

**BOROUGH OF WILDWOOD CREST
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 1414

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
61, SEWERS, SECTION 61-44 ADJUSTMENTS AND CREDITS
OF THE CODE OF THE BOROUGH OF WILDWOOD CREST**

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is necessary and proper for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants to supplement and amend Chapter 61 of the Code of the Borough of Wildwood Crest which regulates sanitary sewers in the Borough of Wildwood Crest.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Wildwood Crest in the County of Cape May and State of New Jersey, as follows:

Section 1. Ordinance 1330, adopted August 19, 2020, that had been codified in the Code of the Borough of Wildwood Crest as Chapter 61 is hereby restated, amended, and supplemented as follows:

§ 61-44. Adjustments and credits.

Adjustments due to a water leak will consist of a recalculation of the current year sewer charge. This recalculation will be based on a weighted average of the prior five years' individual total metered water consumption regardless of property ownership. If a building has been in existence less than five years, then a weighted average of the number of years said building has been in existence will be used. The adjusted current year charge will never be less than the minimum charged as defined in § **61-36D**. All adjustments/credits shall be substantiated with ~~the same plumber, landscape irrigation installer, or other New Jersey licensed contractor~~ and owner affidavits, which affidavits shall include a description of the work completed, nature of the leak, accompanied by copies of any invoices and/or receipts for material used and services rendered under the same requirements for water adjustment/credit, including a copy of said water bill showing water adjustment/credit if provided from the City of Wildwood Water Utility. Applications to the Borough for an adjustment shall be made prior to July 1 of the current year.

Section 2. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

Section 3. All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section 5. This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: December 6, 2023

Don Cabrera, Mayor

Patricia A. Feketics, Borough Clerk

Joseph Franco, Jr. Commissioner

Joseph Schiff, Commissioner

Introduced: November 21, 2023

Adopted: December 6, 2023