

**ORDINANCE NO: 2023-4**

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF MANTOLOKING, SO AS TO AMEND CHAPTER 20, ENTITLED "SEWERS" SO AS TO UPDATE SEWER FEES**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Mantoloking, County of Ocean, and State of New Jersey, as follows:

**SECTION 1.** Section 20-3 of Chapter 20 of the Borough Code of the Borough of Mantoloking, entitled, "Sewers" is hereby amended and supplemented so as to read in its entirety as follows:

**20-2.3 Connection Fees and Costs.**

- a. All costs shall be borne by the owner of the premises served.
- b. The fee for connecting to the sanitary sewerage system shall be **one hundred (\$100.00)** dollars. This fee includes the fee for inspection of this connection.

**SECTION 2.** Section 20-5 of Chapter 20 of the Borough Code of the Borough of Mantoloking, entitled, "Sewers" is hereby amended and supplemented so as to read in its entirety as follows:

**20-2.5 User Rates and Charges.**

- a. All owners of improved premises subject to connection and who have not connected and paid shall pay a pro rated annual sewer charge. The pro rated charge shall be due and payable from the expiration of the six (6) month period and shall be paid in full not later than seven (7) months from the announcement of availability of connection.
- b.1. There are hereby established the following annual rates and charges to be imposed by the Borough for the use and service of the sanitary sewerage system:

The minimum charge per unit shall be **three hundred nine dollars and seventy-three cents (\$309.73)** annually. In addition to the minimum charge each user shall pay a fee of **\$16.31 (sixteen dollars and thirty-one cents)** per fixture for all fixtures over four (4) exclusive of the laundry facility and one (1) dishwasher.

- c. Each user shall be provided with an annual statement of the sewer charges. The annual sewer charges shall be due and payable on April 20<sup>th</sup> of each year and shall become delinquent unless paid within the ten (10) day grace period after stated due date of April 20<sup>th</sup> each year. Failure to timely pay the sewer charges will expose the property to a municipal lien sale. Delinquent sewer accounts shall accrue interest at the rate of 12% per annum.

2. The annual sewer charge based on the type of property shall be as follows: ("X" indicates one (1) unit)

Annual

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|--|-----|
| (a) Single-family dwelling, apartment unit, (an apartment unit will be deemed any living unit having cooking facilities) | 1X  |
| (b) Commercial Establishments-Retail stores  | 1X  |
| (c) Churches   | 1X  |
| (d) Yacht Clubs  | 1.5 |

3. In addition to the foregoing charges, any user who discharges toxic pollutants into the system which causes increased operations and maintenance costs shall be responsible for such increased operation and maintenance costs.

c. Each user shall be provided with an annual statement of the sewer charges. The annual sewer charges shall be due and payable on April 20th of each year and shall become delinquent unless paid within the ten (10) day grace period after stated due date of April 20<sup>th</sup> each year. Failure to timely pay the sewer charges will expose the property to a municipal lien sale. Delinquent sewer accounts shall accrue interest at the rate of twelve (12%) percent per annum.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

### **NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance No. 2023-4 was introduced and passed on first reading at the Regular Council Meeting of the Mayor and Council of the Borough of Mantoloking, County of Ocean, State of New Jersey, held on the 21st day of February, 2023, and that a public hearing was held thereon at a Regular Council Meeting of said Mayor and Council at the Mantoloking Borough Hall, Mantoloking, New Jersey on the 21st day of March, 2023, at which time and place said ordinance was passed on second and final reading and became effective as of that date.

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Beverley A. Konopada, RMC, CMR  
BOROUGH OF MANTOLOKING