

BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY

ORDINANCE: O-2021-10-S

AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION, AND STATE OF NEW JERSEY, ESTABLISHING SEWER RATE FOR 2021

WHEREAS, the Borough of Fanwood ("the Borough"), pursuant to the New Jersey Municipalities & County Sewerage Act, N.J.S.A. 40A:26A-1 *et seq.* and Fanwood Ordinance No. 18-02-R created "The Fanwood Sewer Utility"; and

WHEREAS, the Borough desires to set the sewer rates for the year 2021.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey as follows:

Section 1. The following definitions shall apply to this Chapter:

- A. Property Class Code 1 shall refer to vacant land;
- B. Property Class Code 2 shall refer to residential use properties;
- C. Property Class Code 4A shall refer to commercial properties;
- D. Property Class Code 4B shall refer to industrial properties;
- E. Property Class Code 4C shall refer to apartment;
- F. Property Class Code 15C shall refer to publicly owned properties; and
- G. Property Class Code 15F shall refer to tax exempt properties;

Section 2. The following schedule shall be the annual charge for users of the sewer system for the year 2021:

Residential & Tax Exempt Properties:

Up to 35,000 Gallons	\$75.00
Up to 70,000 Gallons	\$150.00
In excess of 70,000 Gallons	\$150.00 plus an additional \$30.00 per 10,000 Gallons over 70,000 with no Class Code 2 or Class Code 15F property being charged more than \$1,000.00. This schedule shall not apply to properties covered by Chapter 268 of the Borough Code and <i>N.J.S.A. 40A:21-1 et. seq.</i>

Commercial Properties:

Up to 35,000 Gallons	\$75.00
Up to 70,000 Gallons	\$300.00
In excess of 70,000 Gallons 10,000 Gallons over 70,000.	\$300.00 plus an additional \$70.00 per

Mixed Use Properties:

Up to 35,000 Gallons	\$75.00
Up to 70,000 Gallons	\$225.00
In excess of 70,000 Gallons 10,000 Gallons over 70,000.	\$225.00 plus an additional \$50.00 per

Borough Owned Properties & vacant land:

Exempt from fee

Section 3. This Ordinance shall not apply to property class code 15 C properties owned by the Borough.

Section 4. This Ordinance shall not apply to property class code 1 properties which are defined as vacant land.

Section 5. This Ordinance shall not apply to all other vacant lot properties within the Borough.

Section 6. This Ordinance shall apply to those properties within the Borough that are served by well water shall be charged the same fee as those properties falling within property class code 2 residential up to 35,000-gallon range.



Section 7. Payors of accounts maintained by the Fanwood Sewer Utility shall have a right to request a review of charges on their account. Payor requests shall be submitted in writing and accompanied by annual water bill showing consumption.

Section 8. This Ordinance shall supersede and replace any prior Resolution or Ordinance contrary hereto.

Section 9. If any part of this Ordinance shall be deemed invalid, such part shall be severed, and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section 10. This Ordinance shall take effect as provided by law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Council of the Borough of Fanwood at the duly held Meeting on the 1st day of February, 2021.

Introduction: April 19, 2021	 APPROVAL: Colleen Mahr, Mayor
MOTION: McElroy Barker SECOND: Banks	
YES: Councilmembers Carter, Banks, Glaser, McElroy-Barker, Mitchell, Walsh	
NO: None	
ABSTAIN: None	
ABSENT: None	
Public Hearing: May 3, 2021	
YES: Councilmembers Carter, Banks, Glaser, McElroy-Barker, Mitchell, Walsh	
NO: None	
ABSTAIN: None	
ABSENT: None	
	 ATTEST: Kathleen Holmes, Borough Clerk