

**TOWN OF CLINTON  
ORDINANCE NO. 24-09**

**AN ORDINANCE AMENDING THE RATE SCHEDULE OF THE WATER DEPARTMENT  
OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON, NEW JERSEY**

**WHEREAS**, the Town of Clinton through its Water Department supplies water to the residents of the Town and to customers located in other municipalities; and

**WHEREAS**, the Town's water rates were subject to review and approval by the New Jersey Board of Public Utilities (the "BPU") because the Water Department supplies water to customers who are located outside of the Town; and

**WHEREAS**, P.L. 2005, c. 267, §1, codified at *N.J.S.A. 40A:31-23(e)*, became effective on January 5, 2006, exempting from BPU rate regulation the rates and charges of a municipal water utility which charged the same rates to customers who reside within the municipality and those who reside outside the municipality; and

**WHEREAS**, the annual rates and charges currently assessed by the Town for water are set forth in a tariff filed with and approved by the Board of Public Utilities in 1994; and

**WHEREAS**, the rates in the 1994 tariff are the same for customers who reside within the town and those who reside outside the Town; and

**WHEREAS**, the Town, as provided by *N.J.S.A. 40A:31-23(e)*, is therefore exempt from BPU regulation as to rates although still subject to BPU jurisdiction with respect to service and reliability; and

**WHEREAS**, the BPU requires municipalities enacting rate changes pursuant to *N.J.S.A. 40A:31-23(e)* to file with the BPU for informational purposes both the ordinance revising the tariff and the revised tariff; and

**WHEREAS**, the Water Department faces increased costs of providing water service to its customers, and additional revenues are needed to cover the costs of various system improvements; and

**WHEREAS**, the Mayor and Council have been advised that without rate increases the water utility would not be adequately funded and the public would be at risk; and

**WHEREAS**, the Water Department serves customers in the Town of Clinton, the Township of Clinton, the Borough of Lebanon and the Township of Union, and these municipalities are located in the Highlands Region and are therefore subject to the provisions of the Highlands Water Protection and Planning Act ("Highlands Act", P.L. 2004, c. 120); and

**WHEREAS**, the Highlands Act created the Highlands Water Protection and Planning Council ("Highlands Council") and charged the Highlands Council with the task of developing a Regional Master Plan; and

**WHEREAS**, the Highlands Regional Master Plan identifies the availability of water in each subwatershed in the Highlands Region, and the Water Department draws water from groundwater wells located in subwatersheds which are in water supply deficit; and

**WHEREAS**, the Highlands Regional Master Plan calls for the development of a municipal Water Use and Conservation Management Plan for subwatersheds in water supply deficit, to consist of measures aimed at reducing and eliminating water supply deficits, and one of the recommended measures is the modification of water rates to enhance financial incentives for water conservation by end users; and

**WHEREAS**, the Town of Clinton wishes to encourage water conservation by revising the water rate structure; and

**WHEREAS**, a rate study has been performed in accordance with standard water supply industry practices, and

**WHEREAS**, the Mayor and Council wish to ameliorate the impact of increased water rates on the customers of the Water Department; and

**WHEREAS**, to that end they have balanced the need to raise funds to meet rising costs and construct system improvements against the impact of rate increases on customers and elected to phase in the increased water usage rates over a three year period; and

**WHEREAS**, in accordance with the provisions of *N.J.S.A. 40A:31-23(e)*, the Town of Clinton will continue to charge the same rates to the billed customers outside of the Town of Clinton as are charged to customers within the Town of Clinton;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Town Council of the Town of Clinton, in the County of Hunterdon, State of New Jersey as follows:

Section 1. The Rate Schedule of the Town of Clinton Water Company Tariff for Water Service is amended as follows (deletions are shown as and additions are shown as thus):

## RATE SCHEDULE

### SCHEDULE 1 – General Metered Service

#### APPLICABILITY:

Applicable to the use of water supplied through meters in the entire territory served by the Company.

#### CATEGORIES:

Customers of the Town of Clinton Water Company are categorized into user classes as follows:

- a. Residential – One-family and two-family residential dwellings, and individually-metered condominium units;
- b. Commercial – Properties engaged in commercial or industrial activities;
- c. Multifamily – Multifamily dwellings, e.g. condominiums, where the units are not individually-metered;
- d. Irrigation – Metered accounts dedicated solely to irrigation, e.g. lawn sprinklers;
- e. Emergency Interconnection – Metered accounts dedicated solely for the purpose of an emergency event;
- f. Fire Protection – Metered accounts dedicated solely for the purpose of fire suppression.

**FIXED SERVICE CHARGE:**

All general metered water service customers shall pay a fixed service charge based on the size of each meter installed by the Company Customers with multiple meters shall be charged for each meter at the indicated rate. Whenever service is established or is discontinued all applicable fixed charges shall be prorated to date of establishment or discontinuance of service.

<b><u>Size of Meter</u></b>	<b><u>Per Quarter</u></b>	<b><u>1/1/2025</u></b>	<b><u>1/1/2026</u></b>	<b><u>1/1/2027</u></b>	<b><u>1/1/2028</u></b>	<b><u>1/1/2029</u></b>
	<b><u>7/1/ 2024</u></b>					
5/8"	\$47.82	\$53.80	\$60.53	\$68.09	\$76.60	\$86.18
¾"	\$51.94	\$58.43	\$65.74	\$73.96	\$83.20	\$93.60
1"	\$75.38	\$84.80	\$95.40	\$107.32	\$120.74	\$135.83
1 ½"	\$150.71	\$169.54	\$190.74	\$214.58	\$241.40	\$271.58
2"	\$241.12	\$271.26	\$305.17	\$343.32	\$386.23	\$434.51
3"	\$452.13	\$508.64	\$572.22	\$643.75	\$724.22	\$814.75
4"	\$753.55	\$847.74	\$953.71	\$1,072.92	\$1,207.04	\$1,357.92
6"	\$1,507.08	\$1,695.47	\$1,907.40	\$2,145.83	\$2,414.06	\$2,715.81
8"	\$2,411.34	\$2,712.75	\$3,051.85	\$3,433.33	\$3,862.49	\$4,345.31
10"	\$3,014.17	\$3,390.94	\$3,814.81	\$4,291.66	\$4,828.11	\$5,431.63
12"	\$3,767.72	\$4,238.68	\$4,768.51	\$5,364.58	\$6,035.15	\$6,789.54

**CONSUMPTION CHARGE\*:**

In addition to the Fixed Service Charge set forth above, a charge will be made for all water used as registered by the meter.

**A. Residential & Commercial Consumption Charge:**

<b><u>Quantity (gallons)</u></b>	<b><u>Rate per thousand gallons</u></b>	<b><u>1/1/2025</u></b>	<b><u>1/1/2026</u></b>	<b><u>1/1/2027</u></b>	<b><u>1/1/2028</u></b>	<b><u>1/1/2029</u></b>
	<b><u>Year:</u></b>	<b><u>7/1/2024</u></b>				
0 to 25,000		\$6.85	\$7.71	\$8.67	\$9.76	\$10.97
						\$12.35

25,001 to 50,000	\$8.92	\$10.04	\$11.29	\$12.70	\$14.29	\$16.08
50,001 and >	\$11.60	\$13.05	\$14.68	\$16.51	\$18.58	\$20.90

**B. Multifamily Consumption Charge:**

<u>Quantity (gallons)</u>	<u>Rate per thousand gallons</u>					
<u>Year:</u>	<u>7/1/2024</u>	<u>1/1/2025</u>	<u>1/1/2026</u>	<u>1/1/2027</u>	<u>1/1/2028</u>	<u>1/1/2029</u>
All Usage	\$8.92	\$10.04	\$11.29	\$12.70	\$14.29	\$16.08

**C. Irrigation Consumption Charge:**

<u>Quantity (gallons)</u>	<u>Rate per thousand gallons</u>					
<u>Year:</u>	<u>7/1/2024</u>	<u>1/1/2025</u>	<u>1/1/2026</u>	<u>1/1/2027</u>	<u>1/1/2028</u>	<u>1/1/2029</u>
All Usage	\$11.60	\$13.05	\$14.68	\$16.51	\$18.58	\$20.90

**D. Emergency Interconnection Charge:**

<u>Quantity (gallons)</u>	<u>Rate per thousand gallons</u>					
<u>Year:</u>	<u>7/1/2024</u>	<u>1/1/2025</u>	<u>1/1/2026</u>	<u>1/1/2027</u>	<u>1/1/2028</u>	<u>1/1/2029</u>
All Usage	\$11.60	\$13.05	\$14.68	\$16.51	\$18.58	\$20.90

**E. Fire Protection Charge:**

<u>Quantity (gallons)</u>	<u>Rate per thousand gallons</u>					
<u>Year:</u>	<u>7/1/2024</u>	<u>1/1/2025</u>	<u>1/1/2026</u>	<u>1/1/2027</u>	<u>1/1/2028</u>	<u>1/1/2029</u>
All Usage	\$11.60	\$13.05	\$14.68	\$16.51	\$18.58	\$20.90

\* Consumption charges reflect a water tax of \$0.01 per 1,000 gallons of water consumed pursuant to Chapter 443 of the Laws of New Jersey 1983 concerning the periodic testing of public water supplies.

**SCHEDULE II – Fire Protection Service – Public and Private**

(a) Hydrant Charge – \$303 per year

(b) Unmetered lines for fire protection

3-inch	\$ 708.75 per year
4-inch	1,063.13 per year
6-inch	1,417.50 per year
8-inch	2,126.25 per year

10-inch	2,835.00 per year
12-inch	3,543.75 per year

**SPECIAL PROVISIONS:**

1. Certified Residential Health Care Facilities and rooming or boarding homes which are required to install private fire sprinkler systems pursuant to P.L. 1971, c. 136 (N.J.S.A. 26:2H-1, et seq.) and P.L. 1979, c. 496 (N.J.S.A. 55:13B-1, et seq.) and regulations promulgated under these two statutes shall be exempt from payment of the private fire protection service charges as detailed in the Rate Schedule II. Such exemption shall not be granted until the applicant has submitted to the Company, and the Company has reviewed and approved, evidence that the applicant is a licensed Residential Health Care Facility or rooming or boarding house and has been required to install a private fire sprinkler system pursuant to the above statutes and regulations.
2. In cases where fire hydrants are placed after the meter there will be no annual hydrant charge as detailed in Schedule II but will be subject to consumption charges as detailed in Rate Schedule I.

Section 2. Section 142-4 entitled “Rents and Charges” of Chapter 142 entitled “Water” of the Code of the Town of Clinton is amended to read as follows (deletions are shown as and additions are shown as thus):

§142-4. Rents and charges.

The annual rentals or charges hereby fixed and officially established by the Town of Clinton as the rates or rentals to be charged to all customers of the water system, both private and municipal, shall be those rates set forth in the most recent tariff adopted by ordinance and filed with the Board of Public Utilities. A copy of the most recent tariff shall be kept on file and available for inspection by the Town Clerk.

Section 3. Upon adoption, a copy of this ordinance and a copy of the revised tariff shall be filed with the BPU. The Town shall continue to pay an assessment to the Board for those billed customers outside of the Town pursuant to *N.J.S.A. 40A:31-23(g)*. The Town shall continue to file its BPU Annual Report and Statement of Gross Operating Revenues pursuant to *N.J.A.C. 14:3-6.3* and *N.J.S.A. 48:3-62*.

Section 4. This ordinance shall become effective following its final passage and publication as required by law. The new Fixed Service Charge and the 2024 Consumption Charge shall become effective July 1, 2024 and apply to usage after that date.

ATTEST:

TOWN OF CLINTON

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Cecilia Covino, Clerk

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Janice Kovach, Mayor