





**TOWNSHIP OF EWING  
ORDINANCE NO. 17-07**

**AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 300, SEWERS, ARTICLE II SEWER RATES AND CHARGES, TO AMEND THE INFILTRATION/INFLOW SEWER USE CHARGE FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS**

**BE IT ORDAINED** by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Section 1      CHAPTER 300, Sewers

ARTICLE II SEWER RATES AND CHARGES

§ 300-8 EWING RESIDENT RATE.

The "Ewing resident rate" shall consist of the sewer charges set forth herein.

A. Computation of proportionate flow sewer charges for Ewing residents commencing on January 1, 2012. The rate per 100 cubic feet based upon annual water consumption or sewer flow shall be set by the Township Council by resolution annually based upon actual billing from the ELSA within the following range:

ELSA and Ewing operations, maintenance and replacement charges      Range: \$3.25 to \$5.00

B. Infiltration/inflow sewer use charge. Each user, in addition to the proportionate flow charges in Subsection A herein, shall pay an annual charge for his or her proportionate share of operation and maintenance for extraneous flows caused by infiltration and inflow. A separate charge shall be paid for each dwelling unit or each commercial, industrial or other facility receiving sewer service. Twenty percent of the flows to ELSA from its users are deemed caused by such extraneous flows. The infiltration/inflow charge shall be calculated by the Township based upon the number of dwelling units and each commercial, industrial and other facility receiving service. The infiltration/inflow sewer use charge commencing January 1, 2012, will be set by the Township Council by resolution annually based upon actual billing from the ELSA within the following range: \$75 to ~~\$135~~ \$175.

C. Rate charges for unmetered premises. Charges for sewer service for premises without metered sewer or water connections, based upon an estimated annual water consumption of 6,400 cubic feet. Applying the proportionate flow sewer charge in § 300-8A, the annual charge commencing January 1, 2012, will be set by the Township Council by resolution annually based upon actual billing from the ELSA within the following range:

(1) Each family, dwelling or commercial facility with a complement of five or fewer fixtures shall pay annually: \$208 to \$265.

(2) For each additional fixture over the complement of five, the user shall pay an additional \$52 to \$65.

(3) Each user shall also pay, for each laundry tub or automatic washing machine in excess of two, an additional \$59.80.

(4) When more than one family uses the same complement of fixtures, or where individual fixtures are used in common by more than one family, the charge will be determined by multiplying the aforesaid rates or charges by the number of families using the fixtures.

(5) Each family, dwelling or commercial facility shall also pay the annual infiltration/inflow sewer use charge.

D. Rate for new connections. Newly connected sewer accounts shall be charged \$23.58 per month from the issuance of the first certificate of occupancy (whether temporary or permanent) until December 31 of that calendar year. Thereafter, charges shall be in accordance with § 300-8A and B.

E. Charges and rates to be amended by resolution. The charges and rates specified in this article may be amended from time to time throughout the calendar year by resolution of the Township Council based on the actual charges and rates assessed by the Ewing-Lawrence Sewerage Authority to the Township.

F. Unmetered premises which use wells for water connection may install a water or sewer meter in order for the Township to charge for sewer service based on actual water consumption or sewer usage.

(1) The installation of the water or sewer meter must conform to Ewing Township Building and Construction Codes so as to ensure proper installation and measurement of usage and is subject to penalty and inspection upon installation.

(2) The resident shall read the water or sewer meter and shall accurately report the actual reading shown on the meter to the Township tax office on a quarterly basis. The Township or its authorized designee shall read the meter annually in January, for which access must be provided by the homeowner in the case of meters not visible from the outside of the premises. To the extent possible, meters shall be installed so as to provide accessibility and visibility from outside of the premises. In the event that access to the interior of the premises is necessary to read the meter, the homeowner shall afford such access on reasonable notice from the Township or its authorized designee to accomplish the annual fourth quarter reading. If access is denied or prevented after two efforts by the Township or its authorized designee to read the meter, the sewer charges shall be calculated in accordance with Subsection C above.

(3) The Township or its authorized designee may conduct periodic inspections of the water or sewer meter in order to confirm the working status and accuracy of the meter. Upon installation and in January of every other year thereafter, the homeowner shall provide to the tax office a certification as to the accuracy and functionality of the said meter from the manufacturer or installer or other qualified entity, including but not limited to Trenton Water Works. Such meter certification must certify as to accuracy of better than +/- 1%. The Township shall maintain such certifications with the homeowner's sewer charge records.

(4) Upon the sale of the property, a Township official or its authorized designee will conduct a final reading of the water or sewer meter. The homeowner shall provide a current certification, consistent with Subsection F(3) above, confirming the working status and accuracy of the meter. The full balance shown as due, based on the final reading by the Township official or authorized designee, will be charged to the premises at the rate in effect at the time of the final reading.

(5) A determination, pursuant to Subsection F(3) or (4) above, that the meter is not working, has been tampered with or is for any reason inaccurate, will result in a new assessment based on Subsection C above for the entirety of the period from the date of the last certification of accuracy. Credit shall be accorded for any sewer fees paid during said period. Further, in the case of deliberate tampering, the violator shall be referred to the appropriate authorities for review and prosecution, if appropriate.

(6) The failure to provide the biannual certification required hereunder will cause the homeowner to be assessed sewer charges in accordance with Subsection C above, until a new certification is provided, if the validity or accuracy of any reported reading is questioned based on previously reported readings.

G. The failure to pay the amount of the sewer bill as determined by the Township tax office shall cause the Township tax office to certify the amount due and any interest charged to the Township Council, which shall examine the amounts due and, if found correct, shall cause the costs as shown thereon to be charged against said lands. Such costs shall be added to the taxes next to be

assessed and levied upon such lands the same to bear interest at the same rate as taxes and to be collected and enforced by the Tax Collector in the same manner as taxes.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Section 3 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Adopted:

#### STATEMENT

This Ordinance amends the sewer infiltration/inflow sewer use charge for residential and commercial customers as contained in the Ewing Township Municipal Code, Chapter 300.