

07-28

Finance  
Ms. Montesano

TOWNSHIP OF MONTCLAIR

**ORDINANCE AMENDING CHAPTER 269-22 OF THE TOWNSHIP CODE (THE  
"SEWER UTILITY ORDINANCE")**

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May 8, 2007

BE IT ORDAINED by the Council of the Township of Montclair, in the County of Essex, that Sections 269-22 of the Township Code (the "Sewer Utility Ordinance") be and is hereby amended to read as follows:

**§269-22. Establishment of Rates and Charges.** Effective January 1, 2006, the below rates and charges shall be in effect. The Township Council shall review said rates and charges annually to preserve the self-liquidating status of the utility. Each user shall pay an annual rental charge for use of the sewer system and an annual usage fee for treatment of discharges to the system. The rental charge, also known as the capacity charge, shall be based on the size of the user's water meter. The treatment charge shall be based on actual treatment costs incurred by the utility, to be billed to all users according to a formula as set forth below. These annual charges shall be payable each year in two equal installments on August 1<sup>st</sup> and December 1<sup>st</sup>, except that annual charges for "large institutional users" (to be defined in accordance with written guidelines prepared by the Superintendent and approved by the Township Manager) shall be paid in one annual payment due on August 1<sup>st</sup> of each year.

A. Capacity Charges.

[no change]

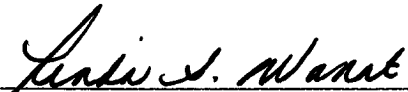
B. Treatment Charge. The treatment charge shall be calculated by taking the total of all water consumed in the municipality during the billing cycle for the first quarter of the current year and dividing this total into the actual total of all treatment billings incurred by the utility for said year from the regional wastewater treatment authorities serving the municipality, to determine an actual rate of wastewater treatment cost per 100 cubic feet of water consumption. Each user shall then be billed an annual charge for treatment that is equal to the aforesaid rate per 100 cubic feet times the user's actual total cubic feet of water consumption during the billing cycle for the first quarter of the current year. Said annual charge shall be payable in two equal installments on August 1<sup>st</sup> and December 1<sup>st</sup> of each year, except that (a) the installment payments for the year 2006 shall be payable on November 1, 2006 and December 1, 2006, and (b) the annual treatment charge for "large institutional users" (to be defined in accordance with written guidelines prepared by the Superintendent and approved by the Township Manager) shall be paid in one annual payment due on August 1<sup>st</sup> of each year. The treatment charge for any user who connects to the sewer system after January 1 of any year shall be prorated for the year in question and shall be calculated on the basis of the average water consumption for that user's meter class. The Township Council may, by resolution, extend the due date for payment of capacity and/or treatment charges due under this Ordinance.

C. [no change]

NEW LANGUAGE UNDERLINED

RECORD OF COUNCIL VOTE											
COUNCILORS	YES	NO	ABS	N.V.	AB	COUNCILORS	YES	NO	ABS	N.V.	AB
Freier	✓					Mayor Remsen	✓				
Lang	✓					Schlager	✓				
Mattox	✓					Deputy Mayor Tobin	✓				
Michaelson	✓										
X - Indicate Vote    ABS - Abstain    N.V. - Not Voting    AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted as introduced by the Council of the Township of Montclair, in the County of Essex, at its meeting held on June 26, 2007.

  
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 Linda S. Wanat  
 Clerk of the Township of Montclair, N.J.