

ORDINANCE NO. 2188-17

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND AMEND CHAPTER 530, WATER, SECTION 530-30, PAYMENT OF BILLS, AND CHAPTER 220, FEES, SECTION 220-21, WATER, SO AS TO CREATE AN EXCEPTION FROM PAYMENT IN CERTAIN CIRCUMSTANCES AND TO AMEND CHAPTER 220, FEES, SECTION 220-12, PARKS AND RECREATION, SUBSECTION B, SWIMMING POOL, TO CREATE A FEE FOR LIFEGUARD CERTIFICATION

BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that:

Section 1. Chapter 530, Water, Section 530-30, Payment of Bills, is revised, amended and supplemented so as to create sections A and B thereunder, with the language of each section to read as follows:

§ 530-30 Payment of bills; exceptional circumstances

- A. Payment of Bills - Bills for water supplied for any quarterly period or fraction thereof will be dated on the last day of such period or on the day when the water is turned off and are due and payable on the day when dated. All charges for water must be paid within 30 days after becoming due and payable. If not so paid, interest from the due date, at the rate set forth by statute, shall be added to and collected with such charges, and water may be turned off from any premises until such charges and interest are paid. The non-receipt of a bill will be no excuse for failure to pay. Where water is turned off because of nonpayment of charges, it will not be turned on again until such charges have been paid, including the fee for turning on.
- B. Exceptional Circumstances – Where exceptional circumstances are demonstrated by a person receiving a water bill, the Administrator or his designee may authorize a reduction in the amount billed for a given billing period, or if appropriate two successive billing periods. For purposes of this section, an exceptional circumstance shall be defined as a billing period, or two successive billing periods where the same could not be reasonably discovered by the person receiving the bill, where billing for water usage was exceptionally high when compared to like billing periods of the customer, and not the result of high water usage by the customer. An exceptionally high water bill is one that is at least 50% higher than comparable relevant billing periods, and caused by leak that has since been repaired, or other circumstance where the customer was not reasonably aware of aberrantly high water usage. The request for a reduction in water bill must be presented within 30 days of receipt. The customer shall complete an application created by the Administrator or his designee setting forth a basis for a reduction. One such application for reduction due to exceptional circumstance may be granted in any five year period. The determination as to whether or not to grant a reduction and amount thereof shall be in the discretion of the Administrator or his designee.

Section 2. Chapter 220, FEES, Section, 220-21, Water, and Section 220-12, Parks and Recreation, shall be and hereby are revised, amended, supplemented and to the extent applicable repealed and replaced by modification of the various fees provided therein so that the same shall read as follows:

§ 220-1 SCHEDULE OF FEES

The following schedule of fees is hereby established with respect to licenses, permits and activities required or regulated under the provisions of various chapters of the code of the Borough of Hawthorne. Applications for and the issuance of such licenses and permits shall be subject to the provisions of the specific chapter of the Code that is indicated for each type of license or permit. The business, activity or operation for which the license or permit is required shall be subject to all regulations set forth in the chapter to which reference is made.

Chapter of Code

Section 220-21, Chapter 530, Water

Q. In the case of exceptional circumstance, as defined at Section 530-30 (B), the amount billed hereunder may be reduced as provided for thereunder.

Section 220-12, Chapter 350, Parks and Recreation

B. Swimming Pools

(2) Training of lifeguards for certification purposes

In the event training of lifeguards for certification purposes is offered, the fee per course shall be as follows:

- a. Residents \$200
- b. Non-residents \$250
- c. Recertification \$100

Section 3. All other parts or provisions of Chapters 530 and 220 of the Code of the Borough of Hawthorne or any other ordinance or regulation not specifically amended by this Ordinance shall remain in full force and effect.

Section 4. This Ordinance shall take effect twenty (20) days after final adoption and publication as provided by law.

John N. Bertollo
Council President

Attest:
Lori DiBella, RMC
Borough Clerk

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey, held on May 3, 2017. It will be further considered for final passage after public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 445 Lafayette Avenue, in said Borough on June 7, 2017 at 7:00 p.m., at which time and place all interested members 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 Ordinance will be posted on the Borough website, www.hawthornenj.org, and made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

Lori DiBella, RMC
Borough Clerk

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 HAWTHORNE AT A REGULAR MEETING ON JUNE 7, 2017.

ATTEST:

Lori DiBella, RMC, Borough Clerk

John N. Bertollo, Council President

APPROVED: _____
Richard S. Goldberg, Mayor