BOROUGH OF BEACH HAVEN
COUNTY OF OCEAN

ORDINANCE #2019-16C

AN ORDINANCE AMENDING Chapter 204, "Water," of the Code of the Borough of Beach Haven, County of Ocean, State of New Jersey to require an inspection after tampering.

WHEREAS, the governing body wishes to establish a Tampering Inspection and fee in the event a user of water is found guilty of tampering; and

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO HEREBY ORDAIN:

SECTION I

The Borough hereby amends Section 204-23C(3) of the Code of the Borough of Beach Haven, as follows (underscores represent additions; ~~strikethroughs~~ represent deletions):

> § 204-23C(3) If any person without authority to do so connects, covers or disconnects a water meter pipe or other conduit of the Borough carrying water from the Borough of Beach Haven's water supply system or in any manner tampers or interferes with any water meter, seal or dial on any water meter, pipes, conduits or attachments or other instruments, such person shall be subject to the provisions of N.J.S.A. 2C:20-8 and N.J.S.A. 2C:43-3. In the event such person is found guilty of this section, repairs shall be made by the property owners at their expense and a "Tampering Inspection", by the Water Department, shall be required at the owner's expense.

SECTION II

The Borough hereby adds Section 204-27G of the Code of the Borough of Beach Haven, as follows (underscores represent additions; ~~strikethroughs~~ represent deletions):

> § 204-27G Tampering Inspection Fee. Where any unit owner has violated 204-23C(3) of this code. Repairs must be made at the owner's expense and a $500 Tampering Inspection Fee must be assessed for the repairs to be certified before the service of water shall be turn on.

SECTION III

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Borough Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION IV

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION V

This Ordinance shall take effect upon publication thereof after final passage according to law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on May 13, 2019 at 7:00 p.m. A copy of the ordinance can be obtained, without cost, by any member of the general public at the Office of the Municipal Clerk, 300 Engleside Avenue, Beach Haven, NJ 08008 Monday through Friday, 9:00 a.m. to 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on June 10, 2019 at 7:00 p.m. at the Beach Haven Municipal Building, 300 Engleside Avenue, Beach Haven, New Jersey 08008.

CERTIFICATION

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted on first reading by the Municipal Council of the Borough of Beach Haven at a regular meeting held on the 13th day of May, 2019, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 13th day of May, 2019.

Sherry Mason, RMC, CMR, CMC
Municipal Clerk

First Reading:	***May 13, 2019***
Publication:	*May 23, 2019*
Passage:	*June 10, 2019*
Final Publication:	*June 20, 2019*
Effective:	*July 10, 2019*