

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 671

**ORDINANCE AMENDING CHAPTER 328
OF THE CODE OF THE TOWNSHIP OF UPPER DEERFIELD
WITH RESPECT TO SEWER USE AND FEES**

WHEREAS, the Township of Upper Deerfield has constructed numerous improvements to its water and sewer system; and

WHEREAS, sewer use charges and sewer capital connection fees have been reviewed and are in need of revision in order to more equitably reflect the costs, including permit fees, domestic consumption units, and related fees; and

WHEREAS, the Township Committee of the Township of Upper Deerfield has reviewed the provisions of Chapter 328 of the Code of the Township of Upper Deerfield and has determined that changes and revisions are appropriate and in the interests of the residents of the Township of Upper Deerfield; and

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 328 of the Code of the Township of Upper Deerfield is hereby amended as follows:

Article VI, Chapter 328-331 of the Code of the Township of Upper Deerfield is hereby amended and redesignated as follows:

“328-321 Calculation of Sewer Connection Capital Expense Fee.

A Amount; when due

(1) for every connection to the Township of Upper Deerfield sewer system occurring on or after July 1, 2011, a sewer connection capital expense fee shall be charged for each domestic consumption unit (DCU) equal to \$2,508 payable at the time the construction permit is issued;

(2) As an alternative to the payment in subsection A(1) and upon application to the Township on a form prescribed for such use for any building existing prior to July 1, 2011, the sewer capital connection expense fee of \$2,508 may be paid in quarterly payments based on one tenth of the total connection fee being paid each year over a period of ten years from the date in which the connection shall occur.”; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 328-31(A)(3) of the Code of the Township of Upper Deerfield shall remain as heretofore; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that the date in Section 328-31B is hereby changed from January 1, 1992, to July 1, 2011; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that the remaining provisions of Section 328-31 of the Code of the Township of Upper Deerfield shall remain as heretofore and unaltered by the provisions hereof; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 328-32 of the Code is here by amended as follows:

Type of User. Single family home or each similar living unit including apartments, condominium and townhouse units:

Annual Rate per DCU	\$360.00
Commercial user with metered water service	\$360.00 + 0.0045 per gallon in excess of 80,000 gallons of water consumption per annum”

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that in all other respects Section 328-31 of the Code of the Township of Upper Deerfield shall remain as heretofore and unaltered by the provisions hereof; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 328-33 is hereby amended to read as follows:

“The schedule of connection fees per domestic consumption unit as a sewer connection capital expense fee shall be as follows”:

“Exhibit A”

SCHEDULE OF SEWER CONNECTION CAPITAL EXPENSE FEES
\$2,508.00 per Domestic Consumer Unit or Equivalent Domestic Consumer Unit (DCU)
 One (1) DCU = 270 gallons per day.

TYPE OF STRUCTURE	UNIT	FEE (\$)
1) Single Family, Twin, Townhouse Residential	1	\$2,508.00
2a) Rental or Condominium Apartment Unit, 2 bedrooms or fewer	1	\$2,508.00
2b) Rental or Condominium Apartment Unit, more than 2 bedrooms	1	\$2,508.00
3) Senior Citizen Unit	1	\$2,508.00
4) Hotel or Motel (per living unit)	0.5	\$1,254.00
5) Service Station (without car washing facilities)	1	\$2,508.00
6) Service State (with car washing facilities)	2	\$5,016.00
7) Supermarket	10	\$25,080.00
8) Clubs, Societies, Social Organizations (with bar and/or dining facilities up to 100 seats – 1 DCU for every 25 seats thereafter)	3	\$7,524.00
9) Clubs, Societies, Social Organizations	1	\$2,508.00

10) Churches	1	\$2,508.00
11) Commercial Garage (with water fixtures)	1	\$2,508.00
12) Eating Establishments:		
a. Take-out Restaurant (Without seating facilities)	2	\$5,016.00
b. Fast Food, Soda Fountain, Luncheonette (1-25 seating capacity)	1	\$2,508.00
* Each additional 15 seats or segment thereof	1	\$2,508.00
c. Diner, Tavern, Restaurant (1-50 seating capacity)	3	\$7,524.00
* Each additional 15 seats or segment thereof	1	\$2,508.00
13) Nursing or Convalescent Home (per each 2 inhabitants and staff)	1	\$2,508.00
14) Laundromat or Self-Service Laundry (per each washer)	0.2	\$501.60
15) Swim Clubs (wastewater from fixtures only) (Note: Swim Pool drains may not be connected to sewer system)	2	\$5,016.00
16) Theater (1-70 seating capacity)	2	\$5,016.00
17) Office Building (per each 5,000 sq. ft. of gross floor area)	1	\$2,508.00
18) Retail and General Commercial Business (Per first 10,000 sq. ft. of gross floor area)	1	\$2,508.00
Additional square footage calculation is: <u>Base Rate + Additional Sq. Ft. x \$2,508</u> 10,000		
19) Warehouse (Per each 10,000 sq. feet of gross floor area) Additional square footage calculation is: <u>Base Rate + Additional Sq. Ft. x \$2,508</u> 10,000	1	\$2,508.00
20) Industrial or Manufacturing Plant Without Significant Wastewater Generated (per each 10,000 sq. feet of gross floor area) Additional square footage calculation is: <u>Base Rate + Additional Sq. Ft. x \$2,508</u> 10,000	1	\$2,508.00

* A fifty percent (50%) discount for certain affordable housing projects may apply with credits for previously paid connections pursuant to N.J.S.A. 40:14B-22.3. The Township reserves the right to use a different unit basis should the user discharge a volume of wastewater greater than 20,000 gallons per day or higher than the normal. Loadings of 50 lbs. biochemical oxygen demand per day, 50 lbs. total suspended solids per day, 15 lbs. chlorine demand per day either in their product, manufacturing, or clean-up.

The Township reserves the right to adjust any of the above set forth connection permit fees based upon DCU values.

In the event a user is not described in this schedule, the Township shall determine the minimum equivalent domestic consumer units. One domestic consumer unit is 270 gallons per day.

Any party required by the Township's sewer use rules and regulations to administer the connection fee permit policy shall be entitled to retain an administrative fee as reimbursement for services. Administrative Fee: 2.5% of applicable connection fee."; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 328-38 of the Code of the Township of Upper Deerfield is hereby amended with respect to industrial cost recovery to reflect that payments shall be made to the Township of Upper Deerfield instead of the Cumberland County Utilities Authority; and

BE IT FURTHER ORDAINED that Section 328-45(c) with respect to tapping fees is hereby amended to read as follows:

“A physical connection (tap) into the Township sewer system shall be made by the property owner at the property owner's expense by a contractor who is either prequalified or authorized by the Township Engineer.”

The remaining provisions of Chapter 328-45(c) are hereby repealed; and

BE IT FURTHER ORDAINED that Section 328-45 is hereby amended to add an additional subsection to be designated as subsection (E) as follows:

“(E) Inspection Fee. Inspection fees shall be payable to the Township of Upper Deerfield in the amount of \$100 per DCU as an escrow account for inspection fees for any connection to the sewer system of the Township of Upper Deerfield.”

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that in all other respects the provisions of Chapter 328 shall remain as heretofore and unaltered by the provisions hereof.

James Crilley, Chairman

Finally June 2, 2011

Attested:

Roy J. Spoltore, Township Clerk