

- d. The Planning Board may waive requirement “a” upon proof of a good faith effort by the developer to comply with the Planning Boards Requests.
7. After the close of the 6<sup>th</sup> year if construction has not started the reserved capacity shall revert back to the Borough any reserve capacity fee paid forfeited, and sewer units shall be added back to the calculation for total available sewer.
  8. Any change in scope of units of the development project shall require an addition or reduction of the Reserve fee.
  9. Each Subsequent year for reserve sewer Capacity shall be paid by the developer by January 31 each year or the next business day if the 31<sup>st</sup> falls on a weekend.
  10. Failure to reserve sewer capacity or pay the annual fee after filing the required application shall result in the reserved capacity being forfeited and the applicant to file a new application.
  11. The Reserve Capacity fee shall be credited to the developer’s connection fee for each unit authorized upon connection permit being filed.
  12. Developer is hereby put on notice that the developer is responsible for the timely remittance of reserve capacity fee, there will be no billing by the Borough of High Bridge.

**ATTEST:**

\_\_\_\_\_  
Adam Young  
Deputy Municipal Clerk

\_\_\_\_\_  
Mark Desire  
Mayor

<b>ROLL CALL VOTE</b>				
<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Desire				
Councilwoman Hughes				
Councilwoman Scarcia				
Councilwoman Shipps				
Councilman Stemple				
Councilman Strange				
Councilman Zappa				

**Introduction** February 12, 2015  
**Publication Summary**  
**Adoption** February 26, 2015 (*Tentative*)  
**Publication Title**

**ORDINANCE 2015-4**  
**AN ORDINANCE AMENDING SECTION 303-12 OF THE High Bridge Borough Code**  
**adding section (E) FOR OBTAINING RESERVE SEWER CAPACITY FOR NEW**  
**DEVELOPMENT**

**WHEREAS**, Section 303-12 regulates Sewer Connection, and

**WHEREAS**, the Borough of High bridge as a limited availability of sewer units, and

**WHEREAS** new Development needs to have assurance that sewer units are available for their projects, and

**WHEREAS**, development projects consume a large portion of sewer capacity and need to reserve the capacity for their project.

**WHEREAS**, reservation of sewer capacity limits the Boroughs ability to add residential units to the sewer system.

**NOW THEREFORE LET IT BE ORDAINED** that all development projects requiring sewer capacity shall read:

All development projects for new construction that will be using more than 600 daily units of sewer capacity

1. File an application of Request for Reserve Sewer Capacity and pay the appropriate application fee and Reserve Capacity fee.
2. Application Fee shall be \$35.00 and will cover Administrative cost of updating sewer capacity
3. A non-refundable Annual Sewer Reserve Capacity fee equal to 20% of the connection fee for the total number of units requested shall be paid to the Borough.
4. The Borough may, at its discretion, request payment of the annual sewer rental fee for a minimum of 50% of the allotted unit request shall be paid to the Borough
5. The Planning Board shall not hear any petition, formal or informal, from the developer unless capacity has been reserved by the developer and paid in full.
6. Capacity may be reserved on a year for year basis for a total of seven (7) years by paying the Reserved Capacity fee for each year reserved. With the following milestones being met:
  - a. By the close of year three (3) a site plan shall have been approved by the Planning Board
  - b. By the end of year four (4) construction permits shall have been filed and all connection fees paid.
  - c. By the start of year six (6) construction shall have started.