

ORDINANCE 2024:1539

AN ORDINANCE OF THE BOROUGH OF HADDON HEIGHTS ESTABLISHING A SEWER DEPARTMENT WITHIN THE BOROUGH OF HADDON HEIGHTS, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AND AUTHORIZING THE ADOPTIONS OF CERTAIN CONNECTION FEES AND SEWER SERVICE CHARGES

WHEREAS, the Sewer Department of the Borough of Haddon Heights has been ignored, dormant and ineffective for several years, notwithstanding the existence of Chapter 365, Article II, §365-16 through §365-20 of the Code of the Borough of Haddon Heights, adopted on April 14, 1981 and amended in its entirety on May 21, 1991; and

WHEREAS, as a result, the sewer collection system has been seriously neglected causing a crisis in the existing conditions of the force mains, gravity lines and pump stations located throughout the Borough of Haddon Heights; and

WHEREAS, a preliminary investigation by the Borough's Engineer has determined that the associated cost estimates for the rehabilitation of Borough's gravity sanitary sewer mains and associated manholes totals in excess of \$17,000,000; and

WHEREAS, these engineering estimates do not include any rehabilitation costs for the Borough's pump stations or force mains; and

WHEREAS, nearly all other municipalities within the County of Camden have established a working, active and revenue generating Sewer Department in order to fulfill the governing body's obligation and responsibility to protect the health, safety and welfare of such municipalities; and

WHEREAS, the current governing body cannot determine the last time a significant investment or borrowing was made to protect and/or maintain the Borough's existing sewer collection system, a portion of which is nearly a century old; and

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Heights, County of Camden and State of New Jersey as follows:

SECTION 1: Chapter 365, Article II, §365-16 through §365-20 of the Code of the Borough of Haddon Heights is hereby rescinded and revoked in its entirety and replaced with the following:

SEWER DEPARTMENT

§365-16 CREATION.

Pursuant to N.J.S.A. 40A:26A-1 *et seq.* (the Sewerage Act), the Borough of Haddon Heights hereby created the Borough Sewer Department for purposes of acquiring, constructing, and operating sewerage facilities, including all plants, lines, pumps and equipment pertaining thereto, within the Borough. The Borough Sewer Department shall operate the sewerage facilities completed pursuant to the Sewerage Act in accordance with the Sewerage Act.

§365-17 SEWER CHARGES.

(A) The Borough shall charge fees for sewer connection and service as established annually by Ordinance of the Borough Council. Sewer connection fees shall be due and payable as and when such sewer connection(s) is applied for. Sewer service fees shall be billed annually by the Borough and shall be due and payable by May 1 of each calendar year and for the ensuing calendar year.

(B) The owner of a property which is abandoned or becomes unoccupied for a continuous period of one year, may apply to the Borough for cancellation of the sewer account for such property and for any refund of current year sewer charges only as follows:

(1) The owner must notify the Borough Tax Collector in writing that the property has been unoccupied for a continuous period of one year. Such notice must include the original date of termination of occupancy and must include written proof that water service (excluding fire) has been terminated at the property for a continuous period of one year.

(2) Upon receipt of such notice and the required proof, the Tax Collector will cancel the sewer bill for the current year forward and will refund any payments made for the current tax year, if any. No refund for any payments for prior tax years will be given.

(3) If the property later is to be occupied, the property owner must pay a new sewer connection charge for each domestic consumer unit applicable to the property.

§365-18 SCHEDULE OF DOMESTIC CONSUMER UNITS FOR SEWER SERVICE CHARGES.

The schedule set forth as Exhibit "A" will be used to calculate the sewer service charge for each customer or property within the Borough.

§365-19 EXEMPTION FROM SEWER SERVICE FEES.

The following properties shall be exempt from the sewer service fee:

One-family detached and attached townhomes and condominium units which are occupied solely by persons who are:

- (A) Sixty-five years old or older;
- (B) Permanently and totally disabled as determined by the Social Security Administration; or
- (C) The surviving spouse of the household who is over the age of 55 years; and
- (D) Qualify for a tax deduction under N.J.S.A. 54:4-8:40 *et seq.*

§365-20 SEWER CONNECTION FEES AND SEWER SERVICE CHARGES.

(A) The initial sewer connection fee charge shall be calculated annually by the Borough's financial advisor or Auditor and shall be adopted in accordance with its annual fee Ordinance.

(B) The initial sewer service charge shall commence upon adoption and publication of this ordinance as required by law shall be established as \$120.00 annually per Equivalent Dwelling Unit. Said amount, paid annually with the billing cycle established by this Ordinance.

SECTION 2: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 4: This Ordinance shall take effect immediately upon final passage and publication in accordance with law but no sooner than May 1, 2024 and filing with New Jersey Department of Community Affairs and appropriate County and State Agencies.

SECTION 5: This Ordinance shall take effect immediately upon final passage and publication as required by law.

Introduced:

FEBRUARY 6, 2024

Public Hearing:


FEBRUARY 20, 2024

Adopted:

FEBRUARY 20, 2024


Mayor Zachary Houck

ATTEST:


Kelly Santosusso, RMC, Borough Clerk