

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 10-2014

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
AMENDING CHAPTER 186 OF THE TOWNSHIP CODE, ENTITLED
"WATER"

WHEREAS, Chapter 186 of the Township Code of the Township of Pemberton (the "Code") governs water charges and rates in the Township of Pemberton (the "Township"); and

WHEREAS, the Township has determined that it is necessary to amend Chapter 186 in order to establish charges for standby user fees; and

WHEREAS, the Township Council thinks it is in the best interest of the Township to amend Chapter 186.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Pemberton, in the County of Burlington and State of New Jersey that Chapter 186 of the Code of the Township of Pemberton shall be amended as follows (additions bolded and underscored, deletions struckthrough):

1. Article I., § 186-1. "Definitions," shall be amended to add the following:

Equivalent domestic consumer unit or "EDU"

A unit of measure that standardizes water consumption based on the level of demand created by one single family dwelling unit.

2. Article I., § 186-13. "System interconnections," shall be amended as follows:

Any other state-approved water supply system desiring a permanent interconnection on an emergency basis with the Pemberton Township water distribution system shall make such requests by letter to the Township. Construction costs and engineering fees shall be borne by the applicant. **Additionally, each applicant approved to connect to the Township's water supply system for use on an emergent basis, shall pay a standby fee of \$150 per quarter, plus the cost of water used, as further set forth in Section 186-14.**

If an applicant desires a permanent connection for such supply not in an emergency context, then all applicable fees, including connection fees and engineering fees, shall apply and all water utilized by either party will be metered and charged according to the prevailing township water rates.

3. Article I., § 186-14. "Water service rates," shall be amended to add the following:

E. Emergency use fees.

- (1) **The following fees shall be charged for water used from the Township's water supply system in accordance with Section 186-13 regarding system interconnections on an emergent basis, provided that such user gets permission from the Township:**

- (a) **If water is used for a consecutive period of thirty (30) days or less, the minimum water charge shall be \$9.75 for each EDU within the private water system, with a water allowance per minimum charge of 2,000 gallons per EDU.**

- (b) **If water is used for a consecutive period of thirty one (31) days or more, the water use shall be charged in the same manner and under the same terms as the fees otherwise set forth in this Chapter for existing customers, including the minimum quarterly fees and the water gallon allowances.**

- (2) A meter reading indicating usage of water from the Township's water supply system, without approval by the Township, shall require the owner of the private water system to make payments to the Township in accordance with Section E(1)(a) above, based upon a reasonable estimation of the period of time for which the water was impermissibly used.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

PEMBERTON TOWNSHIP COUNCIL

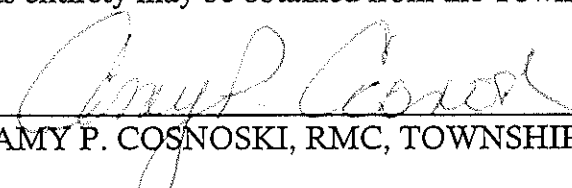
TOWNSHIP OF PEMBERTON
ORDINANCE NO. 10-2014

NOTICE OF PUBLIC HEARING

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
AMENDING CHAPTER 186 OF THE TOWNSHIP CODE, ENTITLED
"WATER"

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on August 6, 2014 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on August 20, 2014, at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:30 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:


AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 10-2014

NOTICE OF FINAL PASSAGE

AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON
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"WATER"

Notice is hereby given that Ordinance No. 10- 2014 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on August 20, 2014. Said Ordinance shall take effect in accordance with law.

ATTEST:


AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR


David A. Patriarca

DATE August 21 2014

ATTEST:


AMY P. COSNOSKI, RMC, TOWNSHIP CLERK