

**TOWNSHIP OF MONTVILLE**

**ORDINANCE NO. 2024 - 03**

**AN ORDINANCE OF THE TOWNSHIP OF MONTVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO REPEAL SECTION TWO OF ORDINANCE 2023-20 IN ITS ENTIRETY**

**WHEREAS**, on August 22, 2023, the Township of Montville adopted Ordinance 2023-20 which, in part, established standards and procedures related to sewer service applications throughout the Township; and

**WHEREAS**, specifically, Section Two of the Ordinance established new subsections 15A, 15B and 15C to Chapter 300; and

**WHEREAS**, application of the Ordinance has raised concerns that individual flow studies and infiltration/inflow remediation required are causing different standards and quality of work to the infrastructure of the Township's sanitary sewer system; and

**WHEREAS**, the Township has determined that it will conduct an infiltration/inflow study or studies of the system in certain sections of the Township; and

**WHEREAS**, following the study or studies, the Township will undertake capital improvement projects to address the areas of concern and such costs will be considered as part of the connection fee for future users who connect to the system; and

**WHEREAS**, the Township undertaking such projects will ensure uniformity of the projects and infrastructure throughout the Township's system; and

**WHEREAS**, as a result of these determinations, the Township believes that it would not be beneficial to have individual developers conducting such improvement projects; and

**WHEREAS**, the Township Attorney, Township Administrator and the Township Committee have determined repeal of these subsections is in the best interests of the Township.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Montville, in the County of Morris, State of New Jersey as follows:

**Section 1.** Section Two from Ordinance 2023-20 is hereby repealed in its entirety. Specifically, subsections 15A, 15B and 15C are removed.

All other portions of this Section not addressed herein shall remain unchanged.

**Section 2.** If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**Section 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Montville, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Montville are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**Section 4.** If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 5.** This Ordinance may be renumbered for purposes of codification.

**TOWNSHIP OF MONTVILLE  
COUNTY OF MORRIS  
STATE OF NEW JERSEY**

**ATTEST:**

  
\_\_\_\_\_  
Stacy Kostka, Township Clerk

  
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June Witty, Deputy Mayor

Introduction: 2/13/2024  
Public Hearing: 2/27/2024  
Adoption: 2/27/2024