

ORDINANCE #2190-13

**ORDINANCE AMENDING CHAPTER 197 “WATER” OF
THE CODE OF THE CITY OF WOODBURY**

WHEREAS, the following amendments to Chapter 197 have been recommended to the Mayor and Council; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Woodbury as follows:

Chapter 197-33 of the Code of the City of Woodbury, “Adjustment of water charges” is hereby AMENDED and shall henceforth read in its entirety as follows:

“A. No adjustment of water charges due to the failure of the department to discontinue or restore water service as requested by an owner shall be made unless the request for discontinuance or restoration is in writing and duly filed with the City Clerk/Administrator.

B. Following the issuance of a bill for water charges, the City Administrator after consultation with the billing department and the public works department may make appropriate adjustments to bills for water charges which shall not become effective until completion of the referral process set forth herein.

C. REFERRAL PROCESS. The City Administrator shall notify the finance committee of all recommended adjustments under subparagraph B above and the reason therefore. The finance committee may disapprove any adjustment or refer any adjustment to City Council for review within thirty (30) days. If the finance committee does not disapprove the adjustment or refer it to City Council within thirty (30) days, the adjustment shall take effect.”

Chapter 197-32 of the Code of the City of Woodbury, “Discontinuing water service; resumption”, subsections B and C shall be AMENDED and henceforth read as follows:

B. In the case of nonpayment of bills for service rendered and water consumed, including the nonpayment of any interest, fines or penalties imposed, water service may be discontinued in the event that any bill remains unpaid 60 days after it is rendered. Written notice of not less than ten (10) days will be sent to the owner of the property via regular mail to the address that appears of record in the tax assessor’s office advising the owner of the date on or after which their water may be shut off hereinafter referred to as the “Shut Off Date” unless all outstanding amounts due are paid. No checks or online payments will be accepted after a notice of shut off has been issued. All payments must be made in cash or certified funds. If a check was used as payment to avoid a shut off notice being sent, and that check was returned by the bank for insufficient funds or due to the account being closed, the service will be discontinued immediately without further notice.

C. In no case shall the water service be restored until the defects have been remedied and the bills due and interest, fines, penalties, and reconnection fee have been paid in full. A reconnection fee of \$100 will be charged and shall be due on the “shut off date” contained in the written notice sent pursuant to section 197-32 B whether or not such water service has actually been shut off. The owner of the premises shall be liable for any loss sustained by the department as the result of such defects.

Chapter 197-32 of the Code of the City of Woodbury, “Discontinuing water service; resumption”, subsection D shall henceforth be ADDED and read as follows:

D. The owner of the property shall be responsible for the payment of all water bills for the owner’s property irrespective of any contractual allocation of responsibility between owner and tenant for payment of such bills.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon passage and publication as required by law.

THE FOREGOING was introduced by the City Council of the City of Woodbury at a regular meeting held on July 23, 2013. This Ordinance will be considered for adoption at final reading and public hearing to be held on September 10, 2013 at 7:30 p.m. or at such time as may be determined and announced, in City Hall, Council Chambers, 33 Delaware Street, Woodbury, New Jersey, at which time and place all persons interested will be given the opportunity to be heard concerning said Ordinance. During the time prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the City Clerk’s Office to the members of the general public who may request same.

CITY OF WOODBURY

William H. Fleming, Jr.,
President of Council

Attest: _____
Roy A. Duffield, City Clerk

Approved: _____
William Volk, Mayor