

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
ORDINANCE #2023/24**

**AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 13 "PUBLIC SERVICES" OF THE CODE OF THE
BOROUGH OF FREEHOLD**

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Freehold, County of Monmouth, State of New Jersey, as follows:

Section 1

Title 13 "Public Services" of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline; deletions are struck through.

13.04 Water and Sewer Service Systems

13.04.020 Application and payment for water and sewerage service.

- A. Application. Any person desiring to obtain water or make use of the water or the sewerage system of the borough shall first make application in writing at the office of the collector of water and sewer rents of the borough, upon a form provided for this purpose by the superintendent of public works, stating the locality of the premises to be serviced, the purpose for which the water or sewer is to be used, and in the case of the use of the sewer for other than domestic purposes from a residence shall specify the type of sewerage intended to be discharged into the mains, the fixtures to be supplied and agreeing to abide by all the rules and regulations relating to the use of the water and sewer systems now in force or later to be established by the mayor and council, and further agreeing to use the water or sewer for no other than a legitimate purpose expressed in the permit.

1. Minor Applications

A Minor Application is required for any single-family home, which proposes to connect to the existing sanitary sewer or water system with a new connection and does not require easements. To receive consideration, all minor applications shall be accompanied with the proper review fee(s) along with two (2) copies of the following information:

- a. Completed Minor Application Form;
- b. Sketch or plan of proposed project;
- c. Connection Fee and application filing fee in accordance with the latest Fee Schedule;
and,
- d. Copy of Freehold Borough Planning Board Approval or Construction Office Approval.

2. Major Applications

Any project which proposes more than one residential unit and / or is commercial or industrial and / or requires easements is required to submit a Major Application to the

Borough of Freehold. The Major Application is a two-step process including a preliminary application and final application. To receive consideration, all major applications shall be accompanied with the proper review fee(s) along with two (2) copies of the following information:

Preliminary Application

- a. Completed Preliminary Major Application Form;
- b. General Map of entire project;
- c. Construction plans including anticipated connection point to the existing sanitary sewer and/or water system; and,
- d. Application filing fee in accordance with the latest Fee Schedule.

Final Application

- a. Completed Final Major Application Form;
 - b. Design Engineer's Report for sanitary sewer and water service, signed by a licensed Professional Engineer in the State of New Jersey;
 - c. General Map of entire project;
 - d. Construction plans including profiles of all proposed sanitary sewers and water mains and location of all sewer laterals and cleanouts and water services and valves;
 - e. Copy of endorsed Freehold Borough Land Use Board Approval for the proposed project;
 - f. Where applicable, detailed plans for sewage pumping stations shall be included along with justification for need;
 - g. Detailed cost estimate for entire construction project;
 - h. When a NJDEP permit is required, three (3) copies of all applicable forms and one (1) copy of the Engineer's Report shall be submitted for approval and signature by the Freehold Borough Administrator as representative of the owner of the conveyance system;
 - i. When specifically requested by the Borough or the Borough Engineer, the applicant may be required to submit additional information for the proper review;
 - j. Application filing fees in accordance with the latest Fee Schedule.
3. Performance and Maintenance Guarantees
- a. The applicant shall be required to post a performance guarantee and, upon completion of the work, a maintenance guarantee, in accordance with the Municipal Land Use Law (NJAC 40:55D).
 - b. The applicant shall be required to post an escrow deposit for inspection of improvements approved under any approval in accordance with the latest Fee Schedule.]

The applicant shall also agree by making of the application, that the applicant may make, at his or her cost and expense, all excavations and backfill to the borough mains for the property to be

served, from the property line abutting the street in which the borough main is located, and supply all materials and labor as may be required and specified by the foreman of streets and roads of the borough and will also replace the surface pavement. A permit for any excavation required to be made in the street in accordance with Chapter 12.16 of this code shall be obtained.

B. Rates.

1. Water Service.

a. At the time of application for water services, the applicant shall pay the following meter fees:

For each three-fourths inch water service connection:	\$550.00
For each one-inch water service connection:	\$750.00
For each one and one-half-inch water service connection:	\$950.00
For each two-inch water service connection:	\$1,175.00
For each three-inch water service connection:	\$1,450.00
For each four-inch water service connection:	\$1,700.00
For each six-inch water service connection:	\$2,000.00
<u>For each eight-inch water service connection:</u>	<u>\$2,500.00</u>
<u>For each ten-inch water service connection:</u>	<u>\$3,000.00</u>
<u>For each twelve-inch water service connection:</u>	<u>\$4,000.00</u>

The cost of the water meter is included within the above charges for three-fourths inch up to and including two inches water service connections. The meter is to be furnished by the borough and the title to the meter shall remain at all times with the borough. The meter will be maintained by the borough at its

expense. For all meters above two inches, the meter shall be purchased and installed by the applicant at their expense.

~~b. In addition to the above, for each water service connection which services more than one dwelling unit, there shall be a connection fee of five hundred fifty dollars (\$550.00) for each dwelling unit serviced by such connection.~~ In addition to the above, the fees for the right to connect to the Borough's potable water system shall include a connection fee or charge per unit for the cost of connection as illustrated below. These connection fees or charges do not diminish or replace any other fees, charges or costs which may be due to the Borough, including but not limited to, review and inspection of work relative to the connection to ensure compliance with all state and municipal codes or any charges by any other entity or agency having authority relative to the connection.

These fees shall apply to all connections whether direct, indirect, separate or shared. For each new unit, whether created by new construction or conversion or addition to an existing structure or change of use, there is established a water connection fee as set forth herein.

For units involving new construction, the connection fees, charges or costs shall be paid prior to the issuance of a building permit by the Borough or designee. Changes that increase the total number of units within existing buildings or structures shall pay additional connection charges for each unit prior to the issuance of a building permit in accordance with the within schedule.

The applicant shall pay the sum of two thousand two hundred sixty dollars (\$2,260.00) per single-family residential unit or single-family equivalent dwelling unit (EDU) for nonresidential uses. For all nonresidential uses, an equivalent dwelling unit (EDU) shall mean a projected average daily water consumption of 169 gallons per day. The projected average daily water consumption for nonresidential uses shall be calculated utilizing the projected average daily water demand as established by the NJDEP's Safe Drinking Water Act Rules (NJAC 7:10) and will be subject to the review and approval by the Borough Engineer.

2. Sewer Service. The fees for the right to connect to the Borough's sanitary sewer system shall include a connection fee or charge per unit for the cost of connection as illustrated below. These connection fees or charges do not diminish or replace any other fees, charges or costs which may be due to the Borough, including but not limited to, review and inspection of work relative to the connection to ensure compliance with all state and municipal codes or any charges by any other entity or agency having authority relative to the connection.

These fees shall apply to all connections whether direct, indirect, separate or shared. For each new unit, whether created by new construction or conversion or addition to an existing structure or change of use, there is established a sewer connection fee as set forth herein.

For units involving new construction, the connection fees, charges or costs shall be paid prior to the issuance of a building permit by the Borough or designee. Changes that increase the total number of units within existing buildings or structures shall pay additional connection charges for each unit prior to the issuance of a building permit in accordance with the within schedule.

The applicant shall pay the sum of eight hundred eight dollars (\$808.00) per single-family residential unit or single-family equivalent dwelling unit (EDU) for nonresidential uses. For all nonresidential uses, an equivalent dwelling unit (EDU) shall mean a projected average daily sanitary sewer consumption of 169

gallons per day. The projected average daily water consumption for nonresidential uses shall be calculated utilizing the projected average daily sewer flows as established by the NJDEP's Technical Requirements for Treatment Works Approval Applications (NJAC 7:14A-23) and will be subject to the review and approval by the Borough Engineer.

~~At the time the applicant makes application for sewer service, the applicant shall pay therefore the sum of one thousand five hundred dollars (\$1,500.00) per single family equivalent as determined by the regulations of the New Jersey Department of Environmental Protection.~~

Once an applicant has established his or her sewage flows and paid for the prerequisite sewer connection permit, any decrease in sewage flows caused by a change in use of the structure shall not entitle the applicant to a refund of any connection fee; however, any increase in sewage flows caused by a change in building usage or expansion may result in an additional sewer connection fee if the gallongage of sewage generated at the location should increase over the gallongage initially paid for in the sewer connection fee.

3. Private Fire Hydrant Maintenance Fees. All privately owned fire hydrants installed or connected to water lines owned and operated by the borough shall be maintained and tested annually to insure their suitability for utilization by the borough fire department in case of emergency. The owner of property upon which private fire hydrants have been installed shall pay an annual inspection and maintenance fee in the amount of two hundred dollars (\$200.00) per hydrant to the borough water and sewer department.

4. Landscaping Meters. A property owner may install a separate water only service for landscape watering, swimming pool service and similar activities wherein the water will not be discharged into the sewer system. Upon payment of the water connection fee established in subsection (B)(1) of this section and verification by the superintendent of public works, that water supplied through this meter will not be discharged to the sanitary sewer system, an applicant may install a separate water service and receive a water meter pursuant to the regulations established by the borough. The property owner shall pay the establish quarterly minimum fee for this meter, even if there is no usage registered on the meter, plus the fee established for all water actually used by this service.

~~13.04.030 Work performed by the borough—New connections.~~

~~The borough shall, under the supervision of the superintendent, perform the following after the filing of the proper applications and the payment of the appropriate fees and the issuance of a connection permit by the collector of the water and sewer rents:~~

~~A.——Water Service.~~

~~1.——Make the tap and supply a corporation cock and gooseneck, curb stop, meter and meter setting for three-fourths inch to two-inch service at the fee schedule set forth in Section 13.04.020(B)(1). All other work, including excavation, backfill and installation of temporary and permanent paving, will be provided by the contractor for the property owner pursuant to regulations established by the borough.~~

~~2.——For services larger than two inches, the property owner shall have a licensed contractor supply and install the required connection to the water main, all piping required to provide the service to the property line and the required curb stop. In addition, the property owner shall supply the necessary meter and meter setting in accordance with the specifications provided by the superintendent.~~

~~3. The size of the water service requested by the applicant shall be approved by the superintendent of public works and his or her decision shall be final.~~

~~B. Sewer Service. Make only the connection for a four-inch sewer service at the fee schedule set forth in Section 13.04.020(B)(2). All other work, including excavation, backfill and installation of temporary and permanent paving, will be provided by the contractor for the property owner pursuant to regulations established by the borough.~~

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13.04.040 Trench openings and regulations.

All trench openings other than those made by the borough shall be subject to certain requirements and specifications. Each applicant for water and sewer service, after having first obtained the permit for an opening in the street required under Chapter 12.16, shall proceed, observing and complying with the following minimum requirements and according to the following specifications:

- A. Sewer Service Installation. A trench for sewer service shall be excavated and carefully graded by the plumber and pipe laid true to line and grade. If excavation is made below grade fill dirt shall be well tamped and before the pipe is connected the same shall be approved by the superintendent of public works or his or her duly authorized agent. ~~The borough will make the service connection to the main after the trench has been excavated.~~ The pipe to be used for all sewer services from main to property line shall be a minimum of four inches extra heavy cast iron soil pipe with joints caulked with lead or approved rubber gaskets, PVC pipe, schedule 40 or SDR 35, or Ductile Iron Pipe as approved by the Borough Engineer. All sewer systems shall be installed in accordance with NJAC 7:14A-23. After the pipes are laid, the trench shall be backfilled and mechanically tamped in six-inch layers to grade of pavement. Backfill shall be made with approved, dry backfill material.
- B. Water Service Installation. A trench for water service shall be excavated by the plumber. ~~The borough will install the necessary tap.~~ Service pipes up to two inches in diameter shall be Type K copper with flare fittings. Pipes three inches or more in diameter shall be cast ductile iron water pipe, cement lined Class 22 with gasketed push-on joints or either Ball and Spigot or Tyton, caulked with lead, Tyton type, or mechanical joints in conformance with ANSI/AWWA C111/A21.11. ~~Steel pipe shall not be permitted.~~ After the pipes are laid, the trench shall be backfilled with suitable approved material and mechanically tamped to grade of pavement.
- C. Regulations.
 - 1. No water or sewer service shall be installed which connects with a borough main except by a duly licensed plumber licensed by the borough and without the knowledge of the superintendent of public works.
 - 2. Irrigation systems, including in ground lawn sprinkler systems, utilizing automatic timing devices are prohibited.

Irrigation systems, including in ground sprinkler systems, utilizing manual valves, or automatic systems using rain sensors are hereby approved provided that these

systems are operated in accordance with the established watering requirements of the Water Conservation Plan duly adopted by the borough.

Sprinkler systems for fire protection purposes are expressly permitted, provided that said systems are installed in accordance with the applicable provisions of the Uniform Construction Code.

~~3. Water services to all existing buildings in apartment zone A or garden apartment zones may be connected to one large water main by the developer. Water services to any new buildings or conversions of existing apartments to condominium units must have separate metered water service from each unit to the supply mains. Upon request from the governing agency of a Condominium Association which has been created through a conversion of a multifamily structure, the requirement for separate metered water services may be waived by the borough, provided the superintendent of public works indicates that the cost for separate metered services is excessive or not practical. In such event, the common meters shall be read and the individual units serviced by such meters shall be billed for water/sewer services in any reasonable manner requested by the Condominium Association and accepted by the borough financial officer and approved by resolution of the mayor and council.~~

~~The borough shall make the taps to the main for each service after the developer or owner has made the necessary applications for the services. The cost of the water meter for five eighths inch to two-inch services is included in the charges. The meter is to be furnished by the borough and title thereto shall at all times remain in the borough. The meter will be maintained by the borough at the owner's expense.~~

~~4. Sewer services to any new multi-family buildings in apartment zone A or garden apartment zone may be connected to common laterals outside of the building and shall be approved by the Borough Engineer at the time of application~~ one large sewer main within the property by the developer. The borough shall make the connection to the borough sewer main after the developer has made the necessary application for the connection. The cost of the application will be sixty dollars (\$60.00) and no charge will be made for connections made within the development for house services by the developer. In lieu of a street connection by the borough, the superintendent of public works may require the developer to construct sewer manholes.

5. Each single-family house, duplex, or townhome must have a separate water and separate sewer service to the mains.

6. When any premises are now or hereafter occupied by more than one tenant drawing water through the same service pipe, the owner of the property shall be responsible for the water rents, and if the water be cut off from the premises the same shall not be again turned on until the rent or charge due and all expenses of cutting off and turning on the water shall be paid in full.

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

Introduction: October 2, 2023

Public Hearing/Adoption: October 16, 2023