

# Ordinance 2013-18

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**AN ORDINANCE SUPPLEMENTING, AMENDING AND REVISING CHAPTER 19,  
ENTITLED “WATER AND SEWER”, SECTION 19-2 ENTITLED “CHARGES AND RENTS”,  
OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN”**

**WHEREAS**, the Mayor and Council wish to amend certain provisions contained within Chapter 19, Section 19-2, of the Hightstown Borough Code.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED**, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that

Section 1: Chapter 19 Entitled “Water and Sewer”, Section 19-2, Entitled “Charges and Rent”, of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented as follows (additions are shown with underline ; deletions are shown with ~~strikeout~~):

## **Section 19-2**

### **CHARGES AND RENTS**

#### **Subsections:**

- 19-2-1           Applicability; Payment of Charges.**
- 19-2-2           Water Charges.**
- 19-2-3           Sewer Charges.**
- 19-2-4           Supplying Water and Sewer Services Outside Borough.**
- 19-2-5           Formula for Billing.**
- 19-2-6           Connections to Be Supervised; Application.**
- 19-2-7           Connection Charge.**
- 19-2-8           Billing.**
- 19-2-9           Water Meters; Accessibility; Repairs; Line Maintenance.**
- 19-2-10          Swimming Pools.**

#### **Subsection 19-2-1      Applicability; Payment of Charges.**

a. The following schedule of charges and rents for connection with and the use and service of the water and sewer system are fixed and prescribed under the separate schedules set forth below, and the schedules are to apply to each business unit and dwelling unit, as those terms are defined in subsection 19-2.5b., and which are referred to herein as "premises" or "unit," which may have a connection with the sewer and water system. The Borough shall charge to the owner of each premises or unit, and each owner shall pay to the Borough quarterly, the following charges and rents per quarter without discount or rebate for or on account of disconnection from or nonuse of the water and sewer system for a portion of a quarter.

b. All water and sewer bills shall be payable within thirty (30) days from the date of billing. Water and sewer charges shall bear interest at the same rate as delinquent taxes, commencing thirty (30) days from the date of the bill.

c. If payment of any water or sewer rent or rents or for work done or materials furnished is not made

within ~~sixty (60) days~~ forty-five (45) days of the date when due, the water may be shut off from such real estate in accordance with the process specified in Subsection 19-2-8c and shall not be again supplied thereto until the arrears with interest and penalties shall be fully paid.

d. If any water or sewer rent or other charge shall remain in arrears for six (6) months, the officer charged with the duty of collecting water or sewer rents shall file with the officer charged with the collection of tax arrears a statement showing such arrearages, and from the time of such filing, the water or sewer rent or other charge shall be a lien upon the real estate to which the water or sewer service was furnished and in connection with which the charges were incurred to the same extent as taxes are a lien upon real estate in the municipality and shall be collected and enforced by the same officers and in the same manner as liens for taxes.

e. The Borough shall not charge standby fees for any new fire protection system required to be installed pursuant to the "Dormitory Safety Trust Fund Act", N.J.S.A. 52:27D-198.9, as amended. (1991 Code § 227-7; Ord. No. 836 § 1; Ord. No. 2003-08)

**Subsection 19-2-2 Water Charges.**

- a. Quarterly base charge for water connections  
(per connection unit) \$37.50 per unit
  
- b. Quarterly base charge for auxiliary residential  
water-only connection (per connection unit), installed  
as per subsection 19-2.5c \$25.00 per unit
  
- c. Water usage charge per each 100 cubic feet  
of metered water usage (all account types except  
auxiliary residential water-only connections) \$1.85
  
- d. Water usage charge per each 100 cubic feet of metered water usage for  
auxiliary residential water-only connections \$2.85 per unit
  
- e. Tanked water \$10.00 per  
1,000 gallons
  
- f. Quarterly base charge for private fire service lines:
 

Size of fire service line	
2"	\$10.00
4"	\$50.00
6"	\$155.00
8"	\$335.00
10"	\$600.00

g. The Borough shall assess a charge of fifteen (\$15.00) dollars for all water meter readings not required for the calculation of quarterly water bills.

(1991 Code § 227-8; Ord. No. 836 § 2; Ord. No. 1995-11 § 1; Ord. No. 1996-20 § 2; Ord. No. 2002-11; Ord. No. 2002-24; Ord. No. 2004-04; Ord. No. 2004-10; Ord. No. 2006-29)

**Subsection 19-2-3 Sewer Charges.**

The following charges and rents shall be charged for use of the sewer system. For premises connected with the water mains of the public water and sewer system owned by the Borough, a sum shall be charged in accordance with the following rates and be computed from the amount and use of water taken from the water mains during the most recently billed quarter of the calendar year as evidenced by the reading of the

water meter for the premises. Sewer charges shall be based upon the following:

- a. Quarterly base charge for sewage connections (per connection unit) whether or not any water is used during the quarter \$60.00 per unit
  
- b. Sewage usage charge per each 100 cubic feet of metered water usage (all account types) \$3.85
  
- c. For processing of grey water delivered via tank truck by commercial entities:
  - (1) For the first 1,500,000 gallons delivered by a commercial entity within a calendar year \$33.00 per 1,000 gallons
  
  - (2) For volume in excess of 1,500,000 gallons delivered by a commercial entity within a calendar year \$26.00 per 1,000 gallons
  
  - (3) The contents of each tanker will be tested so as to determine the pH level of the material.
    - For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed \$ 5.00 per 1,000 gallons
  
    - For material with a measured pH found to be below 5.0, an additional surcharge will be assessed \$10.00 per 1,000 gallons
  
- d. For processing of septic tank waste delivered via tank truck by commercial entities:
  - (1) Septic containing less than 3% total solids:
    - (1.1) For the first 1,500,000 gallons delivered by a commercial entity within a calendar year \$53.00 per 1,000 gallons
  
    - (1.2) For volume in excess of 1,500,000 gallons delivered by a commercial entity within a calendar year \$45.00 per 1,000 gallons
  
    - (1.3) The contents of each tanker will be tested so as to determine the pH level of the material.
      - For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed \$ 5.00 per 1,000 gallons
  
      - For material with a measured pH found to be below 5.0, an additional surcharge will be assessed \$10.00 per 1,000 gallons
  
  - (2) Septic containing greater than 3% total solids but less than 4% total solids:

- |   |   |                              |
|---|---|------------------------------|
| (2.1)   | Per 1,000 gallons   | \$63.00                      |
| (2.2)   | The contents of each tanker will be tested so as to determine the pH level of the material.               |                              |
|   | For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed | \$ 5.00 per<br>1,000 gallons |
|   | For material with a measured pH found to be below 5.0, an additional surcharge will be assessed           | \$10.00 per<br>1,000 gallons |
| (3) Septic containing greater than 4% total solids but less than 5% total solids: |   |                              |
| (3.1)   | Per 1,000 gallons   | \$73.00                      |
| (3.2)   | The contents of each tanker will be tested so as to determine the pH level of the material.               |                              |
|   | For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed | \$ 5.00 per<br>1,000 gallons |
|   | For material with a measured pH found to be below 5.0, an additional surcharge will be assessed           | \$10.00 per<br>1,000 gallons |
| (4) Septic containing greater than 5% total solids:                               |   |                              |
| (4.1)   | Per 1,000 gallons   | \$83.00                      |
| (4.2)   | The contents of each tanker will be tested so as to determine the pH level of the material.               |                              |
|   | For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed | \$ 5.00 per<br>1,000 gallons |
|   | For material with a measured pH found to be below 5.0, an additional surcharge will be assessed           | \$10.00 per<br>1,000 gallons |
| (5) Septic (Jugglers):  |   |                              |
| (5.1)   | Per 1,000 gallons or any portion thereof  | \$83.00                      |
| (5.2)   | The contents of each tanker will be tested so as to determine the pH level of the material.               |                              |

For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed \$ 5.00 per 1,000 gallons

For material with a measured pH found to be below 5.0, an additional surcharge will be assessed \$10.00 per 1,000 gallons

(6) Car Wash:

(6.1) Per 1,000 gallons or any portion thereof \$63.00

(6.2) The contents of each tanker will be tested so as to determine the pH level of the material.

For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed \$ 5.00 per 1,000 gallons

For material with a measured pH found to be below 5.0, an additional surcharge will be assessed \$10.00 per 1,000 gallons

e. Septic from Recreational Vehicles (RV): Per 1,000 gallons or any portion thereof \$10.00

f. For processing of fats and grease derived solely from animal, and/or vegetable sources delivered via tank truck by commercial entities, BY APPOINTMENT ONLY: \$105 per 1,000 gallons

g. No petroleum oil or grease from mineral sources will be accepted at the Advanced Wastewater Treatment Plant.

h. The term "calendar year" as used in this Section shall be the period between January 1 and December 31.

(1991 Code § 227-9; Ord. No. 836 § 3; Ord. No. 1995-11 § 2; Ord. No. 1996-7 §§ 1, 2; Ord. No. 1996-20 §3; Ord. No. 2002-11; Ord. No. 2003-30; Ord. No. 2005-10; Ord. No. 2006-29; Ord. No. 2008-15; Ord. No. 2011-12; Ord. No. 2013-11)

**Subsection 19-2-4 Supplying Water and Sewer Services Outside Borough.**

The charges for supplying water and sewer service outside the corporate limits of the Borough shall be the same as set forth in subsection 19-2.2 and subsection 19-2.3. (1991 Code § 227-10; Ord. No. 836 § 4; Ord. No. 1995-11 § 3; Ord. No. 199620 § 4)

**Subsection 19-2-5 Formula for Billing.**

a. For sewer service where non-Borough water is used, the quarterly base charge shall be the same as set forth in subsection 19-2.3a and the charge per each one hundred (100) cubic feet of metered sewage flow shall be the same as set forth in subsection 19-2.3b.

b. Each dwelling unit and each business unit with water and sewer in a building or structure shall be considered as a separate entity for rate purposes. If a water meter or sewage flow meter is provided for each dwelling unit and for each business unit, the rate set forth above shall prevail. Otherwise, each dwelling unit and business unit shall be billed in accordance with the following formula:

1. For business units except restaurants, billing for base charges shall be determined by the number of fixtures within the business unit. Every ten (10) fixtures or fraction thereof shall constitute one (1) base charge.. The determination of the number of fixtures in a business unit shall be made by the Water Plant Operator.
2. Restaurants shall be billed at the rate of one (1) base charge for each restaurant plus an additional one-fourth ( $\frac{1}{4}$ ) base charge for each ten seats or fraction thereof.
3. Dwelling units. Each dwelling unit as defined herein shall constitute (1) one base charge.
4. The minimum rate shall apply to each dwelling unit and each business unit, and to that rate shall be added the average rate of water or sewer used according to the meter divided by the number of dwelling units and business units. In any event, the bill for each quarter shall not be less than the total of the minimum rates for each dwelling unit and each business unit.
5. "Business unit" shall mean any place of business of whatever nature using water and sewer fixtures within its own floor space.
6. "Dwelling unit" shall mean any room or group of rooms located within a building and forming a single habitable unit with facilities which are used or can be used for living, sleeping, cooking and eating.
7. "Fixture" shall mean a toilet, sink, urinal, shower, washing machine, dishwasher or swimming pool.

c. Separate Water Meters.

1. A property owner may install a separate water meter, located on the owner's premises before the point of the water meter serving the premises, provided that none of the water flowing through the separate meter is ultimately discharged into the Borough's sanitary sewer system. The quantity of water so used and not discharged into the Borough's sewer system shall not be used to calculate sewer charges and rents.

2. The aforesaid separate meter shall be furnished to the property owner by the Borough; upon receipt of the meter, the property owner shall reimburse the Borough for the cost of the meter. It shall be the responsibility of the property owner to obtain any necessary permit, and to have the meter properly installed and located in accordance with the requirements of the Plumbing Subcode Official. The cost of the permit, installation and inspection of the meter and any related work shall be borne by the property owner.

3. The Borough shall retain ownership of the separate water meter and shall maintain it in the same manner as the principal water meter on the owner's premises. The Borough shall have no responsibility for maintenance or repair of any equipment other than the meter itself. The responsibilities of the property owner and the Borough shall be as set forth in subsection 19-2.9.

4. A separate Borough water account shall be established for a property owner who installs a separate water meter, and the property owner shall be billed for water usage through the separate meter as set forth in subsections 19-2.1 and 19-2.2. Provided the water flowing through the meter is not discharged into the Borough's sewer system, the water usage shall not be used to calculate sewer charges and rents.

5. Any property owner or other person or entity who discharges into the Borough's sewer system any of the water which has passed through the separate water meter shall be subject to one (1) or more of the following:

- (a) Calculation of sewer charges and rents based upon part or all of the water flowing through the separate water meter;
- (b) Removal of the separate water meter by the Borough at the property owner's expense;
- (c) Termination of the separate water account;

(d) Imposition of the penalties as set forth in Section 19-4.

The final determination with respect to action under paragraphs (a), (b) and (c) hereof shall rest with the Mayor and Council. (1991 Code § 227-11; Ord. No. 857 § 1; Ord. No. 1996-20 § 5; Ord. No. 2002-24)

**Subsection 19-2-6 Connections to Be Supervised; Application.**

a. No connection or tapping of the Borough water or sewer lines shall be made except by or under the supervision of the Borough Engineer, the Superintendent of Public Works, the Superintendent of the Sewer Department, Water Department or the Plumbing Subcode Official.

b. All connections shall be made by application to the Superintendent of the Public Works Department for approval, who shall notify the Borough Engineer and Plumbing Subcode Official of each application.

(1991 Code § 227-12; Ord. 2002-24)

**Subsection 19-2-7 Connection Charge.**

a. Whenever a service connection to a water or sewer main is made, or when a property is redeveloped and/or an increase in water or sewage usage is requested, the owner of the property for whose benefit the connection is made shall pay a charge therefor. For purposes of this section, the term “redeveloped” shall include, but not be limited to, circumstances where the use of a property is changed or the intensity of the use of a property is increased. A connection unit, which shall be the basic unit upon which user fees and rates are established, shall be equivalent to usage of 300 gallons per day (g.p.d.). Each dwelling unit shall be assigned one (1) water and (1) sewer connection unit. The number of water and sewer connection units to be assigned to each business unit, excluding industrial users, shall be based on the projected flow for such unit calculated in accordance with N.J.A.C. 7:14A-23.3. For each connection unit, a connection fee shall be paid as follows:

- 1. Water Connection Fee: \$4,232.00
- 2. Sewer Connection Fee: \$2,177.00

Connection fees shall be paid at the rate in effect at the time that the connection is made. The fee shall be due and payable upon presentation of the approved application to the Department of Public Works, who shall issue the permit upon receipt of the fee. Payment shall be made prior to the issuance of a temporary or regular certificate of occupancy. All such fees collected by the Public Works Department shall be turned over by that Department to the Borough Treasurer on a daily basis.

b. If the Borough finds it necessary to make a new connection with the water or sewer main in front of any property for the benefit of the property, the connection shall be deemed necessary for the proper functioning of the water and sewer utility system in connection with service to the property, and if the fee aforesaid shall not be paid, the stated fee shall be a lien upon the house, tenement, building or lot until paid and satisfied and, after notice thereof by registered mail to the owner, shall carry interest at the rate of eight (8%) percent until paid and satisfied.

c. The property owner shall be responsible for the cost of installation and repair of sewer and water lines as follows:

- 1. Water lines: from (but not including) the curb stop located in the Borough right-of-way to the house, tenement, building, structure or lot, or if there is no curb stop, from a point two (2) feet beyond the edge of the Borough's cartway to the house, tenement, building, structure or lot.
- 2. Sewer lines: from a point two (2) feet beyond the edge of the Borough's cartway to the house, tenement, building, structure or lot.

The connection charges shall be in accordance with the foregoing paragraphs a.1 through a.4., inclusive. Prior to any such installation or repair, the property owner shall coordinate such activity with the Superintendent of the Public Works Department, and shall obtain any required permits. Each such owner shall indemnify and save harmless the Borough from any and all loss or damage that may be occasioned, directly or indirectly, as a result of construction or repair of such sewer or water lines. (1991

Code § 227-13; Ord. No. 820 §1; Ord. No. 2002-24; Ord. No. 2003-18; Ord. No. 2004-07; Ord. No. 2005-05; Ord. No. 2006-11; Ord. No. 2007-03; Ord. No. 2008-08; Ord. No. 2009-07; Ord. No. 2010-10)

**Subsection 19-2-8 Billing.**

a. Billing to Owners. Billing by the Borough water and sewer utility office shall be to the record owners of the lot served by the utility.

b. Procedure for Unpaid Bills. Use charges for water and sewer service shall be a first lien or charge against the property benefitted therefrom. The liens shall be enforceable in the manner provided for real property tax liens in Chapter 5 of Title 54 of the New Jersey Revised Statutes.

Unpaid water and sewer charges shall be subject to an interest charge in the same manner as past-due real property taxes in the Borough.

c. Discontinuance of Service.

(1) Discontinuance of service due to nonpayment of charges. The Borough Administrator may discontinue water and/or sewer service to any property if any water and/or sewer charges for such property are more than ~~ninety (90) days~~ forty-five (45) days in arrears for residential ~~or non-residential properties, or thirty (30) days in arrears for non-residential properties,~~ if written notice of the proposed discontinuance of service and of the reasons therefor is given to the owner of record of the property at least fifteen (15) calendar days prior to the date of discontinuance. The notice shall be deemed complete if it is (1) mailed by regular mail ~~and by certified mail/return receipt requested~~ to the last known address of the owner of record, (2) mailed by regular mail for information purposes to any known occupant, ~~and~~ (3) postmarked at least fifteen (15) days prior to the date of discontinuance, and (4) posted in a conspicuous manner at the property at least fifteen (15) days prior to the date of discontinuance.

(2) Discontinuance of service at request of property owner. Water and/or sewer service may be temporarily discontinued to any property at the request of the property owner, provided that the property is unoccupied. Such requests for temporary discontinuance of service shall be made in writing, signed by the property owner, and shall certify that the property is unoccupied. Accounts for which service has been temporarily discontinued in accordance with this Section shall continue to accrue quarterly base charges for water and sewer as set forth in Section 19-2.2, and the property owner will continue to bear full responsibility for payment of same as set forth in paragraphs a. and b. above.

(3) In the event that the Borough discontinues water service, whether or not at the request of the property owner, a fee of fifty (\$50.00) dollars shall be charged for reestablishment of water service. Billing of the charge and the procedure for unpaid bills shall be as set forth in paragraphs a. and b. above.

d. Disputed bills related to water leaks. Water charges will not be waived if a leak occurs after the water meter. Sewer charges may be waived if the water plant operator can verify that the water which leaked did not enter the sewer system, or if a licensed plumber provides written verification that the water which leaked did not enter the sewer system.

(1991 Code § 227-14; Ord. No. 827 § 1; Ord. No. 855 § 1; Ord. No. 1997-34 § 1; Ord. No. 2002-24; Ord. No. 2003-01; Ord. No. 2004-10)

**Subsection 19-2-9 Water Meters; Accessibility; Repairs; Line Maintenance.**

a. Water Meters to Be Furnished by Borough. All water meters shall be furnished to the property owner by the Borough. For all new water meters and for replacement meters installed due to damage or neglect by the property owner, the property owner shall reimburse the Borough for the cost of the meter. The charges for such meter shall, if not paid, become a lien upon the property and be collected as other water and sewer utility liens may be collected by law. Installation after the effective date of this Ordinance of any water meter not furnished by the Borough shall constitute a violation of this Code.

b. Permitting and Installation of Meters to be Responsibility of Property Owner. It shall be the responsibility of the property owner to obtain any necessary permit, and to have the meter properly installed and located in accordance with the requirements of the Plumbing Subcode Official. The cost of the permit, installation and inspection of the meter and any related work shall be borne by the property owner.

c. Water Meters to Be Accessible. All water meters shall be accessible to the meter reader during the Borough's regular hours of operation as established annually by Resolution of the Borough Council. Notice may be given by the Superintendent of Public Works, the Borough Water Department, the Borough Administrator or by any official duly authorized by the Borough Council to any property owner advising that the location of the water meter is not satisfactory to the Borough because of inaccessibility and directing that the meter be relocated at a place approved by the Borough. Such notice shall be deemed to be complete if it is mailed by the Borough via regular and certified mail, return receipt requested, to the property owner of record. A reasonable time to accomplish the removal of any meter to a new location shall be afforded but shall be not less than thirty (30) days. If the meter is not relocated in accordance with the notice, the Borough may relocate the meter and charge the cost of relocation to the owner of the property to be collected at such time as water and sewer utility bills are issued. The responsible charges for such location shall, if not paid, become a lien upon the property and be collected as other water and sewer utility liens may be collected by law.

d. Replacement of Water Meters. In the event that a water meter is not working properly, or if the Borough requires replacement of the meter for any other reason, written notice may be given by the Superintendent of Public Works, the Borough Water Department or the Borough Administrator or by any official duly authorized by the Borough Council to any property owner directing that the meter be replaced. Such notice shall be deemed to be complete if it is mailed by the Borough via regular and certified mail, return receipt requested, to the property owner of record. The property owner shall contact the Borough Water Department within 30 days of the date of notice to arrange for replacement by the Borough of the meter. If there is no response by the property owner within such time, or if property owner fails to make the meter accessible as provided in paragraph c. above within such time, service shall be immediately discontinued, with the exception of any development where water service is shared by more than one property owner. In those cases, service shall not be discontinued; however, the property owner shall be subject to fines and/or penalties as set forth in Section 4.1 of this Chapter.

e. Costs and Repairs to Water Meters. All costs of ~~or~~ repairs to water meters which become necessary by reason of damage or neglect by the property owner or his tenant or occupant, including allowing the meter to freeze, shall be charged against the owner of the premises whose neglect or whose tenant's or occupant's neglect is responsible therefor. Charges shall be reasonable and shall include the cost of labor and materials as certified by the Superintendent of Public Works, and shall be billed to the owner on whose property the damaged meter is located. In the event of failure to pay when billed, such reasonable charges shall become a lien upon the premises and be collected as other water and sewer utility liens are collected by law.

f. Responsibility for Maintenance of Meters and Line to Premises; Ownership of Meters.

(1) The Borough shall retain ownership of all water meters.

- (2) The Borough shall be responsible for routine maintenance of all water meters up to 5/8 inch. The Borough shall have no responsibility for maintenance or repair of any equipment other than the meter itself.
- (3) The property owner shall:
  - a. Be responsible for maintenance of all water meters over 5/8 inch, and keep such meters in good repair and protected at all times from damage from any cause.
  - b. Be responsible for the maintenance of the water and sewer service line between the curb line and the premises and ~~2. —~~ keep such line in good repair and protected at all times from damage from any cause.
  - c. Be held liable for damage or loss of water or sewage from failure to do so.
  - d. Report promptly to the Department and shall repair all leaks in the service from the curb line to the premises. If repairs are not so made, the water shall be shut off by the Water Department and not turned on again until the line is placed in serviceable condition and all charges for damage or loss of water have been paid.

g. Prohibition; Curb Turnoff or Turn-on. No person, except an employee of the Water Department, shall turn water on or off at a curb stop unless an emergency exists. In such case the Water Department shall be advised immediately of the action taken.

(1991 Code § 227-15; Ord. No. 2002-11; Ord. No. 2004-10; Ord. No. 2006-20)

**Subsection 19-2-10 Swimming Pools.**

Any property owner having a swimming pool upon premises served by the Borough water supply may apply for a permit to fill the swimming pool with water. Thereafter, upon certification by the Superintendent of the Water Department as to the size of the pool, that it has been filled after the granting of such a permit, and the amount of water used to fill the pool, such amount of water shall be deducted from the calculation of sewer charges and rents on the next bill to be rendered by the Borough for the premises. All applications for such permits shall be made to and upon forms supplied by the Borough Clerk and shall be processed upon payment of a fee of fifteen (\$15.00) dollars for each permit. To be eligible for such deduction, the property owner shall not fill the pool until after it has been inspected by the Superintendent of the Water Department. Nothing herein shall prevent a property owner from filling a swimming pool without a permit; however, such property owner shall not be eligible for the aforesaid deduction. (1991 Code § 227-16; Ord. No. 855 § 2; Ord. No. 2008-09)

Section 2. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 3. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Section 4. This Ordinance shall take effect following final passage and publication in accordance with the law.

Introduced:

Adopted:

**ATTEST:**

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Debra L. Sopronyi  
Municipal Clerk

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Steven Kirson  
Mayor