



Legislation Details (With Text)

File #: 22-0990 **Version:** 1 **Name:** Ordinance 32:2-9 Sewer Connection Fee
Type: Ordinance **Status:** Adopted
File created: 7/12/2022 **In control:** Water Sewer Utility
On agenda: 8/16/2022 **Final action:** 9/8/2022
Title: AN ORDINANCE OF THE CITY OF NEWARK REPEALING AND REPLACING TITLE 32 SEWERS AND SEWAGE DISPOSAL, CHAPTER 32:2-9 SEWER CONNECTION FEE, TO THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY 2000, AS AMENDED AND SUPPLEMENTED.
Sponsors: Council of the Whole
Indexes:
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Date	Ver.	Action By	Action	Result
9/8/2022	1	Municipal Council	Close on Public Hearing and Adopt	Pass
8/16/2022	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE OF THE CITY OF NEWARK REPEALING AND REPLACING TITLE 32 SEWERS AND SEWAGE DISPOSAL, CHAPTER 32:2-9 SEWER CONNECTION FEE, TO THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY 2000, AS AMENDED AND SUPPLEMENTED.

WHEREAS, NW Financial Group, LLC ("NW Financial") has recommended that the City of Newark amend Chapter 32 of the City of Newark Ordinance entitled Charges: Sewer Connection Fee to modify the sewer connection fee; and

WHEREAS, NW Financial has performed a study of the Capital costs and interests on debt service together with the number of equivalent users pursuant to N.J.S.A. 40A:26A-11.2, which requires an annual study of capital costs and interest on debt service, and based on such study has recommended a sewer connection fee as detailed below; and

WHEREAS, the sewer connection fee is authorized by N.J.S.A. § 40A:26A-11 (2013) entitled Municipalities and Counties: Sewer Connection Fee.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

Deletion indicated by ~~strikethrough~~; Addition indicated by **bold and underline**

Chapter 32:2-9 Sewer Connection Fee, of the Revised General Ordinances of the City of Newark, New Jersey 2000 as amended and supplemented, is repealing and replacing as follows:

Section 1, Title XXXII SEWERS AND SEWAGE,

- a. ~~The sewer connection fee shall be assessed based upon the size of the domestic use water meter. If an active, previously installed sewer connection is replaced by a connection of larger size and the water meter size is also increased, a sewer connection fee is charged only for the accompanying increase in water meter size by subtracting the connection fee for the size of the previously installed water meter from the connection fee for the size of the new, larger water meter. In accordance with N.J.S.A. 40:14B-22.3, connection fees for public housing authorities and non-profit organizations building affordable housing projects shall be 50% of the rates set forth herein.~~

~~Before a building permit is issued for new construction under the Uniform Commercial Code or a permit is requested for a new or enlarged connection to any sewer main under municipal control, there shall be paid to the Department of Water and Sewer Utilities the following one-time connection fees:~~

Meter Size (inches)	Rated Meter Capacity Ratio	Water Connection Fee
5/8	1	\$1,244
1	2.5	\$3,110
1.5	5	\$6,220
2	8	\$9,9950
3	16	\$19,900
4	25	\$31,100
6	50	\$62,200

~~For meters larger than six inches, the sewer connection fee shall be: eight-inch: \$99,520; ten-inch: \$143,300; twelve-inch or larger: \$180,570.~~

- ~~b. Properties whose sewer billing account has become inactive as a result of being vacant for one year or more shall pay a \$150 fee to re-establish sewer service.~~
- ~~c. A new sewer connection fee shall be required for connection of a new building on any site where a prior building was demolished. The existing sewer lateral may not be utilized.~~

32-2-9. Sewer Connection fees

1. The Director of the Department of Water and sewer Utilities shall have the authority to impose charges in connection with the installation of new sewer service connections to the City sewer main.

2. Any of the conditions set forth in N.J.S.A. 40A:26A-11.1 a. through d., or N.J.S.A. 40A:26A-11.2c. exist, which shall include, but shall not be limited to: the completion of certain additions, alterations, or changes in use on the property; additional connections to the property; increases in the size of existing connections; new construction of additional service units; or, reconnection of certain previously disconnected property.

3. In accordance with N.J.S.A. 40A:26A-11 et seq., the sewer connection fee charged to an owner (in dollars) shall be the cost incurred by the Department of Water and Sewer Utilities for the physical connection, including administrative and inspection fees, plus an amount representing a fair payment towards the cost of the sanitary system, calculated as follows:

- (a). The expected daily volume of sewage used in this calculation shall be determined using the method promulgated in N.J.A.C. 7:14A-23.3 based on the establishment type and the number measurement units, where applicable.

The sewer connection fee rate is Two Thousand Seventy-Five Dollars and Seventeen Cents (\$2,075.17) per Equivalent Dwelling Unit (EDU). The connection fee shall be recomputed at the end of each budget year after a public hearing. The revised connection fee may be imposed upon those who subsequently connect in that budget year to the system.

4. In accordance with N.J.S.A. 40:14B-22.3, the Department of Water and Sewer Utilities shall provide for a 50% reduction in the connection fee to be charged in accordance with this section for new connections to the sewer system which is to be charged to public housing authorities; non-profit organizations building affordable housing projects, and any other affordable housing, including affordable housing units in inclusionary projects.

5. Before a building permit is issued for new construction under the Uniform Commercial Code or a permit is requested for a new or enlarged connection to any sewer under municipal control, there shall be paid to the Department of Water and Sewer Utilities the following one-time connection fees:

New Connector by Number
of Equivalent Dwelling Units*

Maximum Connection Fee

<u>1</u>	<u>\$2,075.17</u>
<u>3</u>	<u>\$6,225.38</u>
<u>5</u>	<u>\$10,375.63</u>
<u>8</u>	<u>\$16,601.00</u>
<u>16</u>	<u>\$33,202.00</u>
<u>25</u>	<u>\$103,756.26</u>
<u>50</u>	<u>\$166,010.01</u>

* Based on the estimated average Daily flow of sewer for the connector divided by the average daily flow of water for the average single-family residence within the City.

Section 2 Severability.

If any provision of this ordinance or application thereof to any person(s) or circumstance is judged invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or application of the ordinance that can be given effect without the invalidated provision or application, and to this end the provisions of this ordinance are declared severable.

Section 3. This Ordinance shall take effect upon passage and publication as provided by law. This ordinance shall be effective upon final passage and publication, in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance repeals and replaces Title 32 Sewer and Sewerage Disposal, Chapter 32:2-9 Sewer Connection Fee to The Revised General Ordinances of the City of Newark, New Jersey, 2000, as Amended and Supplemented. To establish charges and criteria for new sewer connections and updates the Department of Water and Sewer Utilities billing practices for sewer user charges.