

# ORDINANCE

No. 23-037

1<sup>st</sup> Reading JUN 13 2023  
Public Hearing JUL 06 2023  
2<sup>nd</sup> Reading & Passage JUL 06 2023  
Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Date to Mayor JUL 10 2023  
Date Returned JUL 11 2023  
Date Resubmitted to Council \_\_\_\_\_

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

TITLE

Councilman /woman

presents the following Ordinance:

## AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 309-8G OF THE CITY CODE OF THE CITY OF TRENTON REGARDING RATES AND CHARGES FOR ILLEGAL CONNECTION AND BYPASS OF WATER METERS

**WHEREAS**, the City desires to ensure that City residents do not implement an illegal connection or bypass of water meters to ensure the safety of City residents and the efficient administration of the provision of City water; and

**WHEREAS**, pursuant to N.J.S.A. 2C:20-8 ("Theft of Services"), it is a crime to implement an illegal connection or bypass of a water meter; and

**WHEREAS**, the City believes that increasing the charge for the illegal connection or bypass of water meters will limit the occurrences of illegal connections and bypasses of water meters; and

**WHEREAS**, pursuant to Chapter 309 of the Code of the City of Trenton, The Division of Water and Sewer of the Department of Public Works shall enforce the City's General Water Regulation.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRENTON:**

### SECTION 1

Chapter 309, Article II, Section 309-8(G) shall be amended as follows (additions are **emboldened** and deletions are ~~struck through~~):

G. Schedule G: Miscellaneous Charges for All Users.

- (1) Testing meters at request of customer more frequently than once in each twelve-month period [N.J.A.C. 14:3-4.5(a)]: \$100.
- (2) Turn-on charge at request of customer (does not apply to new customers): \$100.
- (3) Replacement of meter at request of customer and where meter in use less than two years (N.J.A.C. 14:3-4.10): cost of meter of required size plus \$150
- (4) Repair or replacement of frozen or broken meter due to customer negligence: cost of meter of required size plus \$125.
- (5) Street opening charges: Customers must pay whatever street opening costs are fixed by the local governmental agencies having jurisdiction over the roadways.

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- (6) Bad check charge for all users: If a customer pays a bill, charge or deposit due with a negotiable instrument, such as a check, bank draft or the like, which is subsequently dishonored or uncollectible for any reason, an additional charge of \$35 per instrument will be imposed.
- (7) Restoration of service (due to nonpayment) during working hours: \$100.
- (8) Restoration of service (due to nonpayment) after hours: \$150.
- (9) Seasonal replacement of water meters: \$50 upon removal.
- (10) Illegal connection/bypass of water meter: ~~\$600~~ **\$2,000**; see Trenton Municipal Code at § 309-5, Unauthorized use of water.

## SECTION 2

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected. All ordinances, rules and regulations inconsistent herewith are hereby repealed.

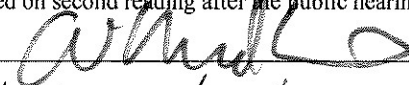
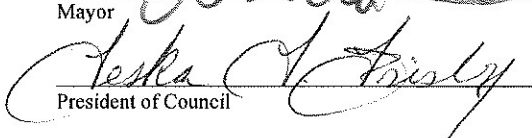
## SECTION 3

This ordinance shall take effect upon final adoption and publication in accordance with N.J.S.A. 40:69A-181.

	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION			
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB
EDWARDS	✓				✓				GONZALEZ	✓				✓				FRISBY	✓				✓			
FELICIANO	✓				✓				HARRISON	✓				✓												
FIGUEROA KETTENBURG	✓				✓				WILLIAMS	✓				✓												
NV - NO VOTE		AB - ABSENT																								


Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on JUN 13 2023

Adopted on second reading after the public hearing on JUL 06 2023

  
 Mayor  
  
 President of Council

  
 APPROVED

Reconsidered by Council – Override Vote\*\* AYE  
NAY

  
 City Clerk