

ORDINANCE NO. 2008-15

**AN ORDINANCE OF THE BOROUGH OF RED BANK, MONMOUTH COUNTY
AMENDING CHAPTER XX, "WATER AND SEWER,"
SECTION 20-8, "SEWER CONNECTION FEES" AND
SECTION 20-9, "WATER CONNECTION FEES"**

BE IT ORDAINED by the Governing Body of the Borough of Red Bank in the County of Monmouth that Chapter XX "Water and Sewer" of the revised General Ordinances of the Borough of Red Bank be and the same is hereby amended as follows:

SECTION ONE: Chapter XX "Water and Sewer", Section 20-8 "Sewer Connection Fees" of the revised General Ordinances of the Borough of Red Bank is hereby amended to read as follows:

20-8.1. Fee. The connection fee for each use connected to the sewerage system shall be as follows:

A. RESIDENTIAL

CLASS I

Single-family, condominiums, townhouses, apartments, multifamily, duplex, age restricted, trailers, mobile homes (Per unit)	\$2,460.00
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CLASS II

Hotel or Motel, per unit (a)	\$1,230.00
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(a) This portion of the connection fees applies only to the number of living units. An additional connection fee is imposed for kitchens, restaurants, taverns, laundries, offices and the like. In the case where dormitory style sleeping quarters are provided, the total number of dwelling units shall be determined by the total authorized occupancy capacity of the facility divided by two (2).

B. NON-RESIDENTIAL

Per gallon per day (b)	\$12.35
Minimum connection fee per unit	\$2,460.00

(b) Based upon the Borough's estimate of projected flows.

C. Estimated Projected Flows for Non-Residential Uses

1. The projected flow criteria contained in N.J.A.C. 7:14A-23.3 shall be used to determine the projected flows for non-residential uses, whenever practicable. In the event that a type of use is not listed in N.J.A.C. 7:14A-23.3, the Borough shall use its best judgment in determining projected flow.

2. The following projected flow criteria are hereby adopted by the Borough as additions or exceptions to those contained in N.J.A.C. 7:14A-23.3:

Use	Unit of Measurement	GPD
Church (worship area only; other uses to be calculated separately)	Per building	1 EDU

D. Additional Sewer Capacity for Non-Residential Users

A non-residential user shall be entitled to use the amount of sewer capacity, in gallons per day, that was obtained through the payment of connection fees, as well as such additional capacity actually used by its building, facility or structure without having undergone a physical or operational change for which a building permit, site plan, subdivision, variance or other municipal approval was required. An application for additional capacity shall be made by any existing non-residential user whenever there is an increase in the estimated, projected flow of sewage from any existing building, facility or structure resulting from any physical or operational change for which a building permit, site plan, subdivision, variance or other municipal approval is required. A connection fee shall be charged to the user based upon the increase in estimated flow associated with the aforesaid physical or operational change.

E. When Due

All sewer connection fees must be paid in full prior to the issuance of a construction permit for the premises.

SECTION TWO: Chapter XX "Water and Sewer", Section 20-9 "Water Connection Fees" of the revised General Ordinances of the Borough of Red Bank is hereby amended to read as follows:

20-9.1. Fee. The connection fee for each use connected to the water system shall be as follows

A. RESIDENTIAL

CLASS I

Single-family, condominiums, townhouses, apartments, multifamily, duplex, age restricted, trailers, mobile homes (Per unit)	\$929.00
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CLASS II

Hotel or Motel, per unit (a)	\$464.50
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(a) This portion of the connection fees applies only to the number of living units. An additional connection fee is imposed for kitchens, restaurants, taverns, laundries, offices and the like. In the case where dormitory style sleeping quarters are provided, the total number of dwelling units shall be determined by the total authorized occupancy capacity of the facility divided by two (2).

B. NON-RESIDENTIAL

Per gallon per day (b)	\$4.57
Minimum connection fee per unit	\$929.00

(b) Based upon the Borough's estimate of water consumption.

C. Estimated Water Consumption for Non-Residential Uses

1. The projected flow criteria contained in N.J.A.C. 7:14A-23.3 shall be used to determine the estimated water consumption for non-residential uses, whenever practicable. In the event that a type of use is not listed in N.J.A.C. 7:14A-23.3, the Borough shall use its best judgment in determining estimated water consumption.

2. The following projected flow criteria are hereby adopted by the Borough as additions or exceptions to those contained in N.J.A.C. 7:14A-23.3:

Use	Unit of Measurement	GPD
Church (worship area only; other uses to be calculated separately)	Per building	1 EDU

D. Additional Water Capacity for Non-Residential Users

A non-residential user shall be entitled to use the amount of water capacity, in gallons per day, that was obtained through the payment of connection fees, as well as such additional capacity actually used by its building, facility or structure without having undergone a physical or operational change for which a building permit, site plan, subdivision, variance or other municipal approval was required. An application for additional capacity shall be made by any existing non-residential user whenever there is an increase in the estimated, projected water consumption for any existing building, facility or structure resulting from any physical or operational change for which a building permit, site plan, subdivision, variance or other municipal approval is required. A connection fee shall be charged to the user based upon the increase in estimated water consumption associated with the aforesaid physical or operational change.

E. When Due

All water connection fees must be paid in full prior to the issuance of a construction permit for the premises.

F. Certain Affordable Housing Projects

Connection fees to public housing authorities and non-profit organizations building affordable housing projects that consist of new connections to the system are to be computed by providing a 50% reduction in the connection fee established by this Ordinance.

SECTION THREE: All ordinances or portions thereof that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency, as of the effective date of this Ordinance.

SECTION FOUR: If any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FIVE: This ordinance shall take effect immediately upon its passage and adoption in accordance with law.

First Reading: July 28, 2008

Final Reading: August 11, 2008

I hereby certify the above to be a true copy.

Pamela Borghi, Municipal Clerk