4.2 Inspections.**

All connections shall be inspected by the Plumbing Subcode Official and shall be properly reported to the Water/Sewer Utility Department.

**15-4.3 Sewer Connection Fees.**

For each new sewer connection, the following fee shall be paid to the Borough of Roosevelt:

- a. Single-family dwelling..... \$3,685.00

- b. Apartments or multi-family dwellings, for each unit..... \$3,685.00
- c. Any other structure..... The greater of \$3,685.00 or \$3,685.00 for each equivalent domestic dwelling consumption unit (EDCU).
- d. In addition to the connection fees hereinabove, all charges and expenses associated with connecting to the sewer system, including service saddles, teewye fitting, clean-outs and street excavation, shall be paid by the owner making application therefor. In the event of an opening for the purpose of repair or replacement or maintenance of a sewer lateral, the cost of such repair or replacement or maintenance shall be borne by the owner of the property from the in-street sewer main to the dwelling or structure. All work on sewer laterals shall be performed in accordance with methods approved by the Sewer Utility Operator or Borough Engineer. The Borough reserves the right to determine the type, size and quality of the pipe to be utilized from the sewer main to the dwelling or other structure. In the event that the owner of the property fails to comply with the responsibility as stated herein for expenses incurred and the failure continues after written notice is received by the owner notifying the owner of responsibility for the costs, then the Sewer Utility Operator or Borough Engineer shall certify the cost to the Borough Council, which shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall become a lien upon the lands and be added to and become a part of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this section.

**15-4.4 EDCU Defined.**

EDCU shall mean the equivalent wastewater flow from one single family dwelling unit and shall be applied to industrial, professional, commercial and other users at an average rate of three hundred (300) gallons per day. The Borough hereby adopts the project flow criteria of the New Jersey Department of Environmental Protection as presently set forth in N.J.A.C. 7:14A-23.3, as modified from time to time, as criteria for determining EDCU's of sewer service to compute connection fees for the types of uses listed in the regulation or their equivalents as determined by the Borough.

**15-4.5 Water Connection Fees.**

For each new water connection, the following fee shall be paid to the Borough of Roosevelt:

- a. Single-family dwelling..... \$1,815.00
- b. Apartments or multi-family dwellings, for each unit..... \$1,815.00
- c. Any other structure..... The greater of \$1,815.00 or \$1,815.00 for each equivalent domestic dwelling consumption unit (EDCU).
- d. Charges for tapping of the water main for service pipe to curb, including corporation and curb stops and street excavation, shall be paid by the owner making application therefor. In the event of an opening for the purpose of repair or replacement or maintenance of a water service line, the cost of such repair or replacement or maintenance shall be borne by the owner of the property from the in-street water main to the dwelling or structure, including any repair or use of the shutoff valve, regardless

of where located. All work on water service lines shall be performed in accordance with methods approved by the Water Utility Operator or Borough Engineer. The Borough reserves the right to determine the type, size and quality of the pipe to be utilized from the water main to the dwelling or other structure. In the event that the owner of the property fails to comply with the responsibility as stated herein for expenses incurred and the failure continues after written notice is received by the owner notifying the owner of responsibility for the costs, then the Water Utility Operator or Borough Engineer shall certify the cost to the Borough Council, which shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall become a lien upon the lands and be added to and become a part of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this section.

**BE IT FURTHER ORDAINED** that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and take effect immediately upon final passage and publication.

#### **PUBLIC NOTICE**

Notice is hereby given that Ordinance 20-01 was introduced at a meeting of the Mayor and Borough Council of the Borough of Roosevelt in the County of Monmouth and State of New Jersey on the 9<sup>th</sup> of March 2020 and was then read for the first time. This Ordinance was adopted by the Mayor and Council at Borough Hall on the 23<sup>rd</sup> of March 2020. Kathleen Hart, RMC, Borough Clerk