

**LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
RESOLUTION NO. 170-2010**

RESOLUTION AMENDING SCHEDULES OF RATES AND CHARGES FOR THE SEWER SYSTEM OF THE LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND RESCINDING ALL PREVIOUS RESOLUTIONS

WHEREAS, the following sewer service charges have been recommended and approved by the Auditors, Ford, Scott and Associates of the Lower Township Municipal Utilities Authority; and

WHEREAS, the Authority has determined that the following sewer service charges should be charged and collected in accordance with the Municipal Utilities Authorities Law of the State of New Jersey (N.J.S.A. 40:14B, et seq.) and Bond Resolutions adopted pursuant thereto.

NOW, THEREFORE, BE IT RESOLVED, by the Lower Township Municipal Utilities Authority that the Schedule of Rates and Fees be adopted as follows:

SECTION I: RATE SCHEDULE OF ANNUAL SEWER SERVICE RATES AND CHARGES.

CUSTOMER CLASSIFICATION YEARLY

1. Single Family Dwelling (includes Condominiums, Townhouses, Mobile Homes, etc.)	\$320.00
2. Boarding House 0 to 4 Rental Rooms	400.00
Each Additional Room Thereafter	80.00
3. Apartment House Residential per unit	320.00
4. Apartment House Commercial per unit	320.00
5. Laundromat First Washer	400.00
Each Additional Washer Thereafter	240.00
6. Motel First Unit	320.00
Each Additional Unit Thereafter	160.00
7. Store less than 4,000 SF	400.00
8. Store more than 4,000 SF	2,000.00
9. Convenience Store more than 4,000 SF	2,500.00
10. Supermarket more than 4,000 SF	4,000.00
11. Fish Market	1,118.00
12. Garage Sales of Gasoline and Allied Products (no repairs)	320.00
13. Garage Sales of Gasoline and Allied Products (including repairs)	640.00
14. Office Fixtures 0 to 2	320.00
Each Additional Fixture Thereafter	80.00
15. Restaurant, Diner, Luncheonette, Bar, Lounge and any other Food Establishment with Public Restrooms (with or without seating capacity) 0-10 Seats	640.00
Each Additional Seat Thereafter	32.00
16. Marina Fixtures 0 to 2	1280.00
Each Additional Fixture Thereafter	240.00
17. Car Wash First Bay	960.00
Each Additional Bay Thereafter	240.00
18. Fire Station Fixtures 0 to 2	320.00
Each Additional Fixture Thereafter	80.00
19. Church	320.00
20. School 0 to 35 Pupils	640.00
Each Additional Pupil Thereafter	16.00
21. Barber Shop	320.00
22. Beauty Shop	640.00
23. Gym / Health Club less than 4 fixtures	1,000.00
24. Gym / Health Club more than 4 fixtures	1,350.00
25. Rescue Squad Building Fixtures 0 to 2	320.00
Each Additional Fixture Thereafter	80.00
26. Light Industry (Under 20 Employees) Fixtures 0 to 2	320.00
Each Additional Fixture Thereafter	80.00
27. Light Industry (Over 20 Employees)	1,280.00
Each Additional Employee	32.00
28. Assembly Halls, Lodges Fixtures 0 to 2	320.00
Each Additional Fixture Thereafter	80.00
29. RV & Travel Trailer sites 0 to 3 sites	640.00
Each Additional RV, Trailer site Thereafter	80.00
Each Additional Fixture in Common Areas	40.00
30. Coast Guard Base Fixtures 0 to 2	320.00
Each Additional Fixture Thereafter	80.00
31. Swimming Pool Fixtures 0 to 2	320.00
Each Additional Fixture Thereafter	80.00
32. Seafood Processing Facility, Per Thousand Gallons	3.69
33. Airport Industrial Park, Per Thousand Gallons	3.69
34. DRBA Ferry Terminal, Per Thousand Gallons	3.69
35. Convalescent Home, Per Thousand Gallons	3.69

Items to be included as a fixture: Toilets, Urinals, Tubs, Showers, Kitchen Sinks, Waste Sinks, Dishwashers and Washing Machines

SECTION II:

(1) Charges for all industries, manufacturing establishments, and types of properties not included above shall be established by contract between the Authority and each of such users.

(2) Any use not otherwise set forth shall be billed as a Single Family Dwelling.

SECTION III:

(1) The sewer service charges established herein shall become effective and chargeable to the owner of each connection unit on the date designated by the Authority, following the issuance of the Certificate of Completions on which date it shall be prepared to accept sewage into the Authority's sewer system for treatment.

(2) There is hereby established a Schedule of Rate Charges per year, payable quarterly in advance to the Authority Office. Said charges shall draw interest at the rate of one and one half (1.5%) percent per month from the time it becomes due and shall be a lien upon the premises connected. Such sewer charges are based upon estimated annual operation costs, annual amortization costs, and other costs of the Authority's sewage system, and may be changed from time to time as the need generated by such costs may require.

(3) Where premises or a building is occupied by more than one (1) commercial or industrial establishment, or by a combination of both types of establishments, the charge will be determined by applying the aforesaid rates to each commercial and industrial establishment located therein.

(4) All billing will be made to the property owner, who will remain responsible regardless of any change in tenants or those in possession. It is the owner's responsibility to notify the Authority in writing of correct billing information, including change of address, if inaccurate or if changed.

(5) With respect to charge for properties which shall be connected for the first time with said sewage system, from and after the date thereof, the charge for the first quarterly period shall be a percentage of the quarterly charge hereinabove, equal to the percentage of the quarterly period remaining after such connection.

(6) Any request for review of any bill must be submitted in writing and received by the Authority within thirty (30) days of the billing date. This provision shall apply to request for change of billing classification. There will be no retroactive classification changes.

(7) All requests for disconnection shall be in writing and effective the date of disconnection. Disconnection shall require line being cut and capped. In the event of disconnection at owner's request, any application for reconnection shall be considered as a new customer and require all procedural aspects of a new connection,

including but not limited to payment of one connection fee then in place. At the time of disconnection the property owner may opt to continue to pay the minimum quarterly fee until sewer service is reconnected to the property. A new or reconnection fee shall be waived if the account balance is maintained current.

(8) The Authority has the right to terminate services in the event accounts become delinquent. If service is terminated property owner is responsible for paying the account current plus an interruption of service fee of \$160.00 for residential properties and \$900.00 for commercial properties, before service will be restored. Lower Township Municipal Utilities Authority is not responsible for any damages caused by termination of service.

SECTION IV:

(1) The Officers and Agents of the Authority shall have unrestricted access at reasonable hours to all premises served by the Authority to inspect the collection system and to see that the requirements of the Authority regarding the use of the customer's sewer connection are being observed.

(2) Any damage to pipes, manholes, or any other property of the Authority caused by carelessness or neglect of a customer must be paid for by the customer upon presentation of the bill therefore.

(3) The names and addresses of the customers of the Authority shall not be publicly available, except to the extent required by law, and no mailing lists shall be provided by this Authority or by any of its Officers or Employees, which mailing lists are compiled from records of the Authority.

SECTION V: SURCHARGES AND FEES FOR SEAFOOD PROCESSING WASTE

(a) **SURCHARGES REQUIRED.** Although the Sewage Treatment works will be capable of treating the seafood processing waste, actual treatment of such Wastes may increase the costs of operating and maintaining the Public Sanitary Sewage System. Therefore, there will be imposed upon each entity discharging such Waste into the Public Sanitary Sewage System, a surcharge or surcharges which are intended to cover such additional costs. Such surcharges shall be in addition to regular Sewage service charges and shall be payable as herein provided.

(b) **DETERMINATION OF SURCHARGES.** The strength of any Seafood Processing Waste discharge of which is to be subject to surcharge as determined by subsection (c) of this Section VI shall be determined quarterly, or more frequently as the Authority shall determine, from samples taken either at the connection Manhole or metering chamber, or at any other sampling point mutually agreed upon by the Authority and the producer of such Waste. The frequency and duration of the sampling period shall be such, as in the opinion of the Authority, will permit a reasonably reliable determination of the average composition of such Waste, exclusive of Storm Water runoff. Samples shall be collected or their collection supervised by a representative of the Authority and will be composite samples that reasonably reflect the characteristics of the Waste over a 24 hour period. Except as herein after provided, the strength of Waste so found by analysis shall be used for establishing the surcharge or surcharges. However, the Authority may, if it so elects, accept the results of routine sampling and analysis by the producer of such Wastes in lieu of making its own sampling and analysis.

(c) **CALCULATION OF SURCHARGES.** In the event that, after sampling and analysis as prescribed in subsection (b) hereof, any Seafood Processing Waste is found by the Authority to have Pollutants of concentration in excess of 500mg/1 of Biochemical Oxygen Demand (BOD) and 500mg/1 of Total Suspended Solids (TSS) concentration in excess both averaged on a quarterly basis the producer of said Waste shall pay a strength of Waste surcharge in addition to the basic Sewage Service Charge, which surcharge shall be computed by using the following formula:

$$S = \frac{(BOD) + (TSS)}{500} / 2$$

Where:

S is the surcharge to be multiplied by the basic Sewage Service Charge, BOD and TSS are the respective concentrations of BOD and TSS of the Seafood Processing Waste expressed in mg/1. Surcharges are only applicable when either the average BOD or TSS concentration is less than 500mg/1, then 500mg/1 should be used in the calculations.

(d) Any municipal or industrial waste user causing or contributing to downstream problems of their discharge point in the MUA sewer system, such as grease, solids, hydrogen sulfide (H₂S), excessive corrosion, odors or other problems, shall be responsible for a pro-rata share of any cost the MUA expends to resolve the problem, whether the solution is short or long term. This applies to any material replacement, mechanical equipment, labor to install or chemical treatment.

(e) **SAMPLING FEES AND SCHEDULES.** All Industrial Users requiring an Industrial Waste Discharge Permit and all Significant Waste Generators shall be assessed a fee or service charge for each scheduled sampling to be performed by the Authority. The fees to the User for each scheduled sampling shall include charges as determined by the Authority, for sample collection, analysis and administrative services and shall be in addition to any costs of sample collection and analysis for which the User performs or has performed independently or privately.

SECTION VI

(1) Any and all previous sewer rate resolutions are hereby rescinded.

Offered by: Joseph Mento

Seconded: Kenn Mann

Adopted: January 5, 2011

Emily Oberkofler, Secretary

The foregoing Resolution was adopted after Second Reading and Public Hearing at the Regular meeting of the LTMUA held January 5, 2011.