

**BOROUGH OF SUSSEX
COUNTY OF SUSSEX
ORDINANCE NO. 2024-08**

AN ORDINANCE TO AMEND SECTION 13-2.3, ENTITLED “GENERAL REGULATIONS”, AND SECTION 13-3.5, ENTITLED “METHOD OF PAYMENT” OF CHAPTER 13, ENTITLED “WATER AND SEWER” OF THE CODE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND 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 I. Subsection (e) of Section 13-2.3, entitled “General Regulations”, of Chapter 13, entitled “Water and Sewer” of the Code of the Borough of Sussex, Sussex County, New Jersey, is hereby amended to read as follows:

- e. The stop at the curb will be opened and closed only by department employees. Any unauthorized person found opening, closing or tampering with a stop at the curb or tampering with any service connections, pipeline, meter, curb box or any fixture of the transmission line or distributing system will be subject to a fine of \$1,500.

SECTION II. Subsections (b) and (c) of Section 13-3.5, entitled “Method of Payment”, of Chapter 13, entitled “Water and Sewer” of the Code of the Borough of Sussex, Sussex County, New Jersey, is hereby amended to read as follows:

- b. Water and sewage services may be shut off and discontinued if the charges for such services are not paid for in full in accordance with this section. In the event a bill for water or sewage service is not paid within 20 calendar days after the due date, a delinquency/shutoff notice will be mailed by the Borough of Sussex to the appropriate parties. Service of the delinquency/shutoff notice by mail is satisfied by mailing to the last known address of the property owner as shown on the Borough’s tax assessment records and postmarked at least 10 days before the date of discontinuance. The owners, occupants and users of the premises, buildings or structures for which there are charges for water or sewage service who do not deliver the appropriate payment to the Borough of Sussex by the 10th day following the date of the mailing of the delinquency/shutoff notice may have their water and/or sewage services shut off and discontinued without further notice. When the water or sewage service is shut off or discontinued, same shall not be restored or reconnected until after the date on which all outstanding charges, together with interest, penalties and \$100 reconnection charge are paid to the Borough of Sussex in the form of cash, cashier’s check, certified check or money order.
- c. If, at the request of an owner, occupant or user of an affected premises, building or structure, the Borough restores or reconnects water or sewage service during the Borough’s non-business hours, there shall be an additional after-hours charge equal to \$250 multiplied by the number of Borough employees who perform work required to restore or reconnect the service. The after-hours charge must be paid to the Borough before an after-hours service is rendered. An after-hours service shall only be provided if the Administrator or her/his designee determines that appropriate employees are reasonably available to perform the service.

SECTION III. If any article, section, subsection, 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 IV. 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 V. This Ordinance shall take effect immediately upon final passage and publication according to law.

Attest:

Antoinette Smith, Borough Clerk

Robert Holowach, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance 2024-08 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on April 16, 2024 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 May 7, 2024 at Borough Hall, 2 Main Street, in the Borough of Sussex at 7:00 p.m. and via the internet, and that at such time and place all persons interested were given an opportunity to be heard concerning said Ordinance.

Antoinette Smith, RMC