

BOROUGH OF NEW PROVIDENCE  
ORDINANCE 2009- 10

"AN ORDINANCE OF THE BOROUGH OF NEW PROVIDENCE, COUNTY OF UNION,  
STATE OF NEW JERSEY, SETTING SEWER USE FEES FOR CERTAIN USERS OF  
THE BOROUGH SANITARY SEWER SYSTEM"

WHEREAS, Chapter 219 of the Borough Code establishes regulations relating to municipal sewers, and it is necessary to add sewer use fees for certain, large-volume users of the municipal sewer system.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of New Providence that:

Section 1. Chapter 219 of the Code of the Borough of New Providence is hereby amended to add subsection 219-13, Sewer Use Fees, as follows:

219-13. Sewer Use Fees.

- A. Any commercial or industrial user of the sanitary sewer and collection system, discharging more than 5,000 gallons per day into the system, shall pay a fee for use of the system of \$.001 for each gallon in excess of 5,000 gallons per day.
- B. Any user of the sanitary sewer and collection system, with multiple housing units, shall pay an annual fee of \$100 per unit in excess of 2 units.
- C. Industrial or Commercial users of the New Providence Wastewater Collection system shall be subject to testing, based on the potential contaminants used within the commercial or industrial property. The New Providence Licensed Plant Operator shall review information obtained from the property owners to determine whether said flow is detrimental to waste water collection system. The fee for testing of each sample performed by borough employees is \$40.00 and is billed monthly to each property owner. If the test requires the engagement of an outside laboratory, fees associated with the tests shall be billed to the property owner. Property owners must provide information requested by the Licensed Plant Operator to fulfill the requirements of this ordinance.
- D. All restaurants and food preparation establishments, including cafeterias within office complexes, shall pay an annual fee of \$500.00.
- E. Fees charged under the following sections:

219-13 (A) - shall be billed quarterly.

219-13 (B) – shall be billed annually, except prorated for 6 months in 2009.

219-13 (C) – shall be billed monthly.

219-13 (D) - shall be billed annually, except prorated for 6 months in 2009.

- F. Sewer bills shall be due and payable within 30 days of the date thereof.
- G. The Charges hereby imposed shall be payable to the Borough of New Providence and shall draw the same interest as taxes upon real estate and shall be a lien upon the property connected to the sanitary sewer until paid. The Borough shall have the same remedies for the collection thereof, with interest, costs and penalties, as it has by law for the collection of taxes on real estate.

Section 2. This ordinance shall take effect in accordance with law.

Introduced: July 27, 2009  
Public Hearing: August 10, 2009  
Adopted: August 10, 2009

BOROUGH OF NEW PROVIDENCE  
COUNTY OF UNION  
STATE OF NEW JERSEY

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John A. Thoms, Mayor

Attest:

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Wendi B. Barry, Borough Clerk