

TOWNSHIP OF CHESTERFIELD

ORDINANCE NO. 2018 – 24

AN ORDINANCE TO AMEND ORDINANCE 2018-13 WHICH AMENDED CHAPTER 216 (“SEWAGE DISPOSAL SYSTEMS”), ARTICLE II (“SEWER USE AND USER CHARGE SYSTEM”) OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD REGARDING USER SERVICE CHARGES

WHEREAS, the Township Committee for the Township of Chesterfield adopted Ordinance No. 2018-13 on July 26, 2018, which amended Chapter 216 (“Sewage Disposal Systems”), Article II (“Sewer Use and User Charge System”) of the Code of the Township of Chesterfield regarding user service charges; and

WHEREAS, historically, sewer ratepayers in the Township have paid a flat quarterly rate for use of the system, but Ordinance No. 2018-13 revised rates and changed the way ratepayers would be billed by basing sewer service charges on metered water consumption, and maintaining a flat rate in some instances; and

WHEREAS, upon initial implementation of the new billing rates and procedures, the Township Clerk has brought to the Township Committee’s attention that the process of billing ratepayers based on water usage during spring and summer months, or the 2nd and 3rd quarters of the year, leads to unusually high sewer bills since water usage is generally elevated during this time of year due to the watering of flowers and lawns, filling up swimming pools, etc., and bills based on water consumption during those months are likely not an accurate reflection of a ratepayer’s use of the public sewer system; and

WHEREAS, the Township Clerk has determined it to be common practice for private water and wastewater utilities to base sewer service charges on water consumption, and to bill sewer ratepayers for actual water consumed during the 1st and 4th quarters of the year, but to bill for the 2nd and 3rd quarters using the combined average water consumption figure from a ratepayer’s prior 1st and 4th quarter water usage, as this process accounts and adjusts for higher than normal water usage during the 2nd and 3rd quarters of the year; and

WHEREAS, the Township Committee finds this recommended practice to be an efficient, accurate, and equitable method of calculating a ratepayer’s bill for sewer service based on water consumption during the entire year without penalizing ratepayers for elevated water usage during the 2nd and 3rd quarters that is likely unrelated to a ratepayer’s use of the public sewer system.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey, as follows:

Ordinance 2018-13, insofar as it amends Chapter 216, Article II, is hereby amended such that Section 216-14(E) through 216-14(K) shall now read as follows:

SECTION ONE. Amended Sections.

§216-14. User charge system.

[subsections A. through D. to be remain unchanged]

E. Metered services. Sewer service charges for all ratepayers (residential and nonresidential users) serviced by a water utility are calculated based on water consumption as measured by the ratepayer's water meter in the following manner, depending on the quarterly billing period, as follows:

First Quarter (January, February, March) sewer service charges shall be billed by the Township in April, and invoices will be based on the actual amount of water used during the First Quarter, calculated using the ratepayer's water meter readings as such information is provided to the Township by the water utility;

Second Quarter (April, May, June) sewer service charges shall be billed by the Township in July, and invoices will be based on the ratepayer's average water usage during the immediately preceding First and Fourth Quarters;

Third Quarter (July, August, September) sewer service charges shall be billed by the Township in October, and invoices will be based on the ratepayer's average water usage during the immediately preceding First and Fourth Quarters;

Fourth Quarter (October, November, December) sewer service charges shall be billed by the Township in January of the following calendar year, and invoices will be based on the actual amount of water used during the Fourth Quarter, calculated using the ratepayer's water meter readings as such information is provided to the Township by the water utility.

F. Ratepayers with metered water service will be charged a minimum quarterly flat rate which will apply to all levels of water usage up to 10,000 gallons per quarter. For every additional 1,000 gallons, or any part thereof, used within a quarter, excess consumption fees will be assessed in accordance with this Section.

G. Minimum quarterly flat rate. The minimum quarterly flat rate for all ratepayers with metered water service is \$70.00.

H. Excess water consumption charge. Ratepayers with metered water service who use more than 10,000 gallons of water in a given quarter will be charged an excess consumption fee of \$5.25 for each additional 1,000 gallons, or any part thereof, used.

I. Unmetered services. The quarterly flat rate for ratepayers that utilize private wells and are not serviced by a water utility is \$96.25.

J. Senior citizens qualifying for the senior citizen tax deduction from the State of New Jersey shall receive a 15% reduction in their rate. Places of worship, not including any parsonage connection, shall be exempt.

K. The Township shall provide quarterly bills to all users of the system. Bills shall be payable within 30 days of mailing. Interest shall be charged on unpaid and overdue balances shall become liens, collectable with the property owner's taxes, with interest accruing at the rate of 1.5% per month or at a rate of interest at least equal to the monthly index for the immediately preceding month for twenty-year tax exempt bond yields as compiled by the bond buyer, whichever is greater.

[remainder of Code is unchanged]

SECTION TWO. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

SECTION THREE. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

SECTION FOUR. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law and shall be effective as of January 1, 2019 for purposes of implementation of invoicing by the Township for the Fourth Quarter of 2018.

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: December 13, 2018

Adopted: December 27, 2018

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S Davis	X						S Davis				X		
A Katz	X					X	A Katz	X					X
D Koetas-Dale	X				X		D Koetas-Dale	X				X	
J Liedtka	X						J Liedtka	X					
R Romeu	X						R Romeu	X					
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Secoded													