



ORDINANCE 2024-25

Amending and Supplementing Chapter 114 Utilities of the Township Code of the Township of South Brunswick Regarding Equivalent Residential Units (ERU) Charges

WHEREAS, the Township of South Brunswick maintains Chapter 114, Utilities, of the Township Code; and

WHEREAS, the Utilities Director has recommended changes to the Code to clarify Equivalent Residential (ERU) Charges; and

WHEREAS, it is in the best interests of the health, safety and welfare of the residents of the Township of South Brunswick to amend the Township Code at this time;

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

- I. Chapter 114, Utilities, of the South Brunswick Township Code is hereby amended and supplemented with deletions in strikethrough and additions in underline:

Sec. 114-62. - Water charges.

(b) *Facility charge.* The water facility charge shall be as follows:

(1) All applicants for connection to the water system will be required to pay a facility charge representing a fair-share payment toward the capital costs of the existing water system. All residential use applicants will be required to pay a facility charge based on one (1) each equivalent residential unit (ERU) for each single-family home, each unit of a multi-family home and each individual apartment, mobile home, trailer and rental ~~times the water facility charge for residential~~ units at the rate of \$2,689.00 per ERU. (1ERU=200 Gallons Per Day) Notwithstanding the foregoing, an equivalent residential unit (ERU) shall be ~~as~~ calculated in accordance with state statutes. This charge shall be paid at the time of application for connection.

Other than exempted one- or two-family dwellings, all single-unit structures and separate lines for fire service and lawn sprinkler service shall be based on each connection size as follows:

(2) Applicants for other than ~~single-family~~ residential units are required to submit an estimate of the average daily flow. This estimate shall, subject to review and modification by the director of utilities, be used to determine the equivalent residential units (ERU) per structure for the purpose of calculating the facility charge, ~~as described in subsection (b)(1) of this section.~~ Each use shall be a minimum of one (1) ERU. Fractional number of ERU's shall be rounded up to the nearest whole number ERU.

(3) If, during the three years subsequent to connection, the average daily flow exceeds the original estimate by more than ten percent, the then-current owner of the structure will be required to pay an additional facility charge, ~~which will be that amount equal to the ERU or portion thereof~~ based on the excess usage, divided by each ERU, times the water facility charge then in effect.

Sec. 114-63. - Sewer charges.

(b) *Facility charge.* The sewer facility charge shall be as follows:

(1) All applicants for connection to the sewer system will be required to pay a facility charge representing a fair-share payment toward the capital costs of the existing sewer system. All residential applicants will be required to pay a facility charge based on one (1) each-equivalent residential unit (ERU) for each single-family home, and each individual apartment, mobile home, trailer and rental unit ~~times the sewer facility charge for residential units~~ at the rate of \$5,647.00 per ERU. (1 ERU=200 Gallons Per Day).

(2) At the time of submitting an application for service, the nonindividual residential applicant will be required to submit an estimate of the anticipated maximum day demand on the system.

(3) For applicants other than ~~single-family~~ residential units, the sewer connection or extension application (TWA form), approved by the engineer, shall be submitted. This flow shall, subject to the review and modification by the director of utilities, be used to determine the equivalent residential units (ERUs) per structure for the purpose of calculating the facility charge. ~~as described in subsection (b)(1) of this section.~~ Each use shall be a minimum of one (1) ERU. Fractional number of ERU's shall be rounded up to the nearest whole number ERU.

(4) If, during the three years subsequent to connection, the average daily flow exceeds the original estimate in the TWA form by more than ten percent, the then-current owner of the structure will be required to pay an additional facility charge, ~~which will be that amount equal to the ERU or portion thereof~~ based on the excess usage divided by each ERU, times the sewer facility charge then in effect.

II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent

jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

- III. This ordinance shall become effective twenty (20) days after its final passage and any publication as required by law.

The above ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of South Brunswick held on September 18, 2024, and will be considered on second reading and final passage at a meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, on October 16, 2024, at which time of second reading and final passage any person having an interest therein will be given an opportunity to be heard.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Camarota, Councilman
SECONDER:	Ken Bierman, Deputy Mayor
AYES:	Bierman, Camarota, Grover, Hochman, Carley

This is to certify that the foregoing is a true copy of a Ordinance Adopted at the South Brunswick Township Council meeting held on October 16, 2024.


Barbara Nyitrai, Township Clerk