

ORDINANCE 2023-31

AN ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF SEASIDE HEIGHTS, SO AS TO AMEND CHAPTER 219, ENTITLED "UTILITIES"

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, and State of New Jersey, as follows:

SECTION 1. The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 219 entitled "Utilities," so add a new section § 219-27.1 which shall be entitled "Water and Sewer Application and Escrow Review Fees" which shall read as follows:

A. Application Fees

1. Residential

- a) 1-3 Units - \$100
- b) 4-6 Units - \$200
- c) 7-20 Units - \$300
- d) 21 or more units - \$400

2. Commercial – Application fee shall be \$2.50 per square foot or gross floor area with a minimum fee of \$250.00.

3. Fees are paid per applications (i.e. water, sewer or water and sewer for preliminary and final).

B. Escrow Review Fees

1. Escrow Deposits for a preliminary approval shall be as follows:

- a) Residential: \$1,500.00 + \$200 per unit greater than 3 Units
- b) Commercial: \$1,500.00 or greater of \$2.50 per square foot.

2. Escrow deposits for final approval shall be as follows:

- a) Residential: \$1,000.00 + \$100 per unit greater than 3 units
- b) Commercial: \$1,000.00 or greater of \$1.50 per square foot

3. Fees are paid per applications (i.e. water, sewer or water and sewer for preliminary and final).

C. Infrastructure Upgrade Contributions

1. For residential and commercial applications shall be as follows:

No. of Units	Contribution Fee Per Unit
1-3 units	\$200
4-6 units	\$1,000
7-20 units	\$2,000
21 units and over	\$3,000

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2. Fees are paid per application (i.e. water, sewer or water and sewer for preliminary and final).

SECTION 2. The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 219 entitled "Utilities," so amend § 219-28 entitled "Installation of Water System Improvements" so as to amend subsection F. in its entirety so that they shall read as follows:

F. Other fees

1. Inspection Escrow
 - a. Single Family Residential Applications not exceeding two units: \$500.
 - b. All other applications: 10% of the estimated construction costs not to exceed \$1,250.00, whichever is greater. Escrow shall be replenished when balance falls below \$300.
2. Hydraulic Modelling:
 - a. If, in the judgment of the Borough, an Applicant's project will potentially impact the existing water system operation, the Applicant shall pay for Borough Hydraulic Computer model analysis by the Borough Engineer necessary to determine water supply storage and distribution capabilities to meet the Applicant's projected water use demands and fire flow requirements.
 - b. A separate escrow deposit will be required for a Hydraulic Computer Model analysis in an amount to be determined by the Borough in consultation with the Borough Engineer. An initial escrow fee of \$1,750.00 shall be deposited and replenished when the balance drops below \$300.00.

SECTION 3. The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 219 entitled "Utilities," so amend § 219-30 entitled "Installation of Sewer System Improvements" so as to amend subsection E. so as to amend subsection F. in its entirety so that it shall read as follows:

F. Other fees

1. Inspection Escrow
 - a. Single Family Residential Applications not exceeding two units: \$500.

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- b. All other applications: 10% of the estimated construction costs not to exceed \$1,250.00, whichever is greater. Escrow shall be replenished when balance falls below \$300.
- 2. Sewer Monitoring and Modelling:
 - a. If, in the judgment of the Borough, an Applicant's project will potentially impact the existing sewer system operation, the Applicant shall pay for collection and conveyance modelling services necessary to determine sewage system capacity to meet the Applicant's projected sewage demands and flows.
 - b. A separate escrow deposit will be required for a collection and conveyance study in an amount to be determined by the Borough in consultation with the Borough Engineer. An initial escrow fee of \$1,750.00 shall be deposited and replenished when the balance drops below \$300.00. A flow metering fee of \$110 per day per meter for flow meter. Duration of flow metering to be determined by Borough Engineer. The results will be provided which shall include any improvements required by Applicant to provide regional (requested) sewer service.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Heights held on the 18th day of October, 2023, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 21 day of November, 2023 at 5:00 p.m., at the George E. Tompkins Municipal Complex located on 116 Sherman Avenue (above the firehouse) in Seaside Heights, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



DIANE B. STABLEY, RMC
Borough Clerk, Borough of Seaside Heights

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