

AN ORDINANCE AMENDING CHAPTER 175 (SEWERS AND SEWAGE DISPOSAL) TO REQUIRE BRIDGEWATER PROPERTIES SERVED BY THE BOROUGHS OF BOUND BROOK AND RARITAN TO SEWER CHARGES AS BILLED DIRECTLY BY THE BOROUGH OF BOUND BROOK AND BOROUGH OF RARITAN AND RESTRICT WATER-BASED BILLING OPTIONS

WHEREAS, the current billing structure permits the use of water-based billing in certain circumstances, which is unusual and outdated, and which the Township is not equipped to provide; and

WHEREAS, since the Township already requires users served by the Borough of Somerville and the Township of Green Brook to pay actual pass-through sewer charges from the respective Boroughs rather than a flat fee, users served by the Borough of Bound Brook and Raritan should also be thusly charged; and

WHEREAS, in consideration thereof, the Mayor and Council of the Township of Bridgewater desire to amend Chapter 175, titled Sewers and Sewage Disposal; and

BE IT THEREFORE ORDAINED, by the Township Council of the Township of Bridgewater in the County of Somerset and State of New Jersey that Chapter 175 of the Municipal Code of the Township of Bridgewater, County of Somerset, State of New Jersey are amended pursuant to the provisions hereof (additions are noted thusly and deletions are noted ~~thusly~~):

Section I

Chapter 175-3 is hereby amended as follows:

A. Every user connected, directly or indirectly, to the sanitary sewerage system of the Township or to any part thereof shall pay, as hereinafter specified, to the Treasurer of the Township an annual sewer use charge hereby established, at the rates and in the manner hereinbelow specified, effective January 1, 2008.

B. The rate and charge per unit user and the rate charge per metered volume user effective January 1, 2008, shall be as follows:

(1) Unit charges for unmetered church, nonprofit civil associations and residential users:

(a) Three hundred ninety-nine dollars per year for each unit or major fraction of a unit over one unit where the user is either serviced directly by the Township with treatment at Somerset-Raritan Valley Sewerage Authority or the Plainfield Area Regional Sewerage Authority, ~~or through the Borough of Bound Brook or Borough of Raritan~~, which said sum shall include the costs of treatment, operation and maintenance.

(b) Where the user is served by the Borough of Somerville, it shall be charged as billed directly by the Borough of Somerville according to its existing system of user charges.

(c) Where the user is served by the Township of Green Brook, it shall be charged as billed directly by the Township of Green Brook according to its existing system of user charges.

(d) Where the user is served by the Borough of Bound Brook, it shall be charged as billed directly by the Borough of Bound Brook according to its existing system of user charges.

(e) Where the user is served by the Borough of Raritan, it shall be charged as billed directly by the Borough of Raritan according to its existing system of user charges.

(2) Unit charges for unmetered commercial, institutional, industrial and nonresidential users: \$399 per year for each unit or major fraction of a unit over one unit, regardless of where the user is serviced, based upon 3,000 square feet of gross building area calculated per the Township of Bridgewater Municipal Land Use Code per basic unit (some uses have two minimum billing units per business).

(3) Volume charge for metered users: \$3,644 per year for each million gallons per year, metered, prorated on the basis of \$364.40 for each major fraction of 100,000 gallons per year.

Section II

Chapter 175-5 is hereby amended as follows:

Any user being charged at a rate of more than ~~35 units~~ **3,000 gallons per day**, may, on application to the Township **Engineer** and upon approval of such application by the Township **Engineer**, install a sewage meter to measure continuously the flow of sewage for the purpose of determining rates and charges on a metered basis. The cost of the installation **and maintenance** shall be borne by the owner, who shall grant to the Township, its agents and officers the right of access to such meter at all reasonable times and the right to inspect all flow records at reasonable times. **Any sewage meter installed herein shall be calibrated annually at the expense of the owner.**

A. ~~In addition to the above, any restaurant on application to the Township and upon such approval of such application by the Township, Any existing restaurant which currently has a sewage flow of more than 3,000 gallons per day and currently submits to the Township by February 1 public water bills for 12 months of the preceding year for the purpose of determining rates and charges as if the sewage flow were metered may continue to do so as long as it can prove to the Township Engineer that installing a sewage meter would be infeasible.~~ Failure of a user to submit the required public water bills shall result in that user being charged pursuant to § 175-4, Classification of unmetered users, for the current calendar year.

B. The minimum charge for a restaurant shall be two units. ~~The option to meter shall be available to restaurants that are completely serviced by public water and not using wells in whole or in part.~~

C. ~~For the calendar year 2015, restaurants may submit, within 20 days of the effective date of this subsection, an application to the Township and upon approval of the application by the Township, submit water bills from July 2014 through June 2015 for the purpose of determining rates and charges as to sewerage fees. Upon submission of the aforementioned water bills to the Township, all previously billed sewer fees, interest and late fees based on seating capacity shall be waived. Subsection A of this section shall become effective for the calendar year 2016.~~

Section III

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section IV

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section V

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Township Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

Adopted: May 16, 2022

Effective: June 7, 2022