

Intro: 7/26/2010  
Adopted: 8/9/2010

**TOWNSHIP OF FAIRFIELD  
ORDINANCE #2010-10**

**AN ORDINANCE TO AMEND AND  
SUPPLEMENT THE REVISED ORDINANCES OF THE  
TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX  
RELATING TO SEWER RATE ADJUSTMENT**

**WHEREAS**, it has been determined by the Mayor and Council of the Township of Fairfield that it is necessary to amend Chapter 17 Sewer Section 17-5.1 Fees and Charges in order to assess sewer charges based on actual usage; and

**WHEREAS**, if the actual annual total represents more than a 15% deviation from the estimate (either higher or lower) the Township has the right to revise the estimate to reflect the actual usage.

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AS FOLLOWS:**

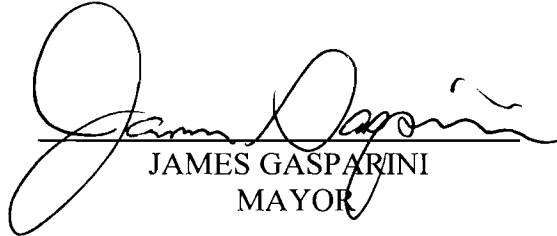
1. The following shall be an amendment to the Municipal Code of the Township of Fairfield, relating to Sewer by adding language to Chapter 17 – Section 17-5.1 a. 3 as follows:

**Chapter 17. Sewer**


**Section 17-5.1 Fees and Charges.**

- a.
  3. If an industrial or commercial property owner uses water for its manufacturing processes, which is not discharged to the sanitary sewer system, credit will be given in the calculation of the sewer use charges for the water not flowing to the sanitary sewer, provided that the owner can document, by a method acceptable to the Township Engineer, the amount of water which is not discharged to the sanitary sewer system. **The Township reserves the right when deemed applicable to assess sewer charges which more accurately reflects usage based on actual usage not averaging.**
2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause of provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

  
JAMES GASPARINI  
MAYOR

ATTEST:

  
DENISE D. CAFONE  
MUNICIPAL CLERK

#### NOTICE

**Notice** is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **July 26, 2010** introduced and read by title and passed first reading and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting that was to be held on **August 9, 2010** at 7:30 p.m.; at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone  
Municipal Clerk

**ORDINANCE #2010-10, AN ORDINANCE TO AMEND AND SUPPLEMENT  
THE REVISED ORDINANCES OF THE TOWNSHIP OF FAIRFIELD, COUNTY  
OF ESSEX RELATING TO SEWER RATE ADJUSTMENT**

**INTRODUCTION OF ORDINANCE JULY 26, 2010**

**INTRODUCED BY:** Councilman Morgan  
**SECONDED BY:** Council President LaForgia  
**PUBLISHED:** July 29, 2010  
**2<sup>ND</sup> READING AND PUBLIC HEARING:** August 9, 2010

**ROLL CALL VOTE**

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCILPRESIDENT JOHN LAFORGIA	X				
COUNCILMAN MICHAEL MCGLYNN				X	
COUNCILMAN WILLIAM CONNINGTON	X				
COUNCILMAN THOMAS MORGAN	X				
MAYOR JAMES GASPARINI	X				

**2<sup>ND</sup> READING AND PUBLIC HEARING AUGUST 9, 2010**

**INTRODUCED BY:** Councilman Connington  
**SECONDED BY:** Council President LaForgia  
**PUBLISHED:** August 12, 2010

**ROLL CALL VOTE**

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCILPRESIDENT JOHN LAFORGIA	X				
COUNCILMAN MCIHAEL MCGLYNN	X				
COUNCILMAN WILLIAM CONNINGTON	X				
COUNCILMAN THOMAS MORGAN	X				
MAYOR JAMES GASPARINI	X				