

**AN ORDINANCE AMENDING TOWNSHIP OF SPARTA
CODE SECTIONS 19-14.s and 20-3.6 REGARDING
WATER CONNECTION FEES**

WHEREAS, Township of Sparta Code Section 19-14.s addresses the Township's water connection fee, and Section 20-3.6, regarding sewer connection fees, currently contains the Township's water connection fee. The Township Council desires to amend Section 19-14.s to include the Township's current water connection fee amount as determined by the Township's auditor, as well as to include the Township's water connection fee payment plan policy. In addition, this Ordinance removes the Township's water connection fee from the sewer connection Ordinance, Section 20-3.6.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Sparta, County of Sussex, State of New Jersey, that Township of Sparta Code, that Sections 19-14.s and 20-3.6, regarding water connection fees are amended as follows:

SECTION 1. Subsection 19-14.s of the Code of the Township of Sparta is hereby amended to add a new subsection 4 to read as follows:

4. The Sparta Township Water Utility Capital Connection Fee is \$6,854.00 per EDU.

SECTION 2. Subsection 19-14.s of the Code of the Township of Sparta is hereby amended to add a new subsection 5 to read as follows:

5. Water Utility Capital Connection Fee Payment Plans:
 - A. The Sparta Township Water Utility shall only consider a connection fee payment plan for those properties with current or proposed water use calculations of 3 EDU's or higher.
 - B. Applicants seeking approval of a Sparta Township connection fee payment plan must submit their request in writing to the Sparta Township Water Utility.
 - C. If the applicant is accepted/approved by Sparta Township into a payment plan, the property owner/applicant shall be required to sign an agreement which includes, but is not limited to the following:
 - (1) The property owner is responsible to pay the full calculated connection fee based on the Sparta Township approved rate schedule in force at the time of application.
 - (2) The property owner may have up to five (5) years to pay the full connection fee amount.
 - (3) Payment shall be made in a maximum of five (5) installments, the first payment (20% of the calculated connection plus filing fees) shall be required upon execution of the payment agreement and the remaining payments of equal amount shall be made no later than January 31st of each year following the first payment.
 - (4) The property owner shall agree and acknowledge that Sparta Township may file with the Office of the Sparta Township Tax Collector a priority lien on the subject property for the total outstanding amount of the connection due the Sparta Water Utility, plus interest and any cost of collection.

- (5) In the event of default, wherein the property owner fails to make the agreed to payments, within thirty (30) days of the annual due date (January 31st), the total remaining unpaid collection fee balance shall become due immediately, along with all costs of collection and interest on the total unpaid connection fee balance, per Sparta Township's prevailing rate schedule.
- (6) In the event the subject property is sold or transferred, the remaining outstanding connection fee balance shall be due to the Sparta Township Water Utility immediately at closing.
- (7) All connection fee payment plans/agreements must be approved by resolution of the Township Council of the Township of Sparta.

SECTION 3. Subsection 20-3.6 of the Code of the Township of Sparta is hereby amended to delete from the chart at the end of Section 20-3.6.e2 "Utility Capital Connection Fees", the following in its entirety:

"Sparta Township Water Utility Capital Connection Fee \$8,436"

SECTION 4. Severability. If any provision of this ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 5. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

SECTION 6. Effective Date. This Ordinance shall take effect after its final passage and publication as required by law.

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Council of the Township of Sparta on January 11, 2022 and will be considered for final passage after public hearing at a regular meeting of the Township Council of the Township of Sparta to be held on January 25, 2022 at 7:00 p.m. in the Municipal Building, 65 Main Street, Sparta, New Jersey 07871.

KATHLEEN CHAMBERS, RMC

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on January 11, 2022. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on January 25, 2022 at 7:00 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK