

**BOROUGH OF OLD TAPPAN
ORDINANCE NO. 1231-23**

**AN ORDINANCE AMENDING CHAPTER 198 SANITARY SEWERS
OF THE CODE OF THE BOROUGH OF OLD TAPPAN TO
CLARIFY PROVISIONS RELATING TO SEWER SERVICE CHARGES**

BE IT ORDAINED by the Mayor and Council of the Borough of Old Tappan County of Bergen State of New Jersey as follows:

Section 1. Section 198-4 “Sewer Service Charges” of Chapter 198 “Sanitary Sewers” of the Code of the Borough of Old Tappan is hereby amended to read as follows:

Schedule of Charges.

A. Effective July 1, 2023 the following schedule of sewer service charges shall be charged to residents utilizing sanitary sewers for the use operation and maintenance of the sanitary sewer system in the borough:

(1) One family dwelling townhouse condominium and other multifamily uses
\$680.85 per unit per year.

(2) One family dwelling townhouse condominium and other multifamily uses one or more of owners of property is age 65 years or more - **\$517.14** per unit per year. Property owner must provide proof of age required by the Tax Collector and property must be primary residence.

(3) One family dwelling townhouse condominium and other multifamily uses property owner is eligible for real property tax deduction on as qualified New Jersey resident senior citizen disabled person or surviving spouse and property must be primary residence - **\$324.36** per unit per year. For purposes of determining eligibility property owner must be eligible for real property tax deduction in accordance with N J S A 54 4 840 et seq. In order to be eligible for said property tax deduction the property owner shall:

- (a) Be a resident of the Borough
- (b) Have anticipated annual income combined with spouse not exceeding \$10,000.00 after a permitted exclusion of Social Security Benefits or Federal Government Retirement Disability Pension, or State, County, Municipal Government or their political subdivisions and agencies Retirement Disability Pension: and
- (c) Be a senior or disabled citizen or surviving spouse defined as:

- [1] Age 65 or more years as of December 31 of the prior year or

- [2] Permanently and totally disabled and unable to be gainfully employed as of December 31 of the prior year; or

- [3] Surviving spouse as of October 1 of the prior year and not remarried.

(4) Nonresidential and all other uses - an amount to be calculated by the mayor and council based on the user's actual water consumption for the prior year multiplied by a rate as determined by the mayor and council. The rate shall be based on the revenue required to meet the amount appropriated by the borough for the use operation and maintenance of the sanitary sewer system. The rate shall be **\$.80** per hundred gallons of water consumed by the user during the year prior to the imposition of the sewer charge. If the Borough is unable to determine the amount of water consumed by the sewer user during the year prior to the imposition of the charge the sewer charge may be based on an estimate of water usage as determined by the Borough Engineer.

B. Payment; interest; lien. The sewer service charge shall be assessed on a semiannual basis. The rate of interest on delinquent charges shall be as provided by law Liens for unpaid sewer service charges and interest shall be enforceable in the manner provided for

real property tax liens in Chapter 5 of Title 54 of the Revised Statutes.

Section 2. Repealer. All ordinances or parts of Ordinances in consistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

Section 3. Severability. If any section, part of any section or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional such decision shall not affect the remaining provisions of this Ordinance. The Governing Body of the Borough of Old Tappan declares that it would have the Ordinance and each section and subsection thereof passed irrespective of the fact that anyone or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date. This Ordinance shall take effect immediately upon passage publication according to law.