

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 2017**

**AN ORDINANCE AMENDING SECTION 16-6 OF THE CODE OF THE TOWNSHIP OF MAHWAH
ENTITLED WATER RATES AND CHARGES AND AMENDING SECTION 17-7.21 ENTITLED SEWER AND USER
CHARGE SYSTEM**

WHEREAS, on May 28, 2009, the Township of Mahwah adopted Ordinance No. 1649 amending quarterly water rates for residential and commercial users; and

WHEREAS, quarterly water rates have not been reviewed and adjusted since 2011; and

WHEREAS, since that time, it was the obligation of the prior Administration to regularly review and appropriately adjust water rates; and

WHEREAS, the current Administration has conducted a review and determined that increases are required to offset increasing expenses incurred over the past twelve years; and

WHEREAS, the concern of Administration is that if these new rates are not implemented, the privatization of the Water Utility to a for-profit corporation would be forced to occur, resulting in significant water rate increases that would permanently be out of the Township's control.

BE IT ORDAINED by the Township Council of the Township of Mahwah that Section 16-6 of the Code of the Township of Mahwah is amended as follows:

Section I. Section 16-6.a is amended by changing the meter service charges to read as follows:

METER SERVICE

1. A. The minimum quarterly charge for a one (1) family residential dwelling shall be Thirty-Six Dollars and Ninety Cents (\$36.90) per quarter with an allowance of one thousand (1,000) cubic feet effective January 1, 2024.

B. The minimum quarterly charge for a one (1) family residential dwelling shall be increased to Thirty-Nine Dollars and Forty-Eight Cents (\$39.48) on January 1, 2025, and to Forty-Two Dollars and Twenty-Five Cents (\$42.25) on January 1, 2026.
2. The minimum quarterly charge for a multi-unit residential or multi-unit commercial or a combination of the two (2) classes of users serviced through a single water meter shall be determined by the product of the number of units by the minimum quarterly charge established in paragraph 1 above. The minimum water allowance shall be determined in the same manner using an allowance of one thousand (1,000) cubic feet per unit.
3. Reserved.
4. All classes of users shall be subject to the following quarterly rates for additional use:

| <u>Rate per Quarter</u> | <u>Rate per 100 Cubic Feet</u> | | |
|-------------------------|--------------------------------|-----------------|-----------------|
| | <u>1/1/2024</u> | <u>1/1/2025</u> | <u>1/1/2026</u> |
| 1,001 to 10,000 | \$3.63 | \$3.81 | \$4.08 |
| 10,001 to 20,000 | \$4.34 | \$4.56 | \$4.88 |
| 20,001 to 30,000 | \$5.00 | \$5.25 | \$5.62 |
| Over 30,000 c.f. | \$6.00 | \$6.30 | \$6.74 |

5. A. In addition to the rates established by the preceding paragraph 4, all classes of users shall be subject to a modified summer surcharge from May 1 to September 30 of each year. The modified summer surcharge rate shall be for the full quarter that falls between said dates:

| <u>Rate per Quarter</u> | <u>Rate per 100 Cubic Feet</u> | | |
|--------------------------|--------------------------------|-----------------|-----------------|
| | <u>1/1/2024</u> | <u>1/1/2025</u> | <u>1/1/2026</u> |
| 1 to 1,000 | \$0.25 | \$0.26 | \$0.28 |
| 1,001 to 10,000 | \$0.55 | \$0.57 | \$0.61 |
| 10,001 to 20,000 | \$0.65 | \$0.69 | \$0.73 |
| 20,001 to 30,000 | \$0.70 | \$0.73 | \$0.78 |
| In excess of 30,000 c.f. | \$0.75 | \$0.78 | \$0.84 |

6. Shall continue without change.
7. Shall continue without change.
8. There shall be a charge of \$50.00 for each "final reading" of a meter. This charge shall be paid at the time a final bill is paid.

Section II. The balance of Section 16-6.a of the Township Code shall continue without change.

Section III. Section 16.6.b shall continue without change.

Section IV. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid, pre-empted or unconstitutional by the court of federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of this Ordinance, and such holding shall not affect the validity of the remaining portions hereof.

Section V. This Ordinance shall become effective immediately as provided for by law.

Section VI. Section 17-7.21c of the Code is hereby amended to read as follows:

1. A. All quarterly rental charges shall be based on the average water consumed by the user as recorded by the Township of Mahwah Water Department during the previous winter quarter for the user. The minimum quarterly charge shall be based on 1,000 cubic feet of water for each individual residential unit (single-family dwelling, apartment unit, condominium unit, cooperative apartment unit or townhouse unit) and each individual commercial or industrial unit (office, condominium office, cooperative office, store or industry) shall be \$108 per quarter effective January 1, 2024.

B. The minimum quarterly charge for a one (1) family residential dwelling shall be increased to One-Hundred-Fifteen Dollar and Fifty-Six Cents (\$115.56) on January 1, 2025, and to One-Hundred-Twenty-Three Dollars and Sixty-Five Cents (\$123.65) on January 1, 2026.
2. All classes of users shall be subject to the following quarterly rates for additional use:

| <u>Rate per Quarter</u> | <u>Rate per 100 Cubic Feet</u> | | |
|-------------------------|--------------------------------|-----------------|-----------------|
| | <u>1/1/2024</u> | <u>1/1/2025</u> | <u>1/1/2026</u> |
| 1,001 to 10,000 | \$5.06 | \$5.42 | \$5.79 |
| 10,001 to 20,000 | \$5.42 | \$5.79 | \$6.20 |
| 20,001 to 30,000 | \$6.50 | \$6.96 | \$7.44 |
| Over 30,000 c.f. | \$7.00 | \$7.49 | \$8.01 |

Ordinance No. 2017

Introduction: 10/16/23

Public Hearing: 10/30/23

Effective:

Attest

David May
Council President

Carolyn George
Municipal Clerk

CERTIFICATION

I, Carolyn George, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the day of _____, 2023.

Carolyn George, RMC
Municipal Clerk