

ORDINANCE 2026-13
ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF LAKE COMO
AMENDING AND SUPPLEMENTING CHAPTER 14 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKE COMO

WHEREAS, the Borough of Lake Como currently operates its water-sewer billing and reading cycles on an annual basis allowing a maximum usage of 5,000 cubic feet for the minimum charge ("Allowable Usage"); and

WHEREAS, the Borough engaged professionals to explore methods to improve the efficiency and constrain costs including, but not limited to, selling the system under the NJDEP Water Infrastructure and Protection Act (WIPA), which was not a suitable option; and

WHEREAS, the professionals recommended moving quickly to a quarterly reading and billing schedule to better apprise residents of their usage; and

WHEREAS, the Mayor and Council wish to implement that recommendation without changing the annual allowable usage; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor & Council of the Borough of Lake Como, County of Monmouth, and State of New Jersey as follows:

- (1) The current allowable usage rate shall remain at 5,000 cubic feet unless modified by Resolution of the Governing Body.
- (2) During the transition from annual to quarterly reading and billing, monthly allowable usage shall be at four hundred seventeen (417) cubic feet payable monthly at a rate set by Resolution of the Governing Body.
- (3) Once quarterly readings are achieved throughout the Borough, Ordinance 14:6.11 shall be amended as follows:

§ 14-6.11. Water and Sewer Rates. [1973 Code § 11-3.12; Ord. No. 228 § 1; Ord. No. 281 § 1; Ord. No. 312 § 1; Ord. No. 318 § 1; Ord. No. 319 § 1; Ord. No. 83-368 § 1; Ord. No. 84-380; Ord. No. 89-529 § 1; Ord. No. 90-537 § 1; Ord. No. 90-545 § 1; Ord. No. 92-562; Ord. No. 93-573; Ord. No. 94-592; Ord. No. 2011-859]

- a. The quarterly allowable usage shall be 1250 cubic feet unless modified by Resolution of the Governing Body, at a rate set by the Governing Body.
- b. The year for the regulation of water/sewer rates shall begin January 1 and charges shall be paid quarterly on the first day of January, first day of April, first day of July, and the first day of October for the minimum allowable usage charge. These charges are for annual connection to the water/sewer utility and minimums shall apply fully regardless of usage.
- c. Excess charges. Any excess charges over the allowable quarterly usage shall be billed at the rate in effect on the billing date and shall be billed as meters are read on a quarterly basis. Excess charges shall be billed each quarter.
- d. The charge for turning on and turning off water service shall be set by Resolution of the Governing Body.
- e. Penalties and fines for failing to respond to municipal notices and/or refusing access for water meter readings, upgrading, servicing or replacing incompatible meters, and non-compliance with this ordinance will be set by resolution of the Mayor and Council.

§ 14-6.12. Miscellaneous Charges. [1973 Code § 11-3.13; Ord. No. 88-519 § 1; New]

- a. The charge for connecting the water service shall be set by Resolution of the Governing Body. Where

a large tap is required, the charge shall be fixed by the Department of Public Works based on the actual cost.

- b. When service is discontinued due to the lack of occupancy, nonpayment of bills, or violation of the Borough rules, charges will be made as follows for turning on at the curb or for turning off at the curb as set by Resolution of the Governing Body.
- c. When water is turned off at the main, involving excavation in a public street, the full cost thereof shall be charged.
- d. Where the water has been turned off for nonpayment of water charges or for the violation of this section it shall not be turned on again without the direction of the Borough Council and until all expenses attending the turning off and turning on of the water, together with the charges accrued, are paid. If it is found that the water has been turned on again without compliance with this subsection, the Superintendent of the Department of Public Works may cause the service connection to be removed, and it shall not be restored until this section has been fully complied with, and until all back charges and expenses have been paid and directions issued for turning on the water.

§ 14-6.13. Meters Read at Request of Customer. [1973 Code § 11-3.14; Ord. No. 88-519 § 1; New]

Where a meter is read at the request of the consumer or owner, other than regularly scheduled readings, the consumer/owner shall be charged in accordance with the fees set forth by Resolution of the Governing Body and will pay for such reading when the reading is requested.

§ 14-6.14. Time of Bill Payments. [1973 Code § 11-3.15]

All bills for furnishing water or rendering service in connection therewith shall be paid upon the completion of the services rendered and before the water shall be turned on.

§ 14-6.15. Water Charge to Be Lien on Premises. [1973 Code § 11-3.16]

The owner of any house, tenement, building or lot shall be liable for the payment of the charges hereby fixed for the use of the water by the owner or occupant of such premises, and such charge shall be a lien upon such house, tenement, lot or premises until the same is paid and satisfied, and further water charges shall not accrue and the water shall be shut off from such building, place or premises, and shall not be again supplied until arrears with interest thereon shall be fully paid; and the Council shall also take the proceedings authorized by law for the enforcement of the water charge as a lien upon such house, tenement and lot or other premises by a sale of the premises in the manner provided by law; and in addition to the remedies above provided, Council may take such other remedies for the collection of the water charges as are authorized by law.

§ 14-6.16. Consolidation of Systems. [1973 Code § 11-3.17]

The water and sewer systems of the Borough are combined and consolidated so that the same shall be operated as a single utility under the name of the Water and Sewer Department of the Borough of Lake Como.

§ 14-6.17. Charge for Tapping Main. [1973 Code § 11-3.18; Ord. No. 90-537 § 1; Ord. No. 93-573 § 1]

The following charges for tapping the water main with service pipe to curb including corporation and curb stops and including street excavation not exceeding 35 lineal feet, shall be made as follows:

- a. For a three-quarter-inch pipe or smaller:
 - 1. A bituminous surface treated road, \$125.
 - 2. A concrete road, \$150.

- b. For one-inch pipe on:
 - 1. A bituminous surface treated road, \$100.
 - 2. A concrete road, \$175.
- c. Taps larger than one inch in size are to be made only on special arrangements with the Department of Public Works and the applicant shall pay the full and actual costs of the installation, but in no case less than a minimum charge of \$300.
- d. A charge for connecting the sewer main with a four-inch terra cotta line to curb, including street excavation not exceeding 35 lineal feet shall be \$125 on bituminous surface treated roads and \$175 on concrete roads. Connections larger than four inches in size are to be made only on special arrangements with the Department of Public Works and the applicant shall pay the full and actual costs of the installation, but in no case less than a minimum charge of \$200.
- e. Where the connection of a sewer service line or the tapping of a water service line requires the excavation of any street for more than 35 lineal feet, the applicant shall pay a street opening fee in accordance with the full and actual costs to the Borough, but in no case less than the minimum charge for the first 35 lineal feet as provided in paragraphs a. and b. above plus \$3 per lineal foot for each foot over 35 lineal feet on bituminous surface treated roads and \$6 per lineal foot for each foot over 35 lineal feet on concrete roads.

§ 14-6.18. Street Excavation Permit Required; Inspection Fee. [Ord No. 336 § 1]

All property owners who intend to tap into either the water main or the sanitary sewer line shall do so by first notifying the Borough Clerk and obtaining a Street Excavation Permit in conformity with the ordinances of Lake Como. The property owner or the contractor shall be responsible for properly connecting the water or sewer line tap in and shall be responsible for any damage that may be done to the Borough water main or sewer line caused by the tap in. Each shall further be responsible for properly filling in the excavation and restoring the street to its former service. All work, including the opening of the street, tapping in of the lines and refilling the excavation shall be done under Borough supervision. There shall be an inspection fee payable to the Borough of Lake Como in the amount of \$125 for each water tap in and for each sewer tap in.

§ 14-6.19. Minimum and Excess Charges. [1973 Code § 11-3.19; Ord. No. 88-519 § 1; Ord. No. 93-573; Ord. No. 2004-748; Ord. No. 2011-859; Ord. No. 2014-899]

There shall be due and payable quarterly a quarterly minimum charge for each consumer or meter in accordance with the following schedule. For each house, each building, each store, each apartment unit in a house or building and each premises requiring or using or being served with water or sewer service::a. Minimum Charges set by Resolution of the Governing Body for quarterly usage under the maximum of 1250 cubic feet or such other amount set by Resolution shall be paid quarterly on the dates set forth in 14:6.11(b).b. Excess Charges. Excess charges shall be billed at a rate in effect on the billing date and shall be billed as meters are read on a quarterly basis. Excess charges shall be billed per 1,000 cubic feet of excess usage over the allowable usage at a rate as set forth by Resolution of the Governing Body.

- a. The Department of Public Works shall, at the request of any consumer, test the meter in the presence of the consumer or the owner of the premises. If the meter is found to be recording water in excess of that delivered, bills rendered will be adjusted with the understanding that when the test is made, that meter will record within 2% of absolute correctness, upon ordinary size flows or openings. In no case shall there be an adjustment of less than the minimum of the annual service charge. If the meter is found to be recording correctly, the consumer or owner shall pay a test fee in accordance with the fees set forth by Resolution of the Governing Body.

The added charge shall be due and payable 30 days after billing.

§ 14-6.20. Supervision of Connection. [1973 Code § 11-3.20; Ord. No. 310 § 1]

The installation and connection of water or sewer service shall be performed under the supervision and direction of the Uniform Construction Code Official.

§ 14-6.21. Method of Billing. [1973 Code § 11-3.21]

The bills for water and sewer service shall be combined and stated on a single bill.

§ 14-6.22. Control of Water Usage. [1973 Code § 11-3.22]

The Mayor and Council may, whenever it is deemed necessary, issue a proclamation controlling and prohibiting the use and withdrawal of water by any person for the following purposes:

- a. Watering Yards. The sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation.
- b. Washing Mobile Equipment. The washing of automobiles, trucks, trailers, trailer-houses, railroad cars, or any other type of mobile equipment.
- c. Cleaning Outdoor Surfaces. The washing of sidewalks, driveways, filling station aprons, porches and other outdoor surfaces.
- d. Cleaning Buildings. The washing of the outside of dwellings; the washing of the inside and outside of office buildings.
- e. Cleaning Equipment and Machinery. The washing and cleaning of any business or industrial equipment and machinery.
- f. Ornamental Fountains. The operation of any ornamental fountain or other structure making a similar use of water.
- g. Swimming Pools. Swimming and wading pools not employing a filter and recirculating system.
- h. Escape through Defective Plumbing. The escape of water through defective plumbing, which shall mean the knowing permission for defective plumbing to remain out of repair.

§ 14-6.23. Air Conditioning Equipment. [1973 Code § 11-3.23]

If any water supplied by the Borough shall be connected to or used in any air conditioning equipment, it shall be equipped with a water recovery system whereby a maximum percentage of the water shall be recirculated and reused for the purpose of operating the air conditioning equipment.

§ 14-6.24. Method of Enforcement. [1973 Code § 11-3.24]

Every Police Officer of the Borough shall, in connection with his duties imposed by law, have the authority to enforce the provisions of this section.

In addition to any other remedies hereinabove prescribed, the Mayor and Council shall have the authority to enforce the provisions of this section by the discontinuance of water service in the event of violation hereof.

§ 14-6.25. Interest on Bills. [1973 Code § 11-3.25; Res. No. 2002-4]

Any bill for water and sewer which is paid within 10 days of the due date shall not bear interest, but if payment is made thereafter, the amount in arrears shall bear interest at the rate of 8% per annum on the first \$1,500 of the delinquency and 18% per annum on any amount in excess of \$1,500.

A penalty of 6% shall be imposed on delinquencies exceeding \$10,000 at the end of the fiscal year.

§ 14-6.26. Water/Sewer Collector. [1973 Code § 11-3.26; Res. No. 2001-4]

- a. The Water/Sewer Collector is authorized to collect any and all water and sewer bills.
- b. The Water/Sewer Collector is authorized and directed to collect interest on any delinquent water/sewer at the above rates.

§ 14-7. (RESERVED)

§ 14-8. CONNECTION TO THE WATER SYSTEM FOR FIRE EXTINGUISHING PURPOSES.

§ 14-8.1. Rates for Fire Extinguishing Purposes. [Ord. No. 271 § 1]

For each connection to the Borough water system for the purpose exclusively for the extinguishment of fires, there shall be an annual charge, in advance, for water service as follows:

- a. Connection of four inches or smaller per year: \$40.
- b. Connection of five or six inches, per year: \$75.
- c. Connection Size Regulation: The size of a private fire service connection shall in no case exceed six inches in diameter.
- d. Provisions for Charges: The rates provided by this subsection shall be available only for service connections used exclusively for the extinguishment of fires. No additional charges shall be made for sprinkler heads, fire hydrants or other firefighting facilities, which may be attached to a private fire service connection, and no charge shall be made for water used in extinguishing fires where service is furnished under this subsection. If the consumer desires to use water for general purposes through the same connection, or if any private service connection is used for unauthorized purposes, then the service connection shall be metered and the consumer charged the rates provided for water service and sewer service in subsection 14-6.12.

§ 14-9. through § 14-14. (RESERVED)

So Ordained as aforesaid.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Lake Como Borough Council held on September 15, 2026. Said Ordinance will again be read and considered for final passage at a meeting of the Lake Como Borough Council to be held at 7:30 p.m. on October 6, 2026 at 1740 Main Street, Lake Como, New Jersey 07719. At said time and place, all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

**AMY L. BONEY, RMC,
Borough Clerk**