

**TOWNSHIP OF DOWNE
COUNTY OF CUMBERLAND**

ORDINANCE NO. 2021-7

**ORDINANCE TO ESTABLISH THE DOWNE TOWNSHIP
MUNICIPAL SEWER UTILITY**

WHEREAS, the Township of Downe has determined that it is in the best interest of its residents to create a Sewer Utility, subject to approval of the Local Finance Board of the State of New Jersey; and

WHEREAS, the Downe Township Committee intends upon outlining aspects of the operation of the Sewer Utility herein.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Downe that the Municipal Code shall be amended as follows:

§ XXX-1. CREATION OF A SEWER UTILITY

A Municipal Sewer Utility is hereby established within the Township of Downe in the County of Cumberland and State of New Jersey for the regulation and use of a municipal wastewater treatment plant, to ensure proper operation and the protection and preservation of the wastewater treatment plant, to fix the amount and charges therefore and to provide rules and regulations, therefore. The municipal wastewater treatment plant, including any appurtenant structures, works, fixtures and equipment relating thereto and all extensions and improvements thereof situate in, constructed or acquired at public expense by the Township of Downe, shall hereafter be operated, maintained, managed and controlled by the Township Committee of the Township of Downe as a publicly owned municipal sewer utility and shall, for accounting purposes, be a separate entity having its own borrowing capacity, its own separate accounts and its own separate property, whether real, personal or mixed, within the meaning of N.J.S.A. 40A:4-33 and N.J.S.A. 40A:26A-1 et seq., amendments thereof and supplements thereto, and all other provisions of other laws applicable.

§ XXX-2. TITLE

The Municipal Sewer Utility for the Township of Downe shall be known as the "Township of Downe Municipal Sewer Utility."

§ XXX-3. POWERS AND AUTHORITY OF TOWNSHIP

A. The management and the affairs of the Municipal Sewer Utility shall be handled by the Township Committee or as designated by the Township Committee by Resolution. Rules and

regulations not inconsistent with this chapter shall be made from time to time whenever deemed necessary.

B. The Township Committee shall appoint from time to time such employees as deemed necessary for the proper administration of the business of said sewer utility.

C. The salary of all of the employees of the Municipal Sewer Utility shall not be in such amount as shall be fixed by a Salary Ordinance of the Township Committee from time to time.

§ XXX-4. USER CHARGE SYSTEM

There is hereby established a sewer user charge system for the use, operation, maintenance, and replacement of the municipal wastewater treatment plant of the Township of Downe to be imposed upon each user at the rates established annually.

§ XXX-5. SEWER USER CHARGES

A. Sewer fees are to be established by separate ordinance upon completion of the facility.

§ XXX-6. REVIEW OF CHARGES

The Township Committee shall review, not less often than annually, the total cost of operation and maintenance of the municipal wastewater treatment plant and its user charge system. The Township Committee shall revise the charges for users or user classes as needed.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

ADOPTED at a Regular Meeting of the Township of Downe Township Committee meeting held on June 14, 2021.

Please take notice that the above proposed Ordinance was introduced and passed by the Township Committee of the Township of Downe in the County of Cumberland at a meeting held on May 10, 2021 and will be further considered for final adoption after a Public Hearing to be held on June 14, 2021 at 7:00pm at the Downe Township Municipal Building, 288 Main Street, Newport, New Jersey.

ATTEST:

TOWNSHIP OF DOWNE

Nadine E. Lockley, Municipal Clerk

Michael L. Rothman, Mayor



**TOWNSHIP OF DOWNE
CUMBERLAND COUNTY, NEW JERSEY
RECORD FOR ORDINANCE # 2021-7**

Introduce Ordinance on First Reading

Motion: CAMPBELL

Second: BART

Introduce Ordinance / First Reading Date: MAY 10, 2021

Ordinance Published: MAY 21, 2021

Ordinance Posted: MAY 10, 2021

Public Hearing / Second Reading Date: JUNE 14, 2021

| ROLL CALL | YES | NO | ABSTAIN | ABSENT |
|--------------|-----|----|---------|--------|
| Burt, S. | X | | | |
| Byrne, S. | X | | | |
| Rothman, M. | X | | | |
| Bart, E. | X | | | |
| Campbell, R. | X | | | |

Adoption of Ordinance

Motion:

Second:

| ROLL CALL | YES | NO | ABSTAIN | ABSENT |
|--------------|-----|----|---------|--------|
| Burt, S. | | | | |
| Byrne, S. | | | | |
| Rothman, M. | | | | |
| Bart, E. | | | | |
| Campbell, R. | | | | |

Final Adoption Date:

Notice of Final Passage Published:

Notice of Final Passage Posted:

Date

Nadine E. Lockley, Municipal Clerk