

**1 ORDINANCE 31-2009**

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING  
CHAPTER 155 OF THE MADISON BOROUGH CODE ENTITLED  
“SEWER” TO INCLUDE SEWER CONNECTION FEE**

**WHEREAS**, the Chief Financial Officer has recommended that the Borough amend Chapter 155 of the Madison Borough Code entitled “Sewer” to include a sewer connection fee; and

**WHEREAS**, Nisivoccia and Company, LLP, Certified Public Accountants and consultant to the Borough, has performed a study of the capital costs and interest on debt service together with the number of equivalent users at December 31, 2008, and based on such study has recommended a sewer connection fee in the amount of \$4,000.00 for new customers during 2009; and

**WHEREAS**, such sewer connection fee is authorized by N.J.S.A. 40A:26A-11 entitled “1Municipal and County Sewerage Facilities”.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

**SECTION 1:** Chapter 155, Section 4 of the Madison Borough Code, currently entitled “Connection expenses; responsibility for maintenance, repair and replacement of laterals” is hereby amended as follows:

§155-4 Connection fees; connection expenses; responsibility for maintenance, repair and replacement of laterals.

A. Sewer connection fees.

There shall be a basic connection fee established in accordance with N.J.S.A. 40A:26A-11. The fee for the remainder of 2009 shall be:

1. For single family dwelling units, \$4,000.00, and for multiple dwelling units, \$4,000.00 per unit.

2. 1In the case of any building or portion thereof to be used for industrial, commercial, educational or other than dwelling purposes, the Borough Engineer shall determine by accepted standards the number of units to be connected or added to an existing connection; where a unit equals an annual average daily flow of 265 gallons or fraction thereof: \$4,000.00 per unit.

This fee shall, pursuant to statute, be recalculated at the end of each budget year and may be reset by ordinance of the Borough Council after public hearing, on a yearly basis. The sewer connection fee is based upon the usage of a single dwelling unit or equivalent discharge. The sewer connection fee shall be payable in full to the Borough of Madison at the time a building sewer permit is issued for connection to the public sanitary sewer by the Borough of Madison.

- B. Sewer connection expenses; responsibility for maintenance, repair and replacement of laterals.
  1. Whenever any of the work herein provided for is done, it shall be at the expense of the owner or owners of the land in front of or upon which the same is done.
  2. Such owner or owners shall also be responsible for the maintenance, repair and replacement of any lateral installed upon premises owned by him or them, or other work done in connection therewith.

SECTION 2: This Ordinance shall take effect as provided by law.

ADOPTED AND APPROVED  
July 27, 2009

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MARY-ANNA HOLDEN, Mayor

Attest:

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ELIZABETH OSBORNE, Acting Borough Clerk