

BOROUGH OF HO-HO-KUS
COUNTY OF BERGEN
STATE OF NEW JERSEY

ORDINANCE NO. 2022-65

**“AN ORDINANCE TO AMEND AND CLARIFY CHAPTER 81-8 OF ARTICLE I,
DISTRIBUTION AND USE REGULATIONS; PAYMENT OF WATER RATES”**

WHEREAS, the Borough of Ho-Ho-Kus has heretofore adopted Chapter 81-8 of the Code of the Borough of Ho-Ho-Kus; and

WHEREAS, the Borough of Ho-Ho-Kus wishes to amend Chapter 81-8 so as to clarify certain sections of the code, including the type of meter to be installed and that residents must provide access for meter replacement when meters are broken, no longer functioning, or at the end of their useful life;

NOW, BE IT ORDAINED by the Mayor and council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 81-8 of the code is hereby amended and replaced as follow (deletions in ~~striketrough~~, additions in **bold**)

SECTION I

Article I. Distribution and Use Regulations; Payment of Water Rates

§ 81-8. Meters.

A. ~~All premises supplied with water shall be equipped with a meter;~~

All customers shall be required to have a radio read metering device, and, thereafter, all charges for the use of water through such services shall be based upon the meter rates as established herein.

B. No meter shall be required for fire service.

C. All new construction shall have installed remote meters. **The cost of such device shall be as follows:** ~~Any customer who currently has a meter may have a remote installed on his premises at the customer's expense.~~

(1)

Five-eighths-inch and three-fourths-inch meter: at cost.

(2)

One-inch meter: at cost.

(3)

In the case of installation of meters greater than one inch, the customer or builder is required to purchase the meter for the dwelling at the prevailing cost of a new meter with radio read.

D. A customer may opt out of having a radio read meter installed on his or its property, provided:

(1) That the structure has a meter that is able to be read from the exterior of that structure;

(2) That the Water Department has a written request from the customer acknowledging that by opting out of having the radio read meter installed that he or it accepts that he or it will be charged an opt-out fee of \$25 per quarter, in addition to the cost to perform any manual readings.

(3) That the customer pays for the installation of a non-radio meter at the actual cost for such meter, which such meter shall be selected by or approved in advance by the Water Department. If in the Water Departments sole discretion, the non-radio meter selected by the customer was not acceptable to the Water Department, would not function properly, or would not be in conformance with all standards and requirements of the radio meters which the Water Department currently utilizes, other than lack of radio read capability, then the Water Department may deny the ability of a customer to opt-out.

E. Failure to Provide Access for Replacement of Meter.

All customers are required to have a working remote water meter. If the Water Department, in its sole judgment, needs to replace a water meter due to the fact that the meter is broken, not functioning properly, or at the end of its useful life, the property owner will be notified in writing that within fifteen (15) days, the property owner must contact the Water Department to schedule an appointment to replace the water meter. If a property owner does not schedule such appointment or refuses to provide access for such meter replacement, the property owner will be notified that within five business days, the Water Department may, in addition to those charges as set forth in this Article, including Chapter 81-11(E) and Chapter 81-12(C), begin charging a fee of \$75 per quarter. Nothing herein shall minimize the Water Department's ability to discontinue water service as set forth in Chapter 81-12(C) and Chapter 81-17(D), or in any other Chapter of this Article.

Section II Severability

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section III Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section IV Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

NOTICE OF PENDING ORDINANCE

This Ordinance published herewith was introduced and pass upon first reading at a meeting of the Municipal Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, held on January 25, 2022. It will be further considered for final passage after the public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 333 Warren Avenue, Ho-Ho-Kus, NJ 07423-1547, in said Borough at the Public Meeting on February 22, 2022, at 7:00 p.m. at which time and place all interested member of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall and copies are available at no charge in the Office of the Borough Clerk for members of the general public who may request them.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HO-HO-KUS AT THE PUBLIC MEETING ON **February 22, 2022.**

ATTEST: _____ Joan Herve, RMC, Borough Clerk

APPROVED: _____ Thomas W. Randall, Mayor