

**BOROUGH OF SUSSEX  
COUNTY OF SUSSEX  
ORDINANCE NO. 2023-15**

**AN ORDINANCE TO AMEND THE RATE SCHEDULE OF SECTION 24-1.4 ENTITLED “WATER/SEWER SYSTEM FEES” OF CHAPTER 24, ENTITLED “FEES”, OF THE CODE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX, STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Borough Council of the Borough of Sussex, in the County of Sussex and State of New Jersey, as follows:

**SECTION 1.** The attachment entitled, “24 Attachment 1” of Subsection (k), entitled “Rate Schedule”, of Section 24-1.4, entitled “Water/Sewer System Fees” of the Code of the Borough of Sussex is amended to replace the following portion which reads:

<b>RATE SCHEDULE NUMBER OF EDU’S FOR THE PURPOSE OF CALCULATING FEES</b>		
<b>RESIDENTIAL</b>		<b>EDU’S</b>
Single Family Private Dwelling/Condominium	Per Unit	1.00
<b>Multiple Family Dwellings*</b>		
1 Bedroom per Unit	Per Unit	0.60
2 Bedrooms per Unit	Per Unit	0.80
3 or more Bedrooms per Unit	Per Unit	1.00

\* Any owner-occupied multi-family dwelling where the owner occupies more than one living unit in the building will adhere to the following:

1) The combined units occupied by the owner shall be considered as 1 EDU total. The remaining units of the building will be calculated according to this paragraph j. The owner must file a signed and notarized Borough-prepared form with the Borough in order to receive the benefit of this adjustment which shall not be retroactive. The owner must continue to file annually with the Borough by January 15th of each year a supplemental signed and notarized statement on a Borough-prepared form in order to retain that benefit; otherwise, the multi-family dwelling will lose the benefit of this adjustment effective January 1 of the year in which such statement is not filed.

2) When all or a portion of combined owner-occupied units of the building are no longer owner-occupied, the owner must notify the Borough within 30 days of such change, and the EDU rate will be re-calculated accordingly and retroactive to the date of the change in occupancy. Failure to notify the Borough of the change within 30 days thereof will result in back charges of the appropriate EDU rate to the present owner of the building.

**WITH THE FOLLOWING:**

<b>RATE SCHEDULE NUMBER OF EDUs FOR THE PURPOSE OF CALCULATING FEES</b>		
<b>RESIDENTIAL</b>		<b>EDUs</b>
Single Family Private Dwelling/Condominium/ Multiple Family Dwelling	Per Unit	1.00

\* Any owner-occupied multi-family dwelling where the owner occupies more than one living unit in the building will adhere to the following:

1) The combined units occupied by the owner shall be considered as 1 EDU total. Each remaining unit of the building will be assigned 1 EDU. The owner must file a signed and

notarized Borough-prepared form with the Borough in order to receive the benefit of this adjustment which shall not be retroactive. The owner must continue to file annually with the Borough by January 15th of each year a supplemental signed and notarized statement on a Borough-prepared form in order to retain that benefit; otherwise, the multi-family dwelling will lose the benefit of this adjustment effective January 1 of the year in which such statement is not filed.

2) When all or a portion of combined owner-occupied units of the building are no longer owner-occupied, the owner must notify the Borough within 30 days of such change, and the EDU rate will be re-calculated accordingly and retroactive to the date of the change in occupancy. Failure to notify the Borough of the change within 30 days thereof will result in back charges of the appropriate EDU rate to the present owner of the building.

**SECTION 2.** The attachment entitled, “24 Attachment 1” of Subsection (k), entitled “Rate Schedule”, of Section 24-1.4, entitled “Water/Sewer System Fees” of the Code of the Borough of Sussex is amended to replace the following portion which reads:

<b>DEED RESTRICTED ADULT COMMUNITIES</b>		
1 Bedroom per Unit	Per Unit	0.44
2 Bedrooms per Unit	Per Unit	0.68
3 Bedrooms per Unit	Per Unit	0.90

**WITH THE FOLLOWING:**

<b>DEED RESTRICTED ADULT COMMUNITIES</b>	
Per Unit	0.90

**SECTION 3.** If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**SECTION 4.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 5.** This Ordinance shall take effect July 1, 2023.

Attest:

\_\_\_\_\_  
Antoinette Smith, Borough Clerk

\_\_\_\_\_  
Edward Meyer, Mayor

**NOTICE**

NOTICE IS HEREBY GIVEN that the attached Ordinance 2023-15 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on May 16, 2023 and passed on first reading, and that such Ordinance was further considered for final passage and adoption at the regular meeting of the Mayor and Council held on June 8, 2023 and after all persons present were given the opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force and effect according to law.

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Antoinette Smith, RMC