

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 15-28

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE
CHAPTER 262 OF THE CODE OF THE BOROUGH OF ALLENDALE
ENTITLED "WATER"**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 262, be and hereby is amended and revised to read and provide as follows:

Article I
Storm Sewers

[Adopted 12-28-1967 as Ch. 62 of the 1967 Code]

§ 262-1 Diversion of water into storm sewers.

After the effective date of this article, no person shall cause or permit the connection of any pipe or conduit or cause the development or diversion of any brook, ditch or other waterway to any storm sewer, catch basin or other appurtenances thereof or cause the diversion of any rain- or surface water by pipe or other conduit to the public roads and streets within the Borough of Allendale, except in conformance with the regulations herein contained.

§ 262-2 Permit required; application and sketch.

[Amended 9-25-1986]

- A. Prior to the doing of any act or acts described in § 262-1 hereof, the owner, tenant or occupant or contractor thereof shall make application to the Borough Engineer/Engineering Department for a permit. The application for said permit shall be in writing.
- B. A deposit in the amount of \$500 shall be established as an escrow account to defray the costs to the Borough of Allendale for the services of the Borough Engineer in review of the application, inspection of the work to be done and written approval of the same at the completion of the work. If the funds are depleted prior to completion of the project, the applicant shall deposit additional escrow funds to cover the remainder of the work. Upon completion, any balance remaining will be returned to the applicant upon request, in writing, to the Engineering Department. **[Amended 8-26-2005]**
- C. The application shall state the name of the applicant and be signed by him and shall describe the property or properties upon which the improvement recited in § 262-1 hereof is intended to be located, by reference to lot and block of the assessment map and by reference to public streets.
- D. The application shall state the proposed date of commencement and completion of said improvement, and the permit, if issued, shall be limited to a time interval appearing thereon, not exceeding that recited in the application.
- E. The application shall describe the type of material intended to be used and the name and address of the contractor, if other than the applicant.
- F. The application shall be accompanied by a written sketch, accurately sealed, showing reference points and showing the location and extent of the sanitary sewage disposal system on the property and that of the nearest adjacent property if the intended improvement shall be located within 40 feet thereof, as well as invert elevations of proposed improvement and point of connection as well as the proposed location of the improvement. The plan as set forth in said sketch shall locate said

improvement not closer than 20 feet to any part of any sanitary sewage system. Any underground pipe connecting to an underground sewer shall be provided with a six-inch diameter lamp hole at the property line. Top of lamp hole shall be flush with finished grade and be suitably closed.

§ 262-3 Inspection of connections; certified prints.

All piping and connections to sewers must be inspected by the Borough Engineer or his designated agent before being covered. On completion of the work, the applicant must give the Engineering Department two certified prints of the work performed as installed.

§ 262-4 Correction of unsafe and unsanitary conditions.

Upon the finding that an unsafe or unsanitary condition exists as the result of discharge of effluent and upon notification, in writing, by the Chief of Police, Superintendent of Public Works, Borough Engineer or Sanitary Inspector, the owner of property shall correct such condition or stop the discharge within 24 hours.

§ 262-5 Subdivisions.

The minimum requirements hereinabove set forth shall be applicable to subdivisions, though the procedure herein required shall not apply thereto.

§ 262-6 Issuance of permit; definitions.

[Amended 9-25-1986]

A. The permit herein provided shall be issued by the Construction Code Office only upon approval, in writing, by the Borough Engineer of the application and sketch, which approval shall be granted or denied by the Borough Engineer within 10 days after delivery of the same .

B. Definitions. As used in this article, the following terms shall have the meanings indicated:

APPLICANT or PERSON

Includes any natural person, corporation or partnership.

Article II

Water Supply

[Adopted 3-14-1968 by the Board of Public Works; amended in its entirety 12-23-1980 by the Governing Body]

§ 262-7 Applicability.

The provisions of this article apply to water service furnished by the Borough of Allendale, hereinafter referred to as the "Borough," both within and outside the Borough limits.

§ 262-8 Control and use of water supply system.

The public water supply and distribution system of the Borough of Allendale and the organization, administration and operation thereof shall be under the control and jurisdiction of the Mayor and Council.

§ 262-9 Definitions.

[Amended 6-11-1981]

Whenever the following words, clauses or terms are used in this article, they shall be construed to mean and shall have the meanings herein defined, unless otherwise specifically stated:

CUSTOMER SERVICE LINE

The length of pipe, lying generally outside the street right-of-way, which connects the curb box to the building to be served with water.

EQUIVALENT DWELLING UNIT

Total floor area times water usage per square foot (0.125) divided by water usage per single-family dwelling (350 gallons per day) (N.J.A.C. 7:9-1.106).

[Added 6-23-1988]

FIRE STANDBY SERVICE

A service connection that terminates in a privately owned hydrant and/or in an internally installed sprinkler system and which is not in any way connected to any fixtures other than those designed for fire protection. Where any service connection shall serve two or more sprinklered buildings, the system in each building shall be considered a separate fire standby service.

LAWN SPRINKLER

A system of pipes, hoses and nozzles, either above or under ground, for watering land covered with flowers, gardens, grass, shrubbery, soil, trees or vegetation. Nothing herein shall be deemed or construed to apply to any business principally engaged in the cultivation, growth and sale of trees, flowers, shrubs, plants or similar vegetation.

[Added 2-28-1991]

MAIN or MAINS

Either in the singular or plural, all pipes, other than pipes forming part of service connections, used for conveying water to or distributing water in the Borough.

NONRESIDENTIAL USERS

Commercial users, industrial users, schools, churches and other users, including tenants and lessees.

OCCUPANT or TENANT

Any person, persons, corporation, partnership or association, other than the owner thereof, occupying or in possession of property or premises which is or can be supplied with water.

OWNER

Any person, persons, corporation, partnership or association owning or any mortgagee in possession of any property or premises which is or can be respectively supplied with water, or his or her agent.

PERSON

Any individual, firm, association, partnership or corporation, or any group of two or more of them.

QUARTER

Any period of consecutive days equal in time to three months or 1/4 of a year. A quarter need not be three calendar months nor a calendar quarter.

RESIDENTIAL USER

Single-family and multifamily dwelling users, including tenants and lessees.

SENIOR CITIZENS

Persons qualifying for senior citizens real property tax deductions.

SERVICE CONNECTION

A pipe or pipes connected to the main and extending into privately or publicly owned property or

premises for supplying water thereto.

TAPPING or MAKING A TAP

The physical act of breaking into a main to install a service connection.

WATER TAP INSTALLATION

The curb box and the portion of the service connection which connects the box to the main and lies generally within the street right-of-way.

§ 262-10 Employees.

- A. A Water Superintendent shall be appointed by the Mayor with the advice and consent of the Council and shall hold office for the term of one year beginning January 1 and until his successor shall have qualified. The Water Superintendent shall be responsible for the general operation and maintenance of the Borough water system and shall perform such other duties as the Mayor and Council may from time to time prescribe.
- B. A Water Collector shall be appointed by the Mayor with the advice and consent of the Council and shall hold office for the term of one year beginning January 1 and until his successor shall have qualified. The Water Collector shall keep the financial records of the water utility, cause the bills to be issued incident to the sale, distribution and use of the water services and collect accounts due to the Borough. [Amended 6-27-1991]
- C. The Mayor, with the advice and consent of the Council, may appoint such other employees as he may deem necessary and fix their duties and terms of service.

§ 262-11 Water charges.

[Amended 6-11-1981]

A. Metered water.

- (1) The rates to be charged for the use of water through each meter shall be as follows: [Amended 2-28-1991; 12-12-1991; 12-14-2000; 8-22-2002; 5-8-2003; 11-22-2004; 3-23-2006; 3-22-2007; 12-27-2007; 11-24-2008; 12-14-2000; 3-14-2002; 8-22-2002; 11-22-2004; 11-27-2009]
- (a) For the Borough, churches, schools, restaurants, plant and flower nurseries, geriatric care facilities, Allendale Senior Housing Corporation/Allendale Urban Renewal, L.P., Allendale Housing, Inc., and for businesses located in Zoning Districts C-1 and C-2. [Amended 2-23-2012; 3-14-2013]

Gallons Per Quarter	Rate Per 1,000 Gallons
0 to 9,000	Minimum of \$44.25 per quarter per metered account
9,001 to 15,000	\$4.92
15,001 to 50,000	\$5.79
50,001 to 70,000	\$9.15
70,001 to 100,000	\$9.47
More than 100,000	\$10.09

- (b) All other customers with the exception of those qualifying under Subsection A(1)(c) and (d) immediately following: [Amended 2-23-2012]

Gallons Per Quarter	Rate Per 1,000 Gallons
0 to 9,000	Minimum of \$44.25 per quarter per metered account
9,001 to 15,000	\$4.92
15,001 to 50,000	\$5.79
50,001 to 70,000	\$9.26
70,001 to 100,000	\$9.85
More than 100,000	\$10.42

- (c) Citizens qualifying for real property tax deductions: [Amended 2-23-2012]

Gallons Per Quarter	Rate Per 1,000 Gallons
0 to 9,000	Minimum of \$14.75 per quarter per metered account
9,001 to 15,000	\$4.92
15,001 to 50,000	\$5.79
50,001 to 70,000	\$9.26
70,001 to 100,000	\$9.85
More than 100,000	\$10.42

- (d) Residents/owners of affordable housing subject to regulation by the Council on Affordable Housing, "COAH": a fixed charge of \$44.25 per quarter irrespective of the amount of water used.
- (e) Those qualifying for real property tax deductions, or for renters who would qualify for real property tax deductions if they were owners and paid property taxes, a fixed rate of \$14.75 per quarter irrespective of the amount of water used. [Amended 2-17-2010; 2-23-2012]
- (f) In a multiple unit COAH dwelling where one meter is serving multiple units – a minimum fee of \$44.25 per unit per quarter will be charged irrespective of the amount of water used.
- (g) In addition to the charges based on usage covered in by § 262-11A(1)(a) through (f), each metered customer, or in the case of users referenced in (f) above, will pay a facilities charge per quarter of: \$12.50 per meter per quarter, effective January 1, 2010.
- (h) Radio read meter opt-out fee (see 262-19C) \$25 per quarter.
- (i) Water supplied at the Borough's discretion at the New Street Water Department to landscapers for horticultural spraying and other landscaping use, there shall be an annual charge of:

[1] For zero to 25,000 gallons: minimum payment of \$75.

[2] Over 25,000 gallons: \$5 per 1,000 gallons.

- (2) Bills for water consumption shall be rendered quarterly or monthly, as may be determined by the Borough. The Borough may establish a system of staggering billing or continuous billing in lieu of billing all customers on the basis of calendar quarters.
 - (3) Regardless of the date on which service is connected or disconnected, the rate as defined in Subsection A(1)(a) through (h) above shall apply and shall be prorated daily from the date service is connected to the first billing date or from the last billing date to the day service is disconnected on the basis of calendar quarters.
 - (4) If the Borough's representatives are unable to gain access to any premises for the purpose of reading a meter, the Borough may, at its option, render a bill to such customer based upon an estimated reading. The rendering of one or more bills based upon estimated readings shall not be deemed a waiver of the Borough's right to discontinue service under § 262-29A(6).
- B. Unmetered water. Charges for unmetered water shall be applied at the discretion of the Borough at the cost of bulk water plus 20%. The calculation for the amount of water used in such instances shall be determined by a designee of the Mayor
- C. Fire standby service.
- (1) For each fire standby service, the following annual surcharge shall be made, which shall be payable in advance: [Amended 12-12-1991; 3-14-2002]

Size of Main

(inches)

Annual Surcharge

10	\$750
8	500
6	350
4	250
3	150
2	75

- (2) All buildings owned or occupied by the Borough of Allendale are exempt from these surcharges. Special needs housing, including Orchard Common and Crescent Common are also exempt from these surcharges.
- D. Wholesale water. The water utility may provide for the sale of water on a wholesale basis to other water utilities. The rate for such sale will be \$2,300 per 1,000,000 gallon. [Added 8-22-2002]
- E. Fire hydrant service; replacement or new installation. [Added 11-13-2008; amended 7-22-2010]
- (1) For each fire hydrant located on property which includes an industrial park, industrial building or shopping centers, there shall be an annual service charge of \$300 per hydrant to be paid by the owner thereof. There shall be no annual service charge for hydrants located on public property, public

streets or rights-of-way.

- (2) If the owner of private property does not supply and install fire hydrants but requests the Water Department to supply and install such hydrants, there will be an installation charge of \$4,000 per hydrant. In the event a private owner installs a fire hydrant, the hydrant shall be installed pursuant to Borough specifications at the owner's cost, and there will be an inspection fee charged by the Borough of \$100.
- F. The cost of a fire flow test shall be \$225 per test which shall be payable in advance. No approval shall be given until the fee is paid in full.

§ 262-12 Payment of bills.

- A. Water and other water utility bills are payable on or before the due date printed on the bill. The due date provides for a grace period of 30 days from the billing date. [Amended 5-8-2003]
- B. Bills which remain unpaid after the due date are subject to a delinquency charge. Delinquency charges begin on the billing date or thirty days prior to the due date. Delinquency charges are calculated on any unpaid balance at the daily equivalent of 1 1/2% a month until the bill, and any penalties thereon, is paid in full. [Amended 9-25-1986; 5-8-2003]
- C. If any water bill or any other charge imposed under this article is not paid within 60 days from the billing date, the Water Collector shall notify the owner of the premises (as appears from the tax duplicate) and the person to whom such bill was rendered or charge made, if different from the owner, of such arrearage. If such bill or charge is not paid within 25 days of the date of such notice, the water service shall be shut off. No service shut off for nonpayment shall be turned on or reconnected until all billings for water and all other charges have been paid in full or a payment plan has been agreed to in writing with the Borough, and there has been paid a turn-on charge of \$50, during normal business hours and \$65 after hours. § 262-13 Meter readings.

All meter readings shall be final and conclusive unless objection thereto, in writing, is filed with the Borough within 15 days after the mailing of the bill which is based upon the disputed meter reading.

§ 262-14 Application for service; fees.

- A. Applications for water service shall be made by the owner of the property to be served on forms prescribed by the Borough. Such application shall specify, among other things, the purpose for which the water is to be used. The owner may request that bills for water and other charges be rendered to a tenant or other occupant of the premises.
- B. Upon each change of ownership and/or occupancy of property being served with water, an application for service shall be made by the owner and/or occupant, and service of water to the new user shall be considered a new service, notwithstanding that water service may not have been physically disconnected or shut off in connection with the transfer of service.
- C. With each application for water service, there shall be paid the following charges: [Amended 9-25-1986; 3-14-2002]
 - (1) In each case where a new service connection is required and the water tap installation is made by the Borough, a charge of \$750 for a three-quarter-inch or a one-inch connection, \$875 for a one-and-one-half inch connection, and \$1,000 for a two-inch connection will apply. The charges above will include the furnishing and installation of a five-eighths-inch water meter, unmetered water for a reasonable period during construction and inspection of the customer service line and any road resurfacing required in connection with the tap installation.
 - (2) In any case where a three-quarter-inch or a one-inch service connection is required and approval is given for an owner to make his own tap installation to an inactive main, there will be a charge of \$500. Charges of \$625 for a one-and-one-half-inch connection and \$750 for a two-inch connection

will apply. These charges shall include the furnishing and installation of a five-eighths-inch water meter, unmetered water for a reasonable period during construction and one inspection each of the water tap installation and the customer service line.

- (3) In each case where a new tap into a new water service line larger than two inches is required or requested, a charge exceeding that in § 262-14C(1) and will be imposed in the amount of \$200 per inch greater than two inches.
 - (4) If a meter larger than five-eighths inch is required, the water utility shall supply the meter. If a meter larger than five-eighths inch is required, the owner shall be assessed an additional charge of 120% of the difference in the cost of a five-eighths-inch meter and the cost of the meter installed.
 - (5) In each case where water service is requested through an existing service connection, there shall be no charge, except after normal business hours when it is necessary to turn on the service and/or reinstall a meter, in which event the charge shall be \$65.
- D. In any case where service is to be billed to a tenant or to an owner of property located outside the Borough of Allendale, a deposit shall be required from the applicant, which deposit shall be in addition to all other applicable charges and which shall be refunded only when the service is disconnected and all bills therefor have been paid. The amount of the deposit shall be as follows:
[Amended 9-25-1986]

Type of Service	Deposit
Residential	\$50.00
Nonresidential	
Business	100.00
Industrial	200.00

- E. Each meter shall be deemed to be a separate water service for the purpose of this section.
- F. The Borough will not make water tap installations between December 1 and March 1 unless the applicant agrees to pay the differential between the actual cost to the Borough for making the installation and the estimated cost of performing the same work under average conditions during the balance of the year.

§ 262-15 Moving by consumer.
[Amended 9-25-1986]

Persons moving from one property to another cannot transfer their water privilege or right to use water from the one property to another, and moving permits shall be required in respect to water bill clearance.

§ 262-16 Discontinuing service.

Any consumer wishing to discontinue the use of water supplied from the system shall give notice thereof to the Borough or its representatives at its office at least five days before the date of termination of service. Charges will be prorated in accordance with § 262-11A(3).

§ 262-17 Water tap installation.

- A. Only a regularly designated employee or agent of the Borough may tap an active water main and make the water tap installation.
- B. With specific written authorization of the Borough, water tap installations may be made by other

than a Borough employee or agent if the main to be tapped is not in service and the person, firm or corporation making the tap is, in the opinion of the Borough, qualified to perform such operation. All work shall be done in such manner and at such location as shall be approved by the Borough, all in accordance with its specifications. The entire installation shall remain open until the Borough has inspected and approved said installation and issued its certificate of approval in writing.

§ 262-18 Customer service line installation.

- A. The customer service line shall be laid in a manner approved by the Borough. After the ditch has been dug, the pipe shall not be covered until the Borough has inspected and approved the laying of such pipe and all connections thereto and has issued a certificate of approval in writing. The installer shall take all precautions to cover by plank, or otherwise, all excavations made in sidewalks for the laying of the service line and shall not leave on the sidewalk or in the public highway any stones or piles of dirt or other refuse. All service lines must have a covering of at least four feet of approved backfill and shall be a minimum of five feet distant from any sewer line.
- B. All new installations of customer service lines and all repairs and renewals of the same shall be made at the expense of the consumer or property owner. All pipes and fittings used in making such installations, repairs and renewals shall meet all State and Federal requirements and shall be approved by the Borough.

§ 262-19 Meters. A. All customers shall be required to have a radio read metering device. The type and location of any such device shall meet the approval of the Water Department before being installed and the property owner is subject to the fees contained in Chapter 262 for the installation of said device.

- B. Except for ordinary wear, all damages to a water meter, including frost damage, shall be the responsibility of the property owner.
- C. A customer may opt out of having a radio read meter installed on their property provided:
 - 1. That the structure has a meter that is able to be read from the exterior of that structure; and
 - 2. That the Borough Water Department has a written request from the customer acknowledging that by opting out of having the radio read meter installed that they accept that they will be charged an opt-out fee as stated in Chapter 262-11 Water Charges.
- C. The location of each meter must be approved by the Borough. It must be accessible and located in the cellar, the first floor near the point of entrance of the service connection or in a location pre-approved by the Borough. The meter must be located in a clean, dry, safe and easily accessible place not subject to great variations in temperature.
- D. Whenever an existing water main is tapped for a multiple dwelling, a charge of \$500 per dwelling unit will be applied in addition to the normal service connection charge. Whenever an existing main is tapped for industrial, commercial or institutional uses, a charge of \$500 will be applied on an equivalent dwelling unit basis (defined in § 262-9) in addition to the normal service connection charge. [Amended 6-23-1988; 3-14-2002]
- E. Any owner or occupant desiring to have a meter tested may apply to the Borough therefor, paying a fee as noted below for such test. If the test discloses that the meter is registering incorrectly, said fee shall be returned to the owner or occupant. A meter registering within 3%, plus or minus, of the correct value will be considered as registering correctly. [Amended 9-25-1986; 3-14-2002]

Meter Size	Rate
5/8 to 1 1/2"	\$50

2"	\$78
3"	\$247
4"	\$255
6" and larger	\$267

- F. No meter is required on a fire standby service.
- G. No person, except a designated employee or agent of the Borough, shall connect, disconnect, repair, adjust or tamper in any way with a water meter.
- H. Any nonresidential owner or occupant who has an above- or underground lawn sprinkler system shall have a separate water meter installed for such purpose. [Added 2-28-1991]
- I. No fixture of any kind from which water might be drawn shall be placed on the street side of the meter. J. Failure of a meter to register properly shall be reported immediately in writing to the Water Department. Charges for water during the period of failure shall be computed on the basis of an average consumption over a reasonable period prior to the failure.

§ 262-20 Main extensions.

[Amended 9-25-1986; 6-23-1988; 3-14-2002]

- A. Whenever water service is desired for property which is so located that there is no water main located on the portion of any street abutting that property, application for extension of the main shall be made to the Borough, accompanied by a plan showing the detail of the proposed method of extending the nearest existing main to the property and indicating the size of the proposed main. If such application is approved by the Borough, the applicant shall, at his own cost and expense, extend said main in accordance with the application. All work shall be done in such manner and at such location as shall be approved by the Borough, all in accordance with its specifications. The entire installation shall remain open until the Borough has inspected and approved said installation and issued its certificate of approval in writing. The applicant shall pay to the Borough a fee of \$500 for the inspection of each main extension. Upon completion of such installation, the extension of such main shall become a part of the public water supply system of the Borough of Allendale and under the supervision and control of the Borough.
- B. Whenever a water main is extended, there will be a charge of \$500 per dwelling or on an equivalent dwelling unit basis if an industrial, commercial or institutional use is involved, in addition to the normal service connection charge.

§ 262-21 Water-cooled equipment.

All water-cooled machinery and equipment shall be so designed and constructed as to recirculate and reuse the cooling water. No water-cooled machinery or equipment shall be connected to the water supply system until it has been inspected and approved by the Borough. The Borough may exempt from the requirements of this section any machinery or equipment using only a nominal quantity of water. Such exemptions may be made by general regulation and/or by action with respect to specific installations.

§ 262-22 Lien for unpaid charges.

The owner of the property on which water service is furnished shall be liable for the payment of the water rates and charges provided for by this article for the use of water on the premises, and such water rates and charges so fixed shall, in accordance with the laws of the State of New Jersey, be a lien on the premises until paid and satisfied, irrespective of whether or not the unpaid charges were incurred prior to, or during, such owner's period of ownership and in case of nonpayment thereof, the premises may be sold

to pay and satisfy the same in the manner provided by law.

§ 262-23 Curtailment of water usage during periods of shortage.

- A. If it shall appear that for any reason the water supply system is or may be unable to furnish sufficient water for all uses and if, as a result, the Borough shall determine that a condition exists that constitutes an emergency requiring the conservation of water for the protection of public health and safety, the Borough, to conserve water, may by resolution prohibit, partially prohibit or limit to certain hours and/or certain areas of the Borough the use of water for the sprinkling or watering of lawns, trees, gardens, flowers, shrubbery or similar plant life, the use of water for the washing of cars, buildings, sidewalks and other structures or things and for any other nonessential, nonsanitary purposes.
- B. In the event of the existence of any condition covered by § 262-23A and if the condition is of such a nature that action cannot be delayed until a regular or special meeting of the Mayor and Council can be convened, the Mayor or, in case of his absence or illness, the President of the Council shall have the power to take any action which could be taken by the Borough pursuant to § 262-23A. Any prohibition, partial prohibition or limitation so imposed by the Mayor or by the Council President shall have the same force and effect as action by the full Borough Council and shall remain in effect until modified or annulled by the Borough Council at a duly convened regular or special meeting.
- C. Notice of any prohibition or limitation of the use of water imposed by this section shall be given:
- (1) By publishing the same on the Borough of Allendale Website;
 - (2) By activating the Borough's emergency notification system; or
 - (3) By posting notices in Borough Hall
 - (4) Where time does not permit the use of the methods described in Subsection C(1), (2) or (3), by any other method which, under the circumstances, will notify as many customers as possible.

§ 262-24 Failure of water supply.

The Borough is not responsible for any damage caused by failure to deliver water to any consumer resulting from any cause whatsoever.

§ 262-25 Excess pressure.

The Borough of Allendale will not be responsible for injury to persons or property because of excessive pressure. It shall be each consumer's responsibility to install whatever check valves he may deem necessary for the protection of his plumbing and connections and of persons at or near the same.

§ 262-26 General regulations.

- A. No person, corporation, firm, company, consumer or property owner or agent thereof, other than an agent or employee of the Borough, shall break or remove any seal placed upon any water meter, nor shall any such person tamper with or attempt to alter any meter.
- B. No person, corporation, firm, company, consumer or property owner or agent thereof shall take, use or consume any water through the water supply system of the Borough unless the same shall first pass through a water meter installed and maintained in accordance with this article, unless the use of unmetered water has been expressly authorized by the Borough.
- C. No person, corporation, firm, company, consumer or property owner or agent thereof, except an agent or employee of the Borough, shall tap or connect to any water main or insert a stop cock therein other than with the written permission of the Borough. [Amended 3-14-2002]
- D. No person, corporation, firm, company, consumer or property owner or agent thereof, except an agent or employee of the Borough, shall turn on or off the service connection at the curb.

- E. No person, corporation, firm, company, consumer or property owner or agent thereof shall keep, within 50 feet of any part of the water supply system, any explosives, acids or other substances likely to injure or damage the system or any part thereof.
- F. No person, corporation, firm, company, consumer or property owner or agent thereof, except an agent or employee of the Borough, shall enter upon any property owned or controlled by the Borough of Allendale and used by the Borough in connection with the water supply system; nor shall any person tear down, break, destroy or tamper with any of the structures, machinery, mains, valves or any other part or portion of the water supply system.
- G. No interconnection shall be made between the water supply system of the Borough and any other water supply system of any nature whatsoever, including private wells, except such connection or connections as the Borough may make with other public water supply systems.
- H. No connections of a service pipe shall be made with the distribution system, nor shall any alterations, addition or extension be made in or to any service pipe, nor shall any device for drawing water be attached thereto, except in a manner approved by the Borough.
- I. No attachment from which water can be drawn shall be connected to a service pipe between the water main and the water meter.
- J. No person, corporation, firm, company, consumer or property owner or agent or representative thereof shall use or consume water after the service connection has been turned off by the Borough or its agents, employees or representatives.
- K. No water shall be taken from a fire hydrant in the Borough unless specific authorization is granted by the Borough in writing. [Added 9-25-1986]
- L. Any person wishing to install an underground water sprinkling system for lawns, shrubs or other vegetation on any property shall, prior to installation, apply for a permit therefor to the Allendale plumbing subcode office. If such installation, partially or otherwise, shall be made in the public easement (right-of-way easement, sewer, water or other types of municipal easements), the application shall so note. All such installations in public easements are subject to removal by the Borough in the event that the public easement area shall be required for other authorized public purposes and installations or to maintain existing public installations such as, but not by way of limitation, water service lines, sewer lines, drainage pipes and like installations. In the event of such removal by the Borough, the cost of removal shall be charged against the property owner. The restoration of surface conditions shall be optional with the Borough, and, if completed by the Borough, the cost of such restoration shall also be charged against the property owner unless otherwise provided by law or prior separate easement agreement. [Added 1-26-1989]

§ 262-27 Filling of pools.

No person, firm or corporation shall fill a pool having a capacity of more than 10,000 gallons with water from the public water supply system unless he or it shall have obtained a permit therefor from the Borough. The Borough Council may by resolution adopt regulations for the issuance of such permits and for the filling of pools by persons holding such permits in order to prevent the imposition of excessive demand upon the water system. No person, firm or corporation shall fill a pool between October 1 and March 31 in any year.

§ 262-28 Private wells.

No person, firm or corporation shall drill, sink, dig or otherwise create a well, nor shall any existing but unused well be placed in operation, unless notice thereof has first been given to the Borough, together with such information with respect thereto as the Borough may require.

§ 262-29 Discontinuance of water service.

A. A customer's service may be discontinued for any of the following reasons:

- (1) For the use of water for any other premises or purposes than those described in the application.
 - (2) Under any flat-rate service, for addition of fixtures or increase in the use to be made of water without notice to the Borough.
 - (3) For willful waste of water through improper or imperfect pipes, fixtures or otherwise.
 - (4) For failure to maintain in good order any connections, service lines or fixtures owned by the customer.
 - (5) If the premises supplied shall be vacant.
 - (6) For inability of the representatives of the Borough to gain access to the premises served at reasonable hours for purposes of inspection or for reading, caring for or removing/installing meters, provided that reasonable request for such access has been given.
 - (7) For any violation of § 262-26E, G, H or I.
- B. Any service which is so discontinued shall not be reinstated unless and until the violation has been corrected or, if the violation consists of improper or excessive use of water, unless and until the Borough has received assurance, in form satisfactory to it, that such use will not be continued.

§ 262-30 Violations and penalties.
[Amended 9-25-1986]

For each and every violation of any provision of this article, the consumer, owner, firm, company, contractor or other persons interested as agents or employees or any other persons who commit, permit, allow, take part or assist in any violation of this article, who fail to comply with any requirements of this article or who shall maintain any building or premises or uses on land where a violation of this article shall exist shall, for each and every violation, be punished as provided in § 1-18 of Chapter 1, General Provisions. Each and every day that such violation continues shall be considered a separate and specific violation of this article.

§ 262-31 Effective date.

This article shall take effect January 1, 1981, and upon publication as required by law.

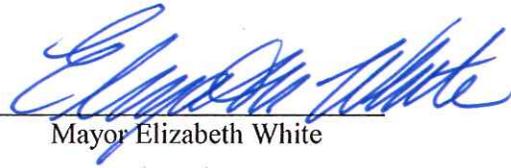
262-32 Enforcement

This chapter shall be enforced by the Police Department, Borough Engineer and other Code Officials of or contracted by the Borough of Allendale.

BE IT FURTHER ORDAINED, that, except as modified herein, all other provisions of Chapter 262 shall remain in full force and effect as previously adopted.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan					✓	
McSwiggan					✓	
Sasso		✓	✓			
Strauch			✓			
Wilczynski	✓		✓			
White						

I hereby certify the above to
be a true copy of an Ordinance
adopted by the **Governing Body**
of the **Borough of Allendale** on
December 28, 2015



Mayor Elizabeth White



Michelle Ryan
Deputy Municipal Clerk