

ORDINANCE 2024-02
INTRODUCTION DATE: 02-05-2024
ADOPTION DATE: 02-20-2024

**AN ORDINANCE OF THE BOROUGH OF ROOSEVELT AMENDING CHAPTER 15:
“WATER AND SEWER” OF THE BOROUGH CODE TO CLARIFY THAT
PROPERTY OWNERS ARE RESPONSIBLE FOR ALL COSTS OF REPAIR AND
MAINTENANCE OF SERVICE APPLIANCES**

WHEREAS, the Borough of Roosevelt, County of Monmouth, State of New Jersey (the “Borough”) operates and maintains a combined Water/Sewer Utility Department, pursuant to the authority of N.J.S.A. 40:62-106; and

WHEREAS, the Borough seeks to clarify that Borough property owners are responsible for all costs of repairing and maintaining service appliances connected to the Borough’s water system;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that Borough Code Chapter 15: “Water and Sewer” is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

CHAPTER 15: “WATER AND SEWER”

* * *

15-10 PROPERTY OWNER TO MAINTAIN SERVICE APPLIANCES.

The owner of any property supplied with water shall, at the owner’s own expense and cost, maintain all service pipes, stop-cocks, curb boxes and other appliances and appurtenances in good working order and repair and protect them against freezing or other damage. In the event that repair, maintenance, shut-off, connection, and/or an emergent response by the Water Utility Operator, is required, all costs of such repair or maintenance or emergent response shall be borne by the owner of the property. If the owner of the property fails to comply with the responsibility as stated herein for expenses incurred and the failure continues after written notice is received by the owner notifying the owner of responsibility for the costs, then the Water Utility Operator shall certify the cost to the Borough Council, which shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall become a lien upon the lands and be added to and become a part of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining

portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

BE IT FURTHER ORDAINED that this ordinance shall be in full force and take effect immediately upon final passage and publication according to law.

ATTEST:

APPROVED

Kathleen Hart, Borough Clerk

Peggy Malkin, Mayor