

ORDINANCE NO. 10-21

**ORDINANCE OF THE BOROUGH OF ROCKAWAY
MAYOR AND COUNCIL
AMENDING CHAPTER 213, SEWER,
OF THE CODE OF THE BOROUGH OF ROCKAWAY**

WHEREAS, the Mayor and Council of the Borough of Rockaway have determined that a need exists to amend Chapter 213, Sewer, Article I, Regulations, of the Borough of Rockaway to clarify responsibility for costs associated with maintenance, repair, or replacement of any lateral.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that the following amendments be made to the Code of the Borough of Rockaway:

Section I – Chapter 213, Sewer

Chapter 213, Sewer, Article I, General Regulations, has been modified to read as follows:

Chapter 213. Sewer

§ 213-6 Connection expenses; maintenance and repair; fees.

- A. Whenever any of the work herein provided for is done, it shall be at the expense of the owner or owners of the land in front or upon which the same is done.
- B. Such owner or owners shall also be responsible for the maintenance, repair and replacement of any lateral installed upon premises owned by him or them or other work done in connection therewith to the Borough's main sewer line.
- C. Such owner shall also pay the connection fees applicable to such building as established from time to time by ordinance duly adopted by the Mayor and Council.
- D. The fee to permit the applicant to obtain permission for a four-inch sanitary sewer connection from the sewer main to the curblin (not to exceed 30 feet) shall be as provided in Chapter **A263**, Fees, and when it is necessary to break up permanent pavement to make said connection, there shall be an additional charge as provided in Chapter **A263**, Fees. The method of computation shall be as follows:
 - (1) Any dwelling house providing family accommodations for more than one family shall pay therefor a fee equal to the number of such families times the rate established.
 - (2) Any store premises erected to provide for more than one store or place of business shall pay therefor a fee equal to the number of stores plus the number of private family dwellings times the rate established.
 - (3) Any combined store and dwelling premises shall pay therefor a fee equal to the number of stores plus the number of private family dwellings times the rate established.
 - (4) Where an existing structure is remodeled or enlarged to provide for additional tenants, the owner or owners shall pay therefor a sewer connection fee equal to the number of additional tenants times the rate established.
- E. In the case of an industrial plant or in any other case where the connection charge is not specifically provided for in this chapter, the Mayor and Council may, by resolution, fix and

determine the fee to be charged for any such connection.

- F. The fee to be paid by an applicant at the time of requesting a dye test to determine if a building is connected to the Borough's sanitary sewer shall be as provided in Chapter **A263**, Fees.

Section II

1. This Ordinance may be renumbered for codification purposes.
2. Severability. The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof.
3. Repealer. All ordinances or parts of ordinances of the Borough of Rockaway which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
4. Prior Actions. All actions of the Borough of Rockaway taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.
5. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

DATE: May 13, 2021

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

CERTIFICATION

I, Kimberly Cuspilich, Acting Borough Clerk of the Borough of Rockaway, in the County of Morris, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at a meeting held on May 13, 2021.

Kimberly Cuspilich
Acting Borough Clerk