

**BOROUGH OF PENNINGTON
ORDINANCE 2008-3**

**AN ORDINANCE CONCERNING THE INSTALLATION,
MAINTENANCE AND CALIBRATION OF WATER METERS
GREATER THAN ONE INCH AND AMENDING CHAPTER 206
OF THE CODE OF THE BOROUGH OF PENNINGTON**

WHEREAS, the Borough of Pennington, through its Water and Sewer Department, is required by the New Jersey Department of Environmental Protection to reduce unmetered water flows for fire suppression and domestic use to less than fifteen percent (15%) of all water pumped from Borough wells;

WHEREAS, the Borough of Pennington has undertaken a series of steps over the last five years to reduce unmetered flows, including the hiring of outside contractors with specialized equipment for leak detection, and such flows have been reduced from 30% to the current level of 24%;

WHEREAS, an essential next step is to monitor the installation, repair and replacement of water meters to ensure accurate measurement of water consumed by users;

WHEREAS, users of water requiring water meters of greater than one inch are responsible for providing their own meters, subject to the approval of the Superintendent of Public Works or designated representative;

WHEREAS, it is the intent of this ordinance to require that these users install, maintain, repair and replace their meters, as necessary, to comply with the Rules and Regulations of the Pennington Water and Sewer Department consistent with applicable State regulations and accepted industry standards;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that Chapter 206 of the Code of the Borough of Pennington, concerning water and sewers, is hereby amended by the insertion of the following provisions:

1. All water meters greater than one inch shall be installed, maintained, repaired and replaced pursuant to the Rules and Regulations of the Pennington Borough Water and Sewer Department.
2. All water users having meters greater than one inch shall have these meters calibrated and certified as accurate within five years after the date of installation and every five years thereafter. The calibration and certification shall be performed by a qualified water meter service company, using test equipment approved by the State Bureau of Weights and Measures. Documentation of the calibration and certification shall be submitted promptly to the Pennington Water and Sewer Department. The minimum permitted degree of accuracy of a meter shall be determined according to the Rules and Regulations of the Water and Sewer Department. Any meter failing to comply with the applicable standard of accuracy shall be repaired or replaced as necessary to meet the standard.
3. As used in this ordinance, the "Rules and Regulations of the Pennington Borough Water and Sewer Department" mean and include the Department's "Construction Rules and Regulation - Application and Design Instructions" and "Construction Rules and Regulation - Standard Details," which shall be consistent with applicable State regulations and the standards of the American Water Works Association (AWWA), as determined by the Borough Engineer.
4. The Pennington Water and Sewer Department shall notify water users of any failure to comply with an obligation to calibrate, certify, repair or replace a meter as required by this ordinance. Any such failure to comply which continues after 90 days from the date of such notice shall be subject to the fines and penalties prescribed by Section 206-16. In addition, if the user persistently fails or refuses to comply, the Water and Sewer Department may elect to perform the obligation of the user at the expense of the user. This right on the Borough's part shall not diminish in any way the liability of the user for the penalties and costs otherwise applicable.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective upon its passage and publication as provided by law.

Introduced: April 21, 2008
Advertised: May 1, 2008
Public Hearing: May 12, 2008
Adoption: May 12, 2008
Final Publication: May 22, 2008

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

Anthony Persichilli, Mayor