

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2023:33**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
PARSIPPANY TROY-HILLS, MORRIS COUNTY, NEW JERSEY AUTHORIZING A
SPECIAL ASSESSMENT FOR SPECIFIC TOWNSHIP PROPERTIES TO BE
REMEDiated UNDER THE NEW JERSEY LEAD PIPE ABATEMENT LAW**

WHEREAS, under the New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq., (“Act”) the Township of Parsippany-Troy Hills (“Township”) is permitted to enter onto property to perform galvanized and lead service line replacement; and

WHEREAS, the Township passed ordinance 239 “Mandatory Replacement of Lead and Galvanized Service Lines” pursuant to the New Jersey Safe Drinking Water Act; and

WHEREAS, the Township has identified specific properties, identified in the exhibit to this ordinance within the jurisdiction of the Township that are required to have their service lines remediated under the Act.; and

WHEREAS, N.J.S.A. 40:56-1 et seq. law authorizes the “Township” to assess the amount of the principal, interest, and costs for the loan against the real property benefited by the loan together with interest and penalties; and

WHEREAS, State law authorizes the collection of the assessment in the same manner as assessments for local improvements; and

WHEREAS, the Township Council wishes to adopt an ordinance authorizing special assessments to be imposed on properties subject to galvanized and lead service line abatement.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany in the County of Morris, State of New Jersey as follows:

SECTION 1. The full cost of the principal, interest and any associated costs, fees or penalties, expended to complete the galvanized and lead service lines remediation together with all costs associated with establishing and enforcing the assessment, minus any monies paid by the owners of see Exhibit A

SECTION 2. The procedure for making and collecting assessment shall be as provided under N.J.S.A. 40:56-1 *et seq.* and N.J.S.A. 40:49-6.

SECTION 3. The Township Special Assessment Committee pursuant to Township Ordinance § 4 – 52 shall be responsible for making assessment.

SECTION 4. The Township will not contribute to the payment of any part of the costs of this local improvement.

SECTION 5. The assessment shall constitute a first and paramount lien as provide for by N.J.S.A. 40:56-33.

SECTION 6. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

SECTION 7. All Ordinances of parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 8. This Ordinance shall take effect immediately after final passage and publication as provided by law.