

# Ordinance 2023-15

BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY

## AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 19-2-8, ENTITLED “BILLING,” OF ARTICLE 19-2, “CHARGES AND RENTS,” OF CHAPTER 19, “WATER AND SEWER,” OF “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN,” IN CERTAIN LIMITED RESPECTS.

WHEREAS, the Borough of Hightstown (the “Borough”) previously established Article 19-2, entitled “Charges and Rents,” of Chapter 19, “Water and Sewer,” of “The Revised General Ordinances of the Borough of Hightstown” (also referenced as the “Borough Code”); and

WHEREAS, the Mayor and Council wish to revise Section 19-2-8, entitled “Billing” of Article 19-2 of the Borough Code, in certain limited respects.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Hightstown in the County of Mercer and State of New Jersey, as follows:

1. That Section 19-2-8, entitled “Billing,” of Article 19-2, “Charges and Rents,” of Chapter 19, “Water and Sewer,” of “The Revised General Ordinances of the Borough of Hightstown” is hereby amended and supplemented in the following respects (additions are show with underline; deletions are shown with ~~strikethrough~~):

### § 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. Reimbursement for Errors in Billing. It is the record owner(s)’ responsibility to monitor their water and sewer bills and inform the Borough immediately if an error is detected or suspected. If an error in billing is discovered, involving amounts that were either under-billed or over-billed to the record owner(s)’ account, the Borough’s liability and responsibility to correct the error shall be limited to providing a credit or debit, as applicable, to the record owner(s)’ account for amounts covering up to (a maximum of) the last four (4) billing cycles from the time when the billing error was brought to the Borough’s attention.
- ~~BC.~~ 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.
- ~~CD.~~ 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 45 days in arrears for residential or 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 15 calendar days prior to

the date of discontinuance. The notice shall be deemed complete if it is (1) mailed by regular mail 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 15 days prior to the date of discontinuance, and (4) posted in a conspicuous manner at the property at least 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 discontinuation 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 article shall continue to accrue quarterly base charges for water and sewer as set forth in § 19-2-2, and the property owner will continue to bear full responsibility for payment of same as set forth in Subsections 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 \$50 shall be charged for reestablishment of water service. Billing of the charge and the procedure for unpaid bills shall be as set forth in Subsections A and B above.


**DE.** Disputed Bills Related to Water Leaks. Water charges will not be waived if a leak occurs after in the water line leading into the home at any point past 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.

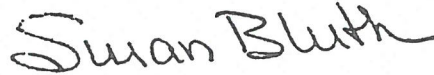
2. That all other provisions of Chapter 19 of the Borough Code which are not referenced in Section 1 of this Ordinance shall remain unaffected/unchanged and remain in full force and effect.
3. That all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.
4. That the provisions of this Ordinance shall be severable. 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 the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduction: August 21, 2023

Adoption: September 5, 2023

ATTEST:

  
MARGARET RIGGIO  
MUNICIPAL CLERK

  
SUSAN BLUTH  
MAYOR