

CITY OF VINELAND
MUNICIPAL UTILITIES
REQUEST FOR PROPOSALS

COV RFP 2025-30

FOR

WATER AND ELECTRIC
RATE STUDY CONSULTANT

PROPOSALS DUE: THURSDAY, SEPTEMBER 11, 2025
BY: 1:00 P.M. PREVAILING TIME

SUBMIT PROPOSALS TO:

MIGUEL A. MERCADO, PURCHASING AGENT
COV OF VINELAND
DEPARTMENT OF FINANCE – PURCHASING
DIVISION
640 E. WOOD STREET
P.O. BOX 1508
VINELAND, NJ 08362-1508

I. GENERAL REQUIREMENTS/INSTRUCTIONS

Proposal Submission Information: The City of Vineland is looking to award a contract for a qualified Rate Study Consultant.

Submission Date and Time: Thursday, September 11, 2025 by 1:00 P.M.

Submission Office:

COV of Vineland Purchasing Department
5th Floor
COV Hall
640 E. Wood Street
Vineland, NJ 08360

Respondents shall clearly mark their submittal package with the title of this RFP and the name of the responding firm, addressed to the Purchasing Agent. The original proposal shall be marked to distinguish it from the copies.

Respondents are required to submit their expressions of interest, qualifications and experience. **One (1) original and Two (2) copies** of the Proposal, INCLUSIVE OF ALL information must be provided to the COV's Purchasing Agent. Proposals are scheduled to be opened Thursday, September 11, 2025 by 1:00 p.m. Any proposals received after said opening whether by mail or otherwise, will be returned unopened. The COV assumes no responsibility for delays in any form of carrier, mail, or delivery service causing the proposal to be received after the above-referenced due date and time. Submission by fax, e-mail or telephone is NOT PERMITTED. Delivery of a proposal to any other COV of Vineland Department or office is not acceptable and may result in your bid arriving late in the Purchasing Department. It is the bidder's responsibility to make sure the proposal is delivered to the proper office as listed above.

Only those RFP responses received prior to or on the submission date & time will be considered. Responses delivered before the submission date and time specified above may be withdrawn upon written application of the respondent who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the proposal. After the submission date and time specified above, responses must remain firm for a period of sixty (60) days.

COV Representative for this Solicitation

Please direct all questions in writing to:

Miguel A. Mercado, QPA
Purchasing Agent
Voice: (856) 794-4040
Email: PurchasingOffice@vineland.org

NOTE: Questions must be submitted in writing no later than noon on Wednesday, August 27, 2025. Questions received after this day and time will not be accepted.

SUMMARY

The COV of Vineland (COV) hereby issues this Request for Proposal (RFP), seeking proposals from qualified rate consultants to conduct a comprehensive review of the current rate structure and pricing for the COV of Vineland Municipal Water and Electric Utilities, and provide recommendations on potential rate adjustments, including whether rates should be increased, decreased, or remain the same, in accordance with all applicable laws, regulations, and industry best practices.

Interpretations and Addenda

Respondents are expected to examine the RFP with care and observe all its requirements. All questions about the meaning or intent of this RFP, all interpretations and clarifications considered necessary by the owner's representative in response to such comments and questions will be issued by Addenda mailed or delivered to all parties recorded as having received the RFP package. Only comments and questions responded to by formal written Addenda will be binding. Oral interpretations, statements or clarifications are without legal effect.

Cost Liability and Additional Costs

The owner assumes no responsibility and liability for costs incurred by the respondents prior to the issuance of an agreement. The liability of the owner shall be limited to the terms and conditions of the contract. Respondents will assume responsibility for all costs not stated in their proposals. All unit rates either stated in the proposal or used as a basis for its pricing are required to be all-inclusive. Additional charges, unless incurred for additional work performed by request of the owner, are not to be billed and will not be paid.

Correction of Errors

Prior to the submission of Proposals, erasures or other corrections in the Proposal must be initialed by an authorized signatory of the Respondent. The Respondent further agrees that in the event any errors are discovered by the COV after the Proposal is opened, the COV reserves the right, but does not have the obligation, to waive such errors, to the extent permitted by applicable law.

Modification of Proposals

Prior to the Proposal submission date, a Respondent may modify its previously submitted Proposal if a modified Proposal is delivered to the Purchasing Agent by or on behalf of an authorized representative of the Respondent.

Disclosure of Information in Proposals

The COV will consider requests to protect proprietary information submitted with Proposals. The Respondent should clearly and specifically label all such material and cite the appropriate law that protects such proprietary information. General requests to protect the entire Proposal are not acceptable. The COV shall notify the Respondent of any Open Public Records Act request for information that has been lawfully designated as proprietary information by the Respondent and the Respondent shall notify the COV within three (3) business days if it objects to the release of the requested information. If the Respondent does not respond within the three (3) business days, the COV shall be permitted to release the requested information without any liability to the

Respondent. Should the COV be required to defend a request under OPRA, to protect from the release of information designated as proprietary, Respondent shall hold the COV harmless and indemnify the COV for any costs associated therewith, including reasonable attorney fees, and fees incurred by the COV to oppose disclosure and fees of opposing counsel, the COV is required to pursuant to court order or settlement between the parties.

Withdrawal from Procurement Process

A Respondent may withdraw a Proposal prior to the date and time set for the opening of the Proposals, provided that a written request to withdraw the Proposal is delivered to the Municipal Clerk by or on behalf of an authorized representative of the Respondent.

Disposal of Proposals

All Proposals are the property of the COV and will not be returned (except with respect to any Proposals withdrawn prior to the submission date). At the conclusion of the procurement process, the COV may dispose of any and all copies of Proposals received in whatever manner it deems appropriate. In no event will the COV assume liability for any loss, damage or injury which may result from any disclosure or use of marked data.

Rights of the COV and Conditions

The COV reserves, holds and may exercise, at its sole discretion, the rights and conditions listed below with regard to this RFP. By responding to this RFP, Respondents acknowledge and consent to the following conditions relative to the procurement process and the determination of the Selected Consultant:

- This RFP does not obligate the COV to award a contract(s).
- The COV reserves the right to change or alter the schedule for any events associated with this procurement.
- All costs incurred in connection with responding to this RFP will be borne by the Respondent.
- The COV reserves the right to reject, for any reason, any and all Proposals and components thereof as permitted by applicable law.
- The COV reserves the right to eliminate any Respondent who submits incomplete or inadequate responses or is not responsive to the requirements of this RFP.
- The COV reserves the right to designate a representative to act in its place or on its behalf during this procurement process.
- The COV reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFP or otherwise request additional information prior to or following Proposal submissions.
- All activities related to any contract awarded shall be subject to all applicable federal, State and local laws, regulations, rules and/or requirements.
- The COV reserves the right to seek clarification of any aspect of a Proposal and to seek best and final Proposals based upon such clarifications.

II. STATUTORY AND OTHER REQUIREMENTS

Compliance with Laws

Any contract entered into between the contractor and the owner must be in accordance with and subject to compliance by both parties with the New Jersey Local Public Contracts Law. The contractor must agree to comply with the non-discrimination provisions and all other laws and regulations applicable to the performance of services there under. The respondent shall sign and acknowledge such forms and certificates as may be required by this section.

Mandatory Affirmative Action Compliance

No firm may be issued a contract unless it complies with the Affirmative Action requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 as identified in the documents attached hereto. The form enclosed herein shall be properly executed.

Americans with Disabilities Act of 1990

The contractor shall purchase and maintain during the entire period of this contract, professional liability insurance which shall protect the contractor and the COV from any and all claims that may arise out of or result from the contractor's performance of this contract. A Certificate of Insurance in the amount of one million (\$1,000,000.00) dollars per occurrence/three million (\$3,000,000.00) annual aggregate shall be provided to the COV prior to contract award.

Multiple Proposals Not Accepted

More than one proposal from an individual, a firm or partnership, a corporation or association under the same or different names, shall not be considered.

Failure to Enter Contract

Should the respondent, to whom the contract is awarded, fail to enter into a contract within ten (10) days, Sundays and holidays excepted, the owner may then, at its option, accept the proposal of another respondent.

Termination of Contract

If, through any cause, the contractor shall fail to fulfill in a timely and proper manner obligations under the contract or if the contractor violates any requirements of the contract, the owner shall thereupon have the right to terminate the contract by giving written notice to the contractor of such termination at least thirty (30) days prior to the proposed effective date of the termination. Such termination shall relieve the owner of any obligation for the balances to the contractor of any sum or sums set forth in the contract.

The contractor agrees to indemnify and hold the owner harmless from any liability to subcontractors/suppliers concerning payment for work performed or goods supplied arising out of the lawful termination of the contract by the owner under this provision. In case of default by the contractor, the owner may procure the articles or services from other sources and hold the contractor responsible for any excess cost occasioned thereby.

Challenge of Specifications

Any respondent who wishes to challenge a specification shall file such challenge in writing with the Purchasing Agent no less than three (3) business days prior to the opening of the RFP's. Challenges filed after that time shall be considered void and having no impact on the owner or the award of contract.

Payment

Invoices shall specify, in detail, the period for which payment is claimed, the services performed during the prescribed period, the amount claimed and correlation between the services claimed and the Proposal Document.

The COV may withhold all or partial payments on account of subsequently discovered evidence including but not limited to the contractor not complying with the terms of the contract.

When the above grounds are removed, payment shall be made for amounts withheld because of them.

Contractors shall be required to sign a COV voucher for payment.

Ownership of Material

The owner shall retain all of its rights and interest in any and all documents and property both hard copy and digital furnished by the owner to the contractor for the purpose of assisting the contractor in the performance of this contract. All such items shall be returned immediately to the owner at the expiration or termination of the contract or completion of any related services, pursuant thereto, whichever comes first. None of the documents and/or property shall, without the written consent of the owner, be disclosed to others or used by the contractor or permitted by the contractor to be used by their parties at any time except in the performance of the resulting contract.

Ownership of all data, materials and documentation originated and prepared for the owner pursuant to this contract shall belong exclusively to the owner. All data, reports, computerized information, programs and materials related to this project shall be delivered to and become the property of the owner upon completion of the project. The contractor shall not have the right to use, sell, or disclose the total of the interim or final work products, or make available to third parties, without the prior written consent of the owner. All information supplied to the owner may be required to be supplied electronically.

Annual Disclosure Statement on Political Contributions

The contractor is hereby advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c. 271, s.3) if the contractor receives contracts in excess of \$50,000.00 from public entities in a calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at (888) 313-3532 or at www.elec.state.nj.us.

Proposal Forms

The following forms are contained in the attachments. All forms are required and shall be completed and made part of the proposal submitted.

Stockholder Disclosure
Affirmative Action Statement
Acknowledgment of Receipt of Addenda, if any.
Disclosure of Investment Activities in Iran
Prohibited Activities in Russia or Belarus

Proposals to Remain Subject to Acceptance

RFP responses shall remain open for a period of sixty (60) calendar days from the stated submittal date. The owner will either award the Contract within the applicable time period or reject all proposals. The owner may extend the decision to award or reject all proposals beyond the sixty (60) calendar days when the proposals of any respondents who consent thereto may, at the request of the owner, be held for consideration for such longer period as may be agreed.

Rejection of Proposals

The owner reserves the right to reject any or all proposals, or to reject any proposals if the evidence submitted by, or investigation of such respondent fails to satisfy the owner that such respondent is properly qualified to carry out the obligations of the RFP and to complete the work contemplated therein. The owner reserves the right to waive any minor informality in the RFP.

Evaluation Process

An Evaluation Committee will review all proposals to determine if they satisfy the Proposal Requirements, determine if a proposal should be rejected and evaluate the proposals based upon the Evaluation Criteria. The highest-ranking respondent will then be recommended to the governing body for award of contract, based on price and other factors.

Evaluation Criteria

An Evaluation Committee appointed by the COV shall review all Proposals for Compliance with the terms and conditions of the RFP, evaluate them in accordance with the criteria set forth below, and prepare a report recommending award of the contract(s), all in accordance with the competitive contracting provisions of the Local Public Contracts Law.

Proposals will be evaluated on the basis of the four (4) criteria listed below. Each criterion will be evaluated and the extent to which the criterion is met or exceeded will be assessed by the Evaluation Committee.

	<u>Weight</u>
<p>1. Respondent’s understanding of and approach to the COV’s water and electric utilities and its users, county and municipal utilities authorities, and other governmental entities, and the subject matter to be addressed under the contract.</p>	20%
<p>2. Respondent’s experience, including: Respondent’s specific experience developing user rate studies, and consulting for public water or electric utilities throughout the State of New Jersey. References and contact information must be included. Key personnel and their qualifications.</p>	20%
<p>3. Ability to meet specific requirements of the Services, including scope of study and project meetings, information review, cost of service analysis, rate design, and creation of a financial model.</p>	30%
<p>4. Cost Proposal</p>	30%

Any contract award will be made pursuant to N.J.S.A. 40A:11-4.1 *et seq.* and N.J.A.C. 5:34-4.1 *et seq.* (Competitive Contracting Law and Regulations). Accordingly, the Evaluation Committee shall prepare an evaluation report recommending the award of a contract to the Successful Respondent.

The final decision to award a contract hereunder shall be made by the COV City Council pursuant to a resolution adopted at a public meeting.

Any contract award made hereunder shall be for a term of one (1) year, with an option, at the COV’s discretion, to extend the contract for one additional one-year term.

Understanding of the Requested Work

The proposals will be evaluated for general compliance with instructions and requests issued in the RFP. Non-compliance with significant instructions shall be grounds for disqualification of proposals.

Knowledge and Technical Competence

This includes the ability of the respondent to perform all of the tasks and adequately fulfill the requirements specified herein.

Management, Experience and Personnel Qualifications

Expertise of the firm shall be demonstrated by past contract successes providing government agencies with similar services. The Respondent will be evaluated on knowledge, experience, prior collaboration and successful completion of projects/services similar to that requested in this RFP. In addition to relevant experience, respondents shall provide personnel qualifications in the Proposal.

Ability to Complete the Services in a Timely Manner

This is based on the estimated duration of the tasks and the respondent’s ability to accomplish these tasks as stated.

Cost to Provide Services

Provide your costs for the services requested on the Cost Proposal page provided in RFP.

Notice of Award

The successful respondent will be notified of the award of contract upon a favorable decision by the governing body at which time the respondent shall be required to execute a COV contract.

Contract Records

As per N.J.A.C. 17:44-2.2 Vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

III. BACKGROUND AND SCOPE

Background

- The COV of Vineland Water Utility was established in 1900 by the purchase of an existing private system of mains and pumps (the “System”). It is currently responsible only for water treatment, maintenance of wells and infrastructure and distribution. The System has grown with the expansion of the community. System earnings through the years have provided for the cost of operation, maintenance and debt service of such System. The Water Utility’s 2025 budget is \$13 million dollars.
- The Water Utility is comprised of water mains in excess of 265 miles, 1,993 public fire hydrants, 275 private hydrants, more than 2880 inline distribution valves, 8 elevated tanks with a total capacity of 7,700,000 gallons, and 13 wells with approximate depths of 160 feet. There are also 12 treatment/pump stations where raw water from the wells is treated to ensure compliance with all state and federal water quality standards. The Water Utility has a total pumping capacity of 20.35 million gallons per day and serves approximately 16,000 metered customers.
- The Water Utility completed a detailed evaluation of the underground infrastructure in 2015. A long-term plan was developed for implementation starting in 2016 to address preservation and maintenance of underground water infrastructure. Current and future major capital projects include a new well No. 17, in addition to potentially reactivating well 13, a well that has been offline since 2010, due to external circumstances beyond the Water Utility’s control. Also, additional improvements to the distribution system are ongoing to strengthen the ability to meet current peak demand while providing reserve capacity for future projected growth and development. It also has initiated a contract for long-term preservation and maintenance of all eight (8) of its elevated storage tanks.
- The Water Utility has completed developing an electronic inventory and identification on all public and private hydrants, inline distribution valves, water mains and service laterals including GPS collection on all hydrants and distribution valves which are exercised according to state law intervals. Also, the Water Utility Distribution Division has a complete inventory of all assets and customer service. All assets are in the COV’s ESRI ARGIS database.

- The Water Utility has also implemented the use of an Electronic Operations Management Software Platform (Cartegraph) to manage Workflow, Assets, Resources, Maintenance, Supplies and Capital Planning. Current and future projects include continued replacement of aged water main and extending the Distribution System on Northeast Avenue to Forest Grove Road in addition to the State Mandated Lead Service Line Replacement Project that also includes galvanized service line replacements.
- The Vineland Municipal Electric Utility is the only municipally owned electric generating utility in the State of New Jersey and has been operating a generation facility in Vineland since 1899.
- Since its 2004 acquisition of the Conectiv Power Delivery territory within the COV, the Electric Utility provides service to virtually all of the COV's electric customers. The only exceptions are a few pockets in outlying areas of the COV. Today, the Electric Utility powers approximately 25,000 customers.
- Electric Utility earnings through the years have provided for the cost of operation, maintenance and debt service of the Electric Utility. The Electric Utility's 2025 budget is \$133 million dollars.
- The Electric Utility's generating capacity is 128,000 kw. Additionally, the Electric Utility maintains an interconnection with Atlantic City Electric, and membership in the Pennsylvania-New Jersey-Maryland (PJM) Interconnection which includes the major investor-owned electric utilities throughout the Mid-Atlantic and Midwest Regions. VMEU also receives a monthly allocation of 4,300 kW of PASNY Hydro Power. Thus, the Electric Utility is able to meet the demands of its users even in times of emergency.
- Both the Electric and Water Utility have invested in Advanced Metering Infrastructure (AMI), allowing for more insight into customer data, increased billing options, as well as streamlined meter configuration and readings. The system, currently in the early stages of its pilot program, is expected to be rolled out over a 6-year period and may be used to facilitate additional rate structures. Current and expected changes in Utility process due to this investment should be considered when evaluating rates.
- The current billing rates for water and electric services are set forth in the attached schedule:
Schedule I – Vineland Municipal Utilities City code 687, Utilities;

SCOPE

The objectives of the Services in preparing the study involve addressing the following items:

- Cost of service
- Rates and rate structure
- Conservation incentives
- Additional billing classes
- Impact fees (tap, raw water contribution, plant investment, and storm drainage)
- Bulk water sales rates

- Adequate funding for anticipated infrastructure replacements
- Financial model for future forecasting

More detailed topics that should be examined within the scope of the study are as follows:

- Cost of Service Analysis
- Long term capital investment funding – setting impact fees (tap, raw water contribution, plant investment, storm drainage, etc.)
- Existing customer categories to track water trends or to allocate different costs of service to each category
- Allocation of costs to various customer classes served
- Appropriate base rates to cover fixed costs
- Variable costs and commodity costs
- Rate design strategies
- Rates and rate structure for water and electric
- Rate structure options for commercial customers
- Seasonal rates, tiered rates, or a combination thereof to encourage conservation
- Peak-hour considerations
- Comparison of rates to surrounding municipalities
- Financial model
- Creation of a financial model to forecast costs, revenues, and rates
- Training of COV staff in the use of the financial modeling package or software

The Successful Respondent’s scope of work shall consist of the following general tasks. The Successful Respondent may propose alterations to the scope of work with additions, deletions, or modifications as desired to highlight the Successful Respondent’s approach to this study. Each proposal should include the Successful Respondent’s detailed scope of work.

Scope of Study and Project Meetings

A meeting to discuss the scope of the study will be held at the outset of the project to familiarize all parties with the project as well as obtain and provide input and information to and from the COV. The meeting is intended to discuss study objectives and other project management items. Additional project meetings maybe conducted to facilitate project activity coordination and to keep COV staff informed of the progress of the study. The Successful Respondent will be responsible for setting and conducting all meetings in coordination with the COV’s Director of Municipal Utilities. The successful Respondent will be responsible for preparing all required materials for the meetings, and will provide the materials to the COV’s Director of the Municipal Utilities in advance of the meetings, and prepare all meeting records.

Information Review

The Successful Respondent shall collect and review existing water and electric rates and develop a general familiarity with the COV’s utility billing system as well as review

financial and other pertinent information needed to complete the study. The COV will provide any relevant studies, analyses, and data sets that are available. The Successful Respondent must coordinate with the COV to identify and determine other data that may need to be collected for review.

Cost of Service Analysis

The cost of service analysis involves the allocation of costs to the COV's various customer classes served (residential, commercial, etc.) corresponding to the level of service provided. Topics expected to be analyzed should include, but not be limited to, the project goals stated above. The cost of service analysis should provide justification for the manner in which costs are assigned. Revenue requirements should be developed as the basis for the cost of service analysis and can include the amount of revenue required to meet annual expenditures such as operating, capital, changes in reserves, debt service, etc. The Successful Respondent must prepare the analysis to account for the COV's specific requirements and should base its cost allocation process on the industry standard methodologies published by the AWWA's "Manual M1, Principles of Water Rates, Fees, and Charges." As part of this task, the Successful Respondent shall conduct a complete evaluation of the COV's existing water and electric impact fees, including its methodologies and fee structure, compare those to industry-accepted methodologies, and provide a recommendation on an approach that will best meet the COV's needs. These fees should recover the costs of capacity required to serve existing and new customers and should include in-place capital improvement plans that may be identified by the COV.

Rate Design

This task involves the design of water and electric rates to collect the required level of revenues based on the results of the revenue requirements, the cost of service analysis, and to meet the COV's financial and capital improvement requirements. The Successful Respondent should identify the volume (variable) and customer-related (fixed) costs to be recovered through rates. Water volume-related costs recover the costs to treat, store, and distribute water to customers. Electric-related costs recover the costs to provide electrical power. Customer-related costs typically include meter reading, maintenance, and administrative costs. The Successful Respondent should develop a typical bill for the COV's existing and proposed rate structures and compare those to surrounding water and electric systems. The Successful Respondent may utilize existing customer categories to track and discern trends or to allocate different costs of service. Rate structure options for residential and commercial customers should be examined in terms of promoting water conservation by using seasonal rates, tiered rates, or a combination thereof. Separate rates and surcharge rates for electric customers based on usage and season shall also be considered. The COV's bulk water sales and wholesale light and power service rates should be examined in terms including fees, function, operational costs, demand and location.

Financial Model

This task involves the creation of a financial model for the COV to help forecast costs, revenues, and rates as related to water and electric facilities. The financial model will be used to evaluate projections of rates and other revenues and their ability to meet annual expenditures. In preparation of model development, the Successful Respondent should review and project customer billing data, develop rate revenue projections, and project budgeted operating and capital expenditures. The financial model must include the projection of accounts, usage, and rate revenue; grants and bonds; debt service; operating expenses; capital expenditures; and rate revenue adjustments. The financial model may include cash flow charts, capital spending, annual revenue adjustments, or other parameters required by the COV. The Successful Respondent must include training of the COV staff in the use of the financial modeling package or software.

SCHEDULE A

SCHEDULE I

City of Vineland, NJ

Chapter 687

UTILITIES

Part 1 Municipal Electric Utility Operations

ARTICLE I General Terms, Rules and Regulations

- § 687-1. Application for service; contracts; service connection charge.
- § 687-2. Temporary service.
- § 687-3. Inspection of customer premises.
- § 687-4. Load inspections.
- § 687-5. Notice of discontinuance.
- § 687-6. Discontinuance of service.
- § 687-7. Reconnection charge.
- § 687-8. Right of access; right to place instruments.
- § 687-9. Payments.
- § 687-10. Deposits.
- § 687-11. Demand; determination.
- § 687-12. Power factor measurement.
- § 687-13. Billing changes.
- § 687-14. Service continuity.
- § 687-15. Fluorescent and neon lighting.
- § 687-16. Single-point delivery and separate billing.
- § 687-17. Rights reserved.
- § 687-18. Extension of electric distribution lines.
- § 687-19. Other sources of energy.
- § 687-20. Energy cost clause generally.
- § 687-21. Refund of overpayments.

ARTICLE II Rate R: Residential Service

- § 687-22. Availability.
- § 687-23. Applicability.
- § 687-24. Rate.
- § 687-25. Minimum charge.

- § 687-26. Multiple dwellings.
- § 687-27. Water-heater service.
- § 687-28. Delayed-payment charge.
- § 687-29. Contract term.
- § 687-30. Terms and conditions.
- § 687-31. Energy cost clause.

ARTICLE III Rate GLP: Commercial Rate Service

- § 687-32. Availability.
- § 687-33. Applicability.
- § 687-34. Rate.
- § 687-35. Determination of demand.
- § 687-36. Minimum charge.
- § 687-37. Power factor.
- § 687-38. Energy cost clause.
- § 687-39. Delayed payment charge.
- § 687-40. Contract term.
- § 687-41. Terms and conditions.

ARTICLE IV Street-, Traffic- and Night-Lighting Service

- § 687-42. Availability.
- § 687-43. Applicability.
- § 687-44. Streetlighting rates.
- § 687-45. Streetlighting surcharges and discounts.
- § 687-46. Traffic lighting rates.
- § 687-47. Installation fees.

ARTICLE V Rate WLP: Industrial Rate Service

- § 687-48. Availability.
- § 687-49. Applicability.
- § 687-50. Rate.
- § 687-51. Industrial service, modified market rate.

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- § 687-52. Modified market rate, incremental energy rider.
- § 687-53. Determination of demand.
- § 687-54. Power factor.
- § 687-55. Energy cost clause.
- § 687-56. Minimum charge.
- § 687-57. Delayed payment charge.
- § 687-58. Contract terms and conditions.
- § 687-59. Industrial service: transmission service rate.
- § 687-60. Transmission service rate, availability and applicability.

ARTICLE VI

WLP Time-of-Day Rate and WLP Interruptible Rate

- § 687-61. WLP economic development rider.
- § 687-62. Curtailable rider, qualifications and demand.
- § 687-63. Curtailable credit.
- § 687-64. Number of curtailments.
- § 687-65. Notice of curtailment.
- § 687-66. Backup and maintenance service.
- § 687-67. Wheeling service.

ARTICLE VII

Demand Side Management Rates and Incentives

- § 687-68. (Reserved)
- § 687-68.1. Aggregation of retail customer demand response.
- § 687-68.2. Ancillary services provided by demand response resources.
- § 687-68.3. Renewable energy uplift charge.

ARTICLE VIIIA

Water Utility Discount

- § 687-68.4. Electric service discount to Water Utility; expiration.

**Part 2
Municipal Electric Utility and Water-Sewer Utility Administration**

ARTICLE VIII
Department of Municipal Utilities

- § 687-69. Establishment; head.
- § 687-70. Appointment of Director; term of office.
- § 687-71. Qualifications of Director.
- § 687-72. Duties of Director.
- § 687-73. Electric Utility.
- § 687-74. Division of Electric Generation.
- § 687-75. Division of Electrical Distribution.
- § 687-76. Division of Electric Engineering.
- § 687-77. Division of Interconnection.
- § 687-78. Water-Sewer Utility.

ARTICLE IX
(Reserved)

**Part 3
Non-Utility-Generated Electric Power**

ARTICLE X
Minimum Standards for Purchase of Power

- § 687-80. Wheeling charge established; negotiation terms for cogeneration contracts; rates.
- § 687-81. Right to amend rates.
- § 687-82. Compliance with Federal Energy Regulatory Commission regulations.
- § 687-83. Filing with Federal Energy Regulatory Commission and state.

ARTICLE XI
Enabling Agreements With Power Suppliers

- § 687-84. Authority to negotiate.

UTILITIES

<p>§ 687-85. Reporting to and approval of City Council.</p>	<p>§ 687-105.1. Inspection of service lines on private property.</p>
<p>Part 4 Water-Sewer Utility</p>	<p>ARTICLE XV Meters</p>
<p>ARTICLE XII Water Service Applications</p>	<p>§ 687-106. Location and installation. § 687-107. One premises per service pipe or meter.</p>
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<p>ARTICLE XIII Discontinuance of Supply</p>	<p>ARTICLE XVI Meter and Flat-Rate Services</p>
<p>§ 687-96. Notice required. § 687-97. Temporary vacancies. § 687-98. Cessation of water charges. § 687-99. Disconnection or reconnection during nonbusiness hours.</p>	<p>§ 687-115. Billing. § 687-116. Penalties and due dates. § 687-117. Charge for returned checks. § 687-118. Estimated bills. § 687-119. Meters retired from service. § 687-120. Nonmetered service. § 687-121. Right to install meter. § 687-122. Discontinuance of service.</p>
<p>ARTICLE XIV Inspection of Fixtures and Meters</p>	<p>ARTICLE XVII Miscellaneous Provisions</p>
<p>§ 687-100. Right of entry. § 687-101. Opening of curb stops. § 687-102. Water main valves. § 687-103. Interference with meters. § 687-104. Damages; rebates. § 687-105. Boilers, liability for collapse.</p>	<p>§ 687-123. Authority for agreements. § 687-124. Repairs to Utility's property. § 687-125. Right not to turn on water. § 687-126. Fire hydrants. § 687-127. Right to reserve emergency supply. § 687-128. Delinquent accounts. § 687-129. Reconnection charges. § 687-130. New tap required. § 687-131. Waste of water. § 687-132. Refund of overpayments.</p>

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ARTICLE XVIII
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§ 687-148.

Operation of interconnections.

- § 687-133. Change in supply or pressure.
- § 687-134. Installation of meters.
- § 687-135. Amendment of rules and regulations.
- § 687-136. Right to turn off water.
- § 687-137. Strict enforcement.
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- § 687-139. Gallonage basis for billing.
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ARTICLE XX
Water Conservation

- Water use restrictions.
- Declaration of extreme water emergency.
- Violations.
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ARTICLE XIX
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- § 687-141. Contract with users.
- § 687-142. Service connections.
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- § 687-144. Right of entry.
- § 687-145. Sewer rents.
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- § 687-147. Reserved right to classify users.

§ 687-155.

ARTICLE XXI
Time Limitation

Time limitation for payment or collection of utility billings based upon meter failures.

[HISTORY: Adopted by the City Council of the City of Vineland as indicated in part histories. Amendments noted where applicable.]

GENERAL REFERENCES

Industrial Commission — See Ch. 74.

Fees — See Ch. 350, Art. II.

Landis Sewerage Authority — See Ch. 80.

Sewers — See Ch. 585.

Uniform construction codes — See Ch. 300.

Water — See Ch. 710.

Drainage systems — See Ch. 320.

Part 1
Municipal Electric Utility Operations
[Adopted 9-9-1952 By Ord. No. 24 (Ch. 438, Part 1, Of The 1990 Code)]

ARTICLE I
General Terms, Rules and Regulations

§ 687-1. Application for service; contracts; service connection charge. [Amended 3-22-1977 by Ord. No. 1074; 10-23-1979 by Ord. No. 1182; 12-11-1979 by Ord. No. 1191]

- A. A written application for service under one of the established rate schedules of the Electric Utility may be required from each customer, which application, when accepted and service granted, shall constitute an agreement between the City of Vineland and the customer. The rate schedule provisions apply to everyone lawfully receiving electric service from the Electric Utility under the established rates, and receipt of electric service shall constitute the receiver a customer of the Electric Utility as the term is used herein, whether service is based upon contract, agreement, accepted signed application or otherwise.
- B. A copy of the rate schedule and general terms, rules and regulations under which service is to be rendered will be furnished upon request at the office of the Electric Utility. **[Amended 1-14-1986 by Ord. No. 85-66]**
- C. Standard contracts shall be for the terms as specified in the statement of the rates, but where large or special investment is necessary for the supplying of service, contracts of longer terms than specified in the rates or with special guaranty of revenue, or both, may be required to safeguard such investment.
- D. Whenever service is initiated to any customer in any particular location or resumed after discontinuance of service, a service connection charge of \$15 will be made. This fee shall not be charged where a change in the name of an account is requested by the customer, provided that the last meter reading is used and therefore does not require a site visit or any further effort on the part of the Electric Utility. A person who is exempted from the fifteen-dollar service connection charge shall not be automatically exempted from the deposit requirements of § 687-10 of this Part 1. **[Amended 3-12-1991 by Ord. No. 91-22; 2-23-1993 by Ord. No. 93-8]**

§ 687-2. Temporary service. [Amended 3-22-1977 by Ord. No. 1074; 3-12-1991 by Ord. No. 91-22]

Temporary service will be supplied where and when the electric utility has available facilities and at the rate applicable to such service, with an additional charge for service connection and disconnection upon discontinuance of service. The charge for such connection and disconnection shall be based upon the cost of providing such service, but in no case shall be less than \$75.

§ 687-3. Inspection of customer premises.

The wiring and appliances in the premises of the customer must be installed in accordance with the provisions of the current edition of the National Electrical Code of the National Board of Fire Underwriters and such state and municipal regulations as may be in force at the time application for service is made. A certificate of inspection from the Underwriters must be presented at the office of the Electric Utility before service will be rendered at a new location.

§ 687-4. Load inspections.

- A. It is a condition precedent to the supply of service under rates which base the billing demand or minimum upon the customer's connected load that the representatives of the Electric Utility shall have access to the premises at reasonable times to inspect and count the connected load.
- B. Demands fixed upon the basis of connected load will remain in effect until the customer makes increases in his connected load or until the Electric Utility redetermines the demand by subsequent recounts, which recounts will normally be made at approximately annual intervals, subject to the right of the Electric Utility to make them as frequently as it may elect. Recounts will be made upon the customer's request, provided that no more than one other requested recount has been made within the preceding 11 months.

§ 687-5. Notice of discontinuance.

Notice for the discontinuance of service must be given, in writing or in person, by the customer at the office of the Electric Utility.

§ 687-6. Discontinuance of service. [Amended 3-22-1977 by Ord. No. 1074]

- A. The Electric Utility may discontinue its service upon five days' written notice in case the customer is in arrears in the payment of bills.
- B. The Electric Utility may discontinue its service upon reasonable notice if entry to its meter or meters is refused or if access thereto is obstructed or hazardous or for other violation of these rules and regulations.
- C. The Electric Utility may discontinue its service without notice if the customer's installation has become dangerous or defective, if the customer's equipment or use thereof might injuriously affect the equipment of the Electric Utility or the service to other customers or if, upon a reexamination of the customer's installation by a Fire Underwriters' inspector, as approved by local, state or federal law having jurisdiction, a certificate of approval is refused.

§ 687-7. Reconnection charge. [Amended 3-22-1977 by Ord. No. 1074]

- A. Where the Electric Utility has discontinued service for nonpayment of bills, an additional charge for reconnection shall be made. The charge for such disconnection and reconnection shall not be less than \$15.
- B. In cases where service is temporarily discontinued at the request of the customer, a disconnection and reconnection charge shall be based upon the cost of providing such service, but in no case shall be less than \$15. [Amended 3-12-1991 by Ord. No. 91-22]
- C. In cases where the customer requests a special reading or billing, the charge for each reading or billing shall be \$15. [Amended 3-12-1991 by Ord. No. 91-22]

§ 687-8. Right of access; right to place instruments.

- A. The Utility shall have the right of access to the customer's premises at all times for the purpose of reading meters, inspecting or repairing apparatus used in connection with its service or removing its property.
- B. The Electric Utility shall have the right, at its option and its own expense, to place demand meters, reactive-component meters or other instruments on the premises of any customer for the purpose of

measuring the demand and/or the power factor or for other tests of all or any part of the customer's load.

§ 687-9. Payments. [Amended 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 11-26-1985 by Ord. No. 85-56; 1-14-1986 by Ord. No. 85-66; 2-23-1988 by Ord. No. 88-10; 6-27-1989 by Ord. No. 89-39]

- A. Bills will be rendered by the Electric Utility monthly, in accordance with the rate selected, applicable to the customer's service. The word "month" as used herein and in the rate schedules is hereby defined to be the elapsed time between two successive meter readings approximately 30 days apart. In the event of the stoppage or the failure of any meter to register the full amount of current consumed, the customer will be billed for such period on an estimated consumption based upon his use of current in a similar period of like use.
- B. The net rates specified in the various schedules of the Electric Utility are contingent upon payment within the time limit specified in said schedules. The final date for payment of the net amount, which will be shown on each bill, will not fall on a Sunday or a holiday. A delayed-payment charge, as specified in the rate schedule on which the bills are rendered, will be added to bills not paid within the time specified for payment of the net amount. The Electric Utility may waive this additional charge on a bill, provided that the customer's previous accounts are paid in full and not more than one other such waiver has been made on the bills of a preceding 11 months. The gross rate, which is the net rate plus the additional delayed-payment charge, will apply on bills when, at the time of payment, the account is in arrears for previous billings.
- (1) Senior citizens.
- (a) The delayed-payment charge shall be waived to senior citizens 65 years of age or older, provided that a written application is made and service is in the applicant's name. Proof of age must be presented at time of application.
- (b) If all conditions are met in Subsection B(1)(a), the senior citizen customers as defined above shall receive net billing only. This waiver of the delayed-payment charge shall apply to the residential rate only.
- (2) Disabled American veterans.
- (a) The delayed-payment charge shall be waived to disabled American veterans, provided that a written application is made and service is in the applicant's name. Proof of disabled American veteran status must be presented at time of application. For purposes of this section, a "disabled American veteran" is any veteran who has been or shall be declared by the United States Veterans' Administration, or its successor, to have a service-connected disability.
- (b) If all conditions are met in Subsection B(2)(a), the disabled American veteran customers, as defined above, shall receive net billing only. This waiver of the delayed-payment charge shall apply to the residential rate only.
- (3) Permanently and totally disabled persons.
- (a) The delayed-payment charge shall be waived to permanently and totally disabled persons, provided that a written application is made and service is in the applicant's name. Proof of permanent and total disability status must be presented at time of application. For purposes

of this section, a "permanently and totally disabled person" is any person who has been or shall be declared by the United States Social Security Administration, or its successor, to be permanently and totally disabled.

- (b) If all conditions of Subsection B(3)(a) are met, the permanently and totally disabled customers defined above shall receive net billing only. This waiver of delayed-payment charges shall apply to the residential rate only.
- C. A charge as provided in Chapter 280, Checks, Returned, will be made when a customer's check is returned by the customer's bank as uncollectible.¹

§ 687-10. Deposits. [Amended 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231]

- A. A reasonable deposit or a suitable guaranty or security may be required of the customer before service will be rendered or continued. The deposit shall be not less than \$100 nor more than the maximum estimated amount which would accrue for a reasonable period of service at the applicable rate or rates. Upon discontinuance of service, the deposit will be refunded, less the amount of any indebtedness. [Amended 1-14-1986 by Ord. No. 85-66]
- B. The Electric Utility will allow simple interest on cash deposits at such rate per annum as may be established by the Council of the City of Vineland. Deposits shall cease to bear interest upon discontinuance of service.

§ 687-11. Demand; determination. [Amended 4-26-1994 by Ord. No. 94-30]

Where charges specified in the established rates are based upon the customer's demand, it is intended that such demand shall fairly represent the capacity which the Electric Utility is required to stand ready to supply. In case of installations which use service in such a manner that neither the fixing of the demand by assessment under the standards rule nor its measurement over the demand interval as specified in the applicable rate results in a fair or equitable measure of the supply capacity required to serve the customer's load, then the demand may be estimated from the known character of use and the rating data of the equipment connected or from special tests, the intent being that the demand so determined shall fairly represent the customer's capacity requirement. The contract for such loads shall not in any case be for less capacity than the Electric Utility is required to supply.

§ 687-12. Power factor measurement.

The Electric Utility reserves the right to measure the power factor of the customer's load. Such measurement shall be made at the point where the electricity is metered by a test at a time of normal load or, at the option of the Electric Utility, by permanently installed instruments.

§ 687-13. Billing changes.

Where demands are reassessed or power factor is recomputed or customers are found to be on an improper rate as the result of an investigation made at the customer's request or by routine inspection, the change of billing to the new demand or power factor or to the proper rate may be applied within its net payment period to the bill for the regular meter reading preceding such investigation and will in any event apply to the bill for the month during which the check is made.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 687-14. Service continuity.

The Electric Utility will use reasonable diligence to provide a continuous, regular and uninterrupted supply of service; but, should the supply be interrupted by the Electric Utility for the purpose of making repairs, changes or improvements in any part of its system for the general good of the service or safety of the public or should the supply of service be interrupted or fail by reason of accident, strike, legal process, state interference or any cause whatsoever, the Electric Utility shall not be liable for damages, direct or consequential, resulting from such interruption or failure.

§ 687-15. Fluorescent and neon lighting.

- A. All fluorescent lighting fixtures, lamps and equipment installed on customer's premises must be of the high-power-factor type, with certified rating for each complete operating unit of not less than eighty-five-percent power factor.
- B. All neon lighting fixtures and equipment with a total rating in excess of 750 volt-amperes per meter installation must be equipped with auxiliaries for maintaining a power factor of not less than 85%. These auxiliaries may be incorporated in the transformers, or capacitor-transformers may be installed to correct the power factor of the entire neon installation.
- C. The Electric Utility reserves the right to test fluorescent, neon or similar equipment before or after its installation.

§ 687-16. Single-point delivery and separate billing.

The rates established by the Electric Utility for each class of service are based upon the supply of service to one entire premises through a single delivery and metering point. Separate supply for the same customer at other points of consumption shall be separately metered and billed at the available service rate selected by the customer.

§ 687-17. Rights reserved. [Amended 11-12-1980 by Ord. No. 1231]

The City of Vineland Electric Utility (CVEU) reserves the right to make such additional rules, regulations and restrictions concerning electric lighting and power service as it may find advisable for the protection of the municipal plant.

§ 687-18. Extension of electric distribution lines. [Added 4-11-1972 by Ord. No. 841; amended 4-26-1994 by Ord. No. 94-30]

Extension of electric distribution lines requested by an applicant and necessary to furnish an entire electric system to new residential buildings and mobile homes within an approved subdivision having three or more building lots or to new multiple-occupancy buildings shall be made underground in accordance with provisions set forth in detailed rules and regulations governing electric service installations established and published by the Electric Utility, the differential in cost of said underground system installation to be assumed and to be payable in advance by the applicant, in full, or shared in such proportion with the Electric Utility as may be established and published in said detailed rules and regulations governing electric service installations.

§ 687-19. Other sources of energy. [Added 11-12-1980 by Ord. No. 1231]

The Electric Utility will not supply service to customers who have other sources of energy supply except under schedules which specifically provide for such service. The customer shall not be permitted to operate

his own generating equipment in parallel with the Electric Utility's service except on written permission of the Electric Utility. In order to avoid undue jeopardy to life and property in his own premises, in the City of Vineland electric system and in the facilities of third parties, the customer shall not install his own generating equipment until he has consulted the Electric Utility.

§ 687-20. Energy cost clause generally. [Added 11-12-1980 by Ord. No. 1231; amended 12-8-1981 by Ord. No. 1281; 1-14-1986 by Ord. No. 85-66; 4-26-1994 by Ord. No. 94-30]

The energy cost clause, as set forth in §§ 687-31, 687-38 and 687-55, shall apply to Rate R: residential service; Rate GLP: general light and power service; and Rate WLP: wholesale light and power service. In addition, the energy cost clause shall apply to any other established rates for electric service, if so specified.

§ 687-21. Refund of overpayments. [Added 8-8-1989 by Ord. No. 89-47; amended 7-14-2009 by Ord. No. 2009-44]

- A. The Electric Utility shall establish a procedure for refund of overpayments to customers within the current fiscal period, said procedure to be an addition to this article.
- B. The Electric Utility shall apply a credit balance to active accounts where an overpayment does exist.
- C. The Electric Utility shall issue refund checks to customers addressed to the last known address of record where said refund exceeds \$5 and there is no active Electric Utility account against which to charge said credit.
- D. The Electric Utility shall establish a policy of canceling the overpaid balance of customer accounts less than or equal to \$5 where there is a remaining credit balance, which balance has accrued on the records for a period in excess of one year, and no valid address of record is available for refunding said balance of overpaid account funds.
- E. The Director of the Department of Municipal Utilities shall be the authorized municipal official with authority to authorize said cancellation of customer accounts with \$5 or less remaining therein pursuant to Subsection D above.

ARTICLE II
Rate R: Residential Service

§ 687-22. Availability.

This rate shall be available in the City of Vineland.

§ 687-23. Applicability.

This rate is applicable to residential service through one meter to customers in individual residences and in individual apartments for lighting, cooking, heating, refrigeration, appliances and for single-phase motors of limited capacity, including service for agricultural purposes incidental to the domestic service. In residential premises, use for purposes other than residential will be permitted only where such use is incidental to the residential use.

§ 687-24. Rate. [Amended 3-24-1964 by Ord. No. 475; 9-8-1970 by Ord. No. 772; 4-27-1971 by Ord. No. 798; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 1-14-1986 by Ord. No. 85-66; 12-12-1989 by Ord. No. 89-1996; 3-10-1992 by Ord. No. 92-14; 4-26-1994 by Ord. No. 94-30; 7-11-2017 by Ord. No. 2017-48; 3-27-2018 by Ord. No. 2018-17]

A. The following rates shall be effective April 1, 2018:

Rate		Kilowatt-Hours Used per Month
\$7	Minimum customer charge	
\$0.13028	Per kilowatt-hour for the first in the billing months of October through May, inclusive	500
\$0.13028	Per kilowatt-hour for the first in the billing months of June through September, inclusive	600
\$0.09181	Per kilowatt-hour in the billing months of October through May, inclusive, for all over	500
\$0.14256	Per kilowatt-hour in the billing months of June through September, inclusive, for all over	600

§ 687-25. Minimum charge. [Amended 9-8-1970 by Ord. No. 772; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 1-14-1986 by Ord. No. 85-66; 12-12-1989 by Ord. No. 89-96; 3-10-1992 by Ord. No. 92-14; 4-26-1994 by Ord. No. 94-30; 7-11-2017 by Ord. No. 2017-48]

The next minimum bill under the above rate shall be \$7 per month, effective September 1, 2017.

§ 687-26. Multiple dwellings.

This rate will apply where two or more individual apartments or dwelling units on a single premises are served through one meter, provided that the minimum charge and the number of kilowatt-hours in each block of the rate are multiplied by the number of individual apartments or dwelling units, whether occupied or not, served through one meter. Service to a multiple dwelling may, at the option of the customer, be taken under the general light and power service rate GLP.

§ 687-27. Water-heater service. [Amended 4-26-1960 by Ord. No. 341; 9-8-1970 by Ord. No. 772; 3-22-1977 by Ord. No. 1074]

No allowances will be made for water-heating service.

§ 687-28. Delayed-payment charge. [Amended 11-26-1985 by Ord. No. 85-56; 2-23-1988 by Ord. No. 88-10; 6-27-1989 by Ord. No. 89-39]

- A. The above rate is net and is contingent upon payment of bills within 15 days of the date rendered. An additional charge of 5% of the current amount billed, net of any payments applied thereon, will be added to bills not paid within the specified payment time. **[Amended 3-12-1991 by Ord. No. 91-22; 5-8-2000 by Ord. No. 2000-34]**
- B. Senior citizens.
- (1) The delayed-payment charge shall be waived to senior citizens 65 years of age or older, provided that a written application is made and service is in the applicant's name. Proof of age must be presented at time of application.
 - (2) If all conditions are met in Subsection B(1), the senior citizen customers as defined above shall receive net billing only. This waiver of the delayed-payment charge shall apply to the residential rate only.
- C. Disabled American veterans.
- (1) The delayed-payment charge shall be waived to disabled American veterans, provided that a written application is made and service is in the applicant's name. Proof of disabled American veteran status must be presented at time of application. For purposes of this section, a "disabled American veteran" is any veteran who has been or shall be declared by the United States Veterans' Administration, or its successor, to have a service-connected disability.
 - (2) If all conditions are met in Subsection C(1), the disabled American veteran customers as defined above shall receive net billing only. This waiver of the delayed-payment charge shall apply to the residential rate only.
- D. Permanently and totally disabled persons.
- (1) The delayed-payment charge shall be waived to permanently and totally disabled persons, provided that a written application is made and service is in the applicant's name. Proof of permanent and total disability status must be presented at time of application. For purposes of this section, a "permanently and totally disabled person" is any person who has been or shall be declared by the United States Social Security Administration, or its successor, to be permanently and totally disabled.
 - (2) If all conditions of Subsection D(1) are met, the permanently and totally disabled customers as defined above shall receive net billing only. This waiver of the delayed-payment charge shall apply to the residential rate only.

§ 687-29. Contract term. [Amended 9-27-1955 by Ord. No. 188]

The contract term under this rate shall be variable.

§ 687-30. Terms and conditions.

Service under this rate is subject to the general terms, rules and regulations as adopted by the City of Vineland Electric Utility.

§ 687-31. Energy cost clause. [Added 4-27-1971 by Ord. No. 798; amended 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 12-8-1981 by Ord. No. 1281; 1-14-1986 by Ord. No. 85-66; 4-26-1994 by Ord. No. 94-30; 12-10-1996 by Ord. No. 96-99; 5-8-2000 by Ord. No. 2000-34; 12-23-2003 by Ord. No. 2003-67; 12-9-2008 by Ord. No. 2008-82]

- A. The energy cost clause (fuel adjustment factor) shall be computed thrice annually, for service billed in the months of October through December (winter rates), January through May (winter rates) and June through September (summer rates). The fuel-adjustment factor shall adjust monthly billings either upward or downward. When said fuel-adjustment factor is above or below \$0.02164 per kilowatt-hour, an additional charge or deduction will be made to each kilowatt-hour supplied under this rate schedule, except those applied to street and traffic lighting. Such added charge or decreased charge, as the case may be, will be the amount per kilowatt-hour by which such fuel purchased power and interchanged power cost is estimated to be above or below \$0.02164 per kilowatt-hour. **[Amended 7-11-2017 by Ord. No. 2017-48]**
- B. The increase or decrease in the cost of fuel consumed and of power purchased or interchanged per kilowatt-hour sold, as determined by budgeted funds and projected seasonal sales, will be applied to billings in the summer- or winter-rate period applicable. Each month, the fuel-adjustment factor calculated above shall be compared to actual fuel, purchased power and interchange power costs and the difference calculated. The difference between the fuel-adjustment factor and the actual costs of fuel, purchase power and interchanged power will be accumulated, as a recovery factor, such that the balance nets out over or under recoveries against each other. The net balance will be accumulated for the months of September through November (inclusive), December through April (inclusive), and May through August (inclusive). The net September through April balance will be applied, as either an increase or decrease, to the fuel-adjustment calculation (as described above) in the next accumulated period immediately following the adjustment period. The net May through August balance will be applied, as either an increase or decrease, to the fuel-adjustment calculation (as described above) in the winter-rate season immediately following the adjustment period. The cost per kilowatt-hour for all calculations shall be carried out to the nearest one-thousandth of a mill. Kilowatt-hours sold, as used in making such determinations, will not include the kilowatt-hours of a rate schedule to which this adjustment clause does not apply. The minimum bill shall not be reduced by reason of this energy cost clause, but the adjustment, when positive, will be billed to all kilowatt-hours delivered.
- C. In the event that, in the Utility's judgment, pass-through of 100% of the accumulated seasonal differential in fuel costs in the rate season immediately following the rate season in which the differential was experienced will result in a fuel-adjustment factor which varies substantially from the actual fuel costs during that subsequent season, the Utility may defer pass-through of a portion of the net difference to subsequent rate seasons. The specific proportion to be deferred shall be determined by the Utility as necessary to avoid price distortions and undue price volatility to customers.

ARTICLE III

Rate GLP: Commercial Rate Service**§ 687-32. Availability.**

This rate shall be available in the City of Vineland.

§ 687-33. Applicability.

This rate is applicable to general lighting and power service requirements of offices and professional, commercial or industrial establishments and other applications outside the scope of the residential service rate. Residence service, when used through the same meter and in conjunction with general light and power service, will be supplied under this rate unless the customer so separates and arranges his wiring that domestic use can be separately metered.

§ 687-34. Rate. [Amended 9-27-1955 by Ord. No. 188; 9-8-1970 by Ord. No. 772; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 1-14-1986 by Ord. No. 85-66; 12-12-1989 by Ord. No. 89-96; 3-10-1992 by Ord. No. 92-14; 4-26-1994 by Ord. No. 94-30; 12-23-2003 by Ord. No. 2003-67; 7-13-2004 by Ord. No. 2004-31; 7-11-2017 by Ord. No. 2017-48; 3-27-2018 by Ord. No. 2018-17]

A. The following rates shall be effective April 1, 2018:

(1) Commercial rate service with no demand meter (three kilowatts or less).

(a) Minimum customer charge per month: \$20.

(b) Monthly energy charges:

[1] First 200 kilowatt-hours used per month: \$0.11056 per kilowatt-hour.

[2] Over 200 kilowatt-hours additional used in the same month: \$0.14956 per kilowatt-hour.

(2) Commercial rate service with demand meter.

(a) Minimum customer charge per month: \$16.

(b) Monthly energy charges:

[1] Summer season. All kilowatt-hours used per month in the billing months of June through September: \$0.10026 per kilowatt-hour.

[2] Winter season. First 15,000 kilowatt-hours used per month in the billing months of October through May: \$0.10026 per kilowatt-hour. Over 15,000 kilowatt-hours used per month in the months of October through May: \$0.09526 per kilowatt-hour.

(c) Monthly demand charges:

[1] Summer season. Each kilowatt of monthly billing demand in the billing months of June through September: \$10.50 per kilowatt.

[2] Winter season. Each kilowatt of monthly billing demand in the billing months of October through May: \$10.25 per kilowatt.

- (3) Commercial rate farm irrigation service with demand meter.
- (a) Minimum customer charge per month: \$16.00.
- (b) Monthly energy charges:
- [1] Summer season. All kilowatt-hours used per month in the billing months of June through September: \$0.10856 per kilowatt-hour.
- [2] Winter season. First 15,000 kilowatt-hours used per month in the billing months of October through May: \$0.10856 per kilowatt-hour. Over 15,000 kilowatt-hours used per month in the months of October through May: \$0.10056 per kilowatt-hour.
- (c) Monthly demand charges:
- [1] Summer season. Each kilowatt of monthly billing demand in the billing months of June through September: \$3 per kilowatt.
- [2] Winter season. Each kilowatt of monthly billing demand in the billing months of October through May: \$2.50 per kilowatt.

§ 687-35. Determination of demand. [Amended 3-24-1964 by Ord. No. 475; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231]

- A. The demand, for billing purposes, shall be the highest thirty-minute kilowatt demand occurring during the month as registered by a demand indicator or meter adjusted for power factor as hereinafter provided, but not less than three kilowatts. Effective July 1, 1996, all new demand meters installed and any meter changes to existing accounts shall have a fifteen-minute demand interval, and the demand for billing purposes shall be the highest fifteen-minute kilowatt demand occurring during the billing month. The City of Vineland Electric Utility may, at its option, elect to forego measurement of demand when it is anticipated that the demand will not exceed three kilowatts. When the demand is not measured and the consumption exceeds 750 kilowatt-hours in a month, the billing demand will be determined by dividing the measured kilowatt-hours by 200. If the monthly consumption exceeds 750 kilowatt-hours in three of the 12 months ended with the current month, a demand-measuring meter shall be installed, or the customer may request that a demand-measuring meter be installed at any time. [Amended 6-11-1996 by Ord. No. 96-45]
- B. For customers presently being so served and for the existing heating load presently so served, permanently installed electrical space-heating equipment which is the sole source of space and comfort heating and which is less than the total of all other connected loads may be so connected as to be excluded from demand registration. Customers connected after May 1, 1977, and additional loads connected by existing customers after such date will not be served under this demand exclusion provision.

§ 687-36. Minimum charge. [Amended 6-27-1961 by Ord. No. 384; 9-8-1970 by Ord. No. 772; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 1-14-1986 by Ord. No. 85-66; 12-12-1989 by Ord. No. 89-96; 3-10-1992 by Ord. No. 92-14; 4-26-1994 by Ord. No. 94-30; 7-11-2017 by Ord. No. 2017-48]

The above commercial rates are subject to the following minimum net monthly charge per month, effective September 1, 2017:

- A. Commercial rate service with no demand meter - minimum charge: \$20.

- B. Commercial rate service with demand meter - minimum charge: \$16.
- C. Commercial rate farm irrigation service with demand meter - minimum charge: \$16.

§ 687-37. Power factor.

The above rate is based upon the maintenance by the customer of an average power factor of 85%. The City of Vineland Electric Utility reserves the right to determine, by test, the power factor of the customer's load at the point where the electrical energy is metered, and, if the average monthly power factor is less than 85%, the demand as determined under the provisions of this rate shall be increased for billing purposes by multiplying the demand by the required power factor and dividing the product by the measured power factor.²

§ 687-38. Energy cost clause. [Amended 3-24-1964 by Ord. No. 475; 9-8-1970 by Ord. No. 772; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 12-8-1981 by Ord. No. 1281; 1-14-1986 by Ord. No. 85-66; 4-26-1994 by Ord. No. 94-30; 12-10-1996 by Ord. No. 96-99; 5-8-2000 by Ord. No. 2000-34; 12-23-2003 by Ord. No. 2003-67; 12-9-2008 by Ord. No. 2008-82]

- A. The energy cost clause (fuel adjustment factor) shall be computed thrice annually, for service billed in the months of October through December (winter rates), January through May (winter rates) and June through September (summer rates). The fuel-adjustment factor shall adjust monthly billings either upward or downward. When said fuel-adjustment factor is above or below \$0.02164 per kilowatt-hour, an additional charge or deduction will be made to each kilowatt-hour supplied under this rate schedule, except those applied to street and traffic lighting. Such added charge or decreased charge, as the case may be, will be the amount per kilowatt-hour by which such fuel purchased power and interchanged power cost is estimated to be above or below \$0.02164 per kilowatt-hour. **[Amended 7-11-2017 by Ord. No. 2017-48]**
- B. The increase or decrease in the cost of fuel consumed and of power purchased or interchanged per kilowatt-hour sold, as determined by budgeted funds and projected seasonal sales, will be applied to billings in the summer- or winter-rate period applicable. Each month, the fuel-adjustment factor calculated above shall be compared to actual fuel, purchased power and interchange power costs and the difference calculated. The difference between the fuel-adjustment factor and the actual costs of fuel, purchase power and interchanged power will be accumulated, as a recovery factor, such that the balance nets out over or under recoveries against each other. The net balance will be accumulated for the months of September through November (inclusive), December through April (inclusive), and May through August (inclusive). The net September through April balance will be applied, as either an increase or decrease, to the fuel-adjustment calculation (as described above) in the next accumulated period immediately following the adjustment period. The net May through August balance will be applied, as either an increase or decrease, to the fuel-adjustment calculation (as described above) in the winter-rate season immediately following the adjustment period. The cost per kilowatt-hour for all calculations shall be carried out to the nearest one-thousandth of a mill. Kilowatt-hours sold, as used in making such determinations, will not include the kilowatt-hours of a rate schedule to which this adjustment clause does not apply. The minimum bill shall not be reduced by reason of this energy cost clause, but the adjustment, when positive, will be billed to all kilowatt-hours delivered.
- C. In the event that, in the Utility's judgment, pass-through of 100% of the accumulated seasonal

2. Editor's Note: Original § 438-38, Primary metering, as amended 4-26-1994 by Ord. No. 94-30 and which immediately followed this section, was repealed 8-9-2005 by Ord. No. 2005-50.

differential in fuel costs in the rate season immediately following the rate season in which the differential was experienced will result in a fuel-adjustment factor which varies substantially from the actual fuel costs during that subsequent season, the Utility may defer pass-through of a portion of the net difference to subsequent rate seasons. The specific proportion to be deferred shall be determined by the Utility as necessary to avoid price distortions and undue price volatility to customers.

§ 687-39. Delayed payment charge. [Amended 3-12-1991 by Ord. No. 91-22; 4-26-1994 by Ord. No. 94-30; 5-8-2000 by Ord. No. 2000-34]

The above rate is net and is contingent upon payment of bills within 15 days of the date rendered. An additional charge of 6% of the current amount billed, net of any payments applied thereon, will be added to bills not paid within the specified payment time.

§ 687-40. Contract term.

The contract term under this rate shall be annual.

§ 687-41. Terms and conditions.

Service under this rate is subject to the general terms, rules and regulations as adopted by the City of Vineland Electrical Utility.

ARTICLE IV
Street-, Traffic- and Night-Lighting Service
[Added 12-12-1989 by Ord. No. 89-96]

§ 687-42. Availability.

These rates shall be available in the City of Vineland.

§ 687-43. Applicability.

These rates are applicable to all streetlighting, highway lighting, traffic lighting and night-lighting customers. Poles and equipment are owned and maintained by the City of Vineland Electric Utility.

§ 687-44. Streetlighting rates. [Amended 2-13-1990 by Ord. No. 90-3; 4-26-1994 by Ord. No. 94-30; 5-10-1994 by Ord. No. 94-34; 6-11-1996 by Ord. No. 96-45; 7-13-1999 by Ord. No. 99-35; 7-11-2017 by Ord. No. 2017-48; 10-27-2020 by Ord. No. 2020-51]

A. The following streetlighting rates shall be effective October 1, 2020 (retroactive):

(1) Streetlights:

Fixture Wattage/Lamp Description	Lamp Size (lumens)	Charge per Month
50 W HPS Cobrahead*	3,600	\$8.50
70 W MPS Cobrahead*	5,300	\$9.50
100 W HPS Cobrahead*	8,600	\$11.25
100 W HPS Traditionaire*	8,600	\$14
150 W HPS Cobrahead*	14,000	\$14
250 W HPS Cobrahead*	24,000	\$18
400 W MH Cobrahead*	31,000	\$25.50
70 W HPS Traditionaire*	5,300	\$13
100 W HPS Traditionaire*	8,600	\$14

* Maintenance only

(2) Mercury vapor: (maintenance only) (obsolete)

Fixture Wattage/Lamp Description	Lamp Size (lumens)	Charge per Month
100 W Cobrahead*	3,500	\$9.25
175 W Cobrahead*	6,800	\$12.50
250 W Cobrahead*	11,000	\$15.75

Fixture Wattage/Lamp Description	Lamp Size (lumens)	Charge per Month
400 W Cobrahead*	20,000	\$21.75

* Maintenance only

(3) Induction (i): (maintenance only)

Fixture Wattage/Lamp Description	Lamp Size (lumens)	Charge per Month
85 QL Acorn	6,800	\$17
80 W i Cobrahead *	6,800	\$9
100 W i Cobrahead *	8,600	\$11.50
150 W i Cobrahead *	13,000	\$13.50
200 W i Cobrahead *	16,000	\$16.25
250 W i Cobrahead *	21,250	\$19.25

* Maintenance only

(4) LED:

Fixture Wattage/Lamp Description	Lamp Size (lumens)	Charge per Month
60 W Barn Light Type V	5,600	\$9.50
40 W LED Contempo Type R2 (Post Top)	3,800	\$10.25
64 W LED Contempo Type R2 (Post Top)	6,400	\$12.50
120 W LED Contempo Type T3 (Post Top)	12,000	\$18.25
70 W LED Traditionaire (Post Top)	5,610	\$16
63 W LED Acorn (Post Top) VDID Fixture	8,640	\$27.50
54 W LED Cobrahead	3,600	\$8
74 W LED Cobrahead	8,200	\$9
74 W LED Cobrahead Type V	8,200	\$9.25
108 W LED Cobrahead	3,600	\$12
165 W LED Cobrahead	16,500	\$14
215 W LED Cobrahead	23,600	\$18

(5) Floodlights:

Fixture Wattage/Lamp Description	Lamp Size (lumens)	Charge per Month
300 i Flood *	24,600	\$20.50
150 W HPS Flood*	14,000	\$15
250 W HPS Flood*	25,000	\$20.75
400 W HPS Flood*	40,000	\$27.75
1000 W HPS Flood*	100,000	\$60
250 W MH Flood*	13,500	\$21.75
400 W MH Flood*	24,000	\$28.75
1000 W MH Flood*	71,000	\$60
128 W LED Flood UFLD C40	16,500	\$15
252 W LED UFLD C100	33,200	\$25
370 W LED UFLD C175	47,000	\$32

* Maintenance only

- (6) The above rates for mercury vapor lamps apply only to existing units and units installed prior to February 1, 1980. No new units of the above mercury vapor sizes will be installed after this date. Any retired existing mercury vapor lights will be replaced by sodium vapor. In addition, all high-pressure sodium, mercury vapor, metal halide, and induction units will be offered as maintenance only after April 1, 2020. Only LED units will be installed.
- (7) The lumen lamp sizes are approximate ratings.

§ 687-45. Streetlighting surcharges and discounts. [Amended 2-13-1990 by Ord. No. 90-3]

A. The following shall be effective January 1, 1990 (retroactive):

- (1) Streetlighting surcharges:
 - (a) Thirty-foot metal standard: \$2 per month.
 - (b) URD connection: \$1 per month.
- (2) Streetlighting discounts (apply to City of Vineland streetlight billing):

Lamp Size (lumina)	Class	Discount per Month
11,000	Utility/county	\$9.00
11,000	Utility/state	\$9.25
16,000	Utility/county	\$7.50

- (3) In any year, if the state or county fails to reimburse the Utility for the above lamps, the discount will no longer apply to the City of Vineland streetlight billing.

B. The following shall be effective February 1, 1990 (retroactive):

- (1) Streetlighting surcharges:

- (a) Thirty-foot metal standard: \$2.50 per month.
- (b) URD connection: \$1.25 per month.

- (2) Streetlighting discounts (apply to City of Vineland streetlight billing):

Lamp Size (lumina)	Class	Discount Per Month
11,000	Utility/county	\$11.00
11,000	Utility/state	\$11.00
16,000	Utility/county	\$10.50

- (3) In any year, if the state or county fails to reimburse the Utility for the above lamps, the discount will no longer apply to the City of Vineland streetlight billing.

- (4) Additional discount. The City of Vineland street and traffic lighting rates will increase approximately 15% and will be discounted 10% for a net increase of approximately 5%. This discount will be shown on each monthly billing to the City of Vineland.

C. The following shall be effective January 1, 1991:

- (1) Streetlighting surcharges:

- (a) Thirty-foot metal standard: \$3 per month.
- (b) URD connection: \$1.50 per month.

- (2) Streetlighting discounts (apply to City of Vineland streetlight billing):

Lamp Size (lumina)	Class	Discount Per Month
11,000	Utility/county	\$12.75
11,000	Utility/state	\$12.75
16,000	Utility/county	\$12.00

- (3) In any year, if the state or county fails to reimburse the Utility for the above lamps, the discount will no longer apply to the City of Vineland streetlight billing.

- (4) Additional discount. The City of Vineland street and traffic lighting rates will increase approximately 15% and will be discounted 10% for a net increase of approximately 5%. This discount will be shown on each monthly billing to the City of Vineland.

D. The following shall be effective January 1, 1992:

- (1) Streetlighting surcharges:
 - (a) Thirty-foot metal standard: \$3.25 per month.
 - (b) URD connection: \$1.75 per month.
- (2) Streetlighting discounts (apply to City of Vineland streetlight billing):

Lamp Size (lumina)	Class	Discount Per Month
11,000	Utility/county	\$14.25
11,000	Utility/state	\$14.25
16,000	Utility/county	\$13.50

- (3) In any year, if the state or county fails to reimburse the Utility for the above lamps, the discount will no longer apply to the City of Vineland streetlight billing.
- (4) Additional discount. The City of Vineland street and traffic lighting rates will increase approximately 12% and will be discounted 7% for a net increase of approximately 5%. This discount will be shown on each monthly billing to the City of Vineland.

E. The following shall be effective January 1, 1993:

- (1) Streetlighting surcharges:
 - (a) Thirty-foot metal standard: \$3.50 per month.
 - (b) URD connection: \$2 per month.
- (2) Streetlighting discounts (apply to City of Vineland streetlight billing):

Lamp Size (lumina)	Class	Discount Per Month
11,000	Utility/county	\$15.25
11,000	Utility/state	\$15.25
16,000	Utility/county	\$14.50

- (3) In any year, if the state or county fails to reimburse the Utility for the above lamps, the discount will no longer apply to the City of Vineland streetlight billing.
- (4) Additional discount. The City of Vineland street and traffic lighting rates will increase approximately 7.5% and will be discounted 2.5% for a net increase of approximately 5%. This discount will be shown on each monthly billing to the City of Vineland.

F. The following shall be effective January 1, 1994:

- (1) Streetlighting surcharges:
 - (a) Thirty-foot metal standard: \$3.75 per month.

- (b) URD connection: \$2.25 per month.
- (2) Streetlighting discounts (apply to City of Vineland streetlight billing):

Lamp Size (lumina)	Class	Discount Per Month
11,000	Utility/county	\$16.25
11,000	Utility/state	\$16.25
16,000	Utility/county	\$15.50

- (3) Additional discount. The City of Vineland street and traffic lighting rates will increase approximately 6.4% and will be discounted 1.4% for a net increase of approximately 5%. This discount will be shown on each monthly billing to the City of Vineland.

§ 687-46. Traffic lighting rates.

A. The following rates shall be effective January 1, 1990:

- (1) Landis Avenue from Myrtle Street to West Avenue:
 - (a) Lamps: \$1.15 per month.
 - (b) No-turn signals: \$0.58 per month.
- (2) Other traffic signals:
 - (a) Lamps: \$0.81 per month.
 - (b) Atlantic Electric territory (CVEU maintained): \$0.29 per month.
- (3) Blinker lights:
 - (a) Signals: \$1.32 per month.
 - (b) Stop flashers: \$3.45 per month.
 - (c) County billed (CVEU maintained): \$0.29 per month.

B. The following rates shall be effective January 1, 1991:

- (1) Landis Avenue from Myrtle Street to West Avenue:
 - (a) Lamps: \$1.32 per month.
 - (b) No-turn signals: \$0.66 per month.
- (2) Other traffic signals:
 - (a) Lamps: \$0.93 per month.
 - (b) Atlantic Electric territory (CVEU maintained): \$0.33 per month.
- (3) Blinker lights:

- (a) Signals: \$1.52 per month.
 - (b) Stop flashers: \$3.97 per month.
 - (c) County billed (CVEU maintained): \$0.33 per month.
- C. The following rates shall be effective January 1, 1992:
- (1) Landis Avenue from Myrtle Street to West Avenue:
 - (a) Lamps: \$1.48 per month.
 - (b) No-turn signals: \$0.74 per month.
 - (2) Other traffic signals:
 - (a) Lamps: \$1.04 per month.
 - (b) Atlantic Electric territory (CVEU maintained): \$0.37 per month.
 - (3) Blinker lights:
 - (a) Signals: \$1.70 per month.
 - (b) Stop flashers: \$4.44 per month.
 - (c) County billed (CVEU maintained): \$0.37 per month.
- D. The following rates shall be effective January 1, 1993:
- (1) Landis Avenue from Myrtle Street to West Avenue:
 - (a) Lamps: \$1.59 per month.
 - (b) No-turn signals: \$0.80 per month.
 - (2) Other traffic signals:
 - (a) Lamps: \$1.11 per month.
 - (b) Atlantic Electric territory (CVEU maintained): \$0.40 per month.
 - (3) Blinker lights:
 - (a) Signals: \$1.83 per month.
 - (b) Stop flashers: \$4.78 per month.
 - (c) County billed (CVEU maintained): \$0.40 per month.
- E. The following rates shall be effective January 1, 1994:
- (1) Landis Avenue from Myrtle Street to West Avenue:
 - (a) Lamps: \$1.69 per month.
 - (b) No-turn signals: \$0.85 per month.

(2) Other traffic signals:

(a) Lamps: \$1.19 per month.

(b) Atlantic Electric territory (CVEU maintained): \$0.42 per month.

(3) Blinker lights:

(a) Signals: \$1.95 per month.

(b) Stop flashers: \$5.08 per month.

(c) County billed (CVEU maintained): \$0.42 per month.

§ 687-47. Installation fees.

A. The City of Vineland will be exempt from installation fees for all streetlighting, traffic lighting and night-lighting installations. All other customers will be required to pay installation fees for the above installations requiring the setting of poles or the installation of circuits based upon labor and material costs incurred. This fee schedule shall be updated annually and will be approved by the Director of the Electric Utility.

B. The installation charge on existing poles with secondary circuits will be \$75.

ARTICLE V

Rate WLP: Industrial Rate Service**§ 687-48. Availability.**

This rate shall be available in the City of Vineland.

§ 687-49. Applicability. [Amended 12-12-1989 by Ord. No. 89-96]

This rate is applicable to general lighting and power customers having a connected load of not less than 250 kilowatts. This stipulation will apply to any new customers or installations effective January 1, 1990. Industrial lighting incidental to power and combined with the power service shall be taken through transformers furnished, installed and maintained by the customers.

§ 687-50. Rate. [Amended 11-22-1955 by Ord. No. 198; 9-8-1970 by Ord. No. 772; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 1-14-1986 by Ord. No. 85-66; 12-12-1989 by Ord. No. 89-96; 3-10-1992 by Ord. No. 92-14; 4-26-1994 by Ord. No. 94-30; 12-23-2003 by Ord. No. 2003-67; 5-9-2006 by Ord. No. 2006-34; 7-11-2017 by Ord. No. 2017-48; 3-27-2018 by Ord. No. 2018-17]

A. The following rates shall be effective April 1, 2018:

(1) Industrial rate service: secondary voltage.

(a) Minimum customer charge: \$450 per month.

(b) Monthly energy charges.

[1] Summer season:

[a] First 70,000 kilowatt-hours used in the billing months of June through September: \$0.09926 per kilowatt-hour.

[b] Over 70,000 kilowatt-hours used in the billing months of June through September: \$0.09106 per kilowatt-hour.

[2] Winter season:

[a] First 70,000 kilowatt-hours used in the billing months of October through May: \$0.09926 per kilowatt-hour.

[b] Over 70,000 kilowatt-hours used in the billing months of October through May: \$0.08306 per kilowatt-hour.

(c) Monthly demand charges:

[1] Summer season. Each kilowatt of monthly billing demand in the billing months of June through September: \$11.25 per kilowatt.

[2] Winter season. Each kilowatt of monthly billing demand in the billing months of October through May: \$10.75 per kilowatt.

(2) Industrial rate service: primary voltage.

(a) Minimum customer charge: \$500 per month.

(b) Monthly energy charges.

[1] Summer season:

[a] First 70,000 kilowatt-hours used in the billing months of June through September: \$0.09606 per kilowatt-hour.

[b] Over 70,000 kilowatt-hours used in the billing months of June through September: \$0.08906 per kilowatt-hour.

[2] Winter season:

[a] First 70,000 kilowatt-hours used in the billing months of October through May: \$0.09606 per kilowatt-hour.

[b] Over 70,000 kilowatt-hours used in the billing months of October through May: \$0.07856 per kilowatt-hour.

(c) Monthly demand charges:

[1] Summer season. Each kilowatt of monthly billing demand in the billing months of June through September: \$10.75 per kilowatt.

[2] Winter season. Each kilowatt of monthly billing demand in the billing months of October through May: \$10.25 per kilowatt.

§ 687-51. Industrial service, modified market rate. [Added 12-10-1996 by Ord. No. 96-99; 4-9-2002 by Ord. No. 2002-18; 9-26-2017 by Ord. No. 2017-65]

A. In addition to the service available under § 687-50, industrial service shall be available, effective April 1, 2018, under written contract between the City of Vineland and the customer, under rates, terms and conditions as follows: **[Amended 3-27-2018 by Ord. No. 2018-17]**

(1) Modified Market rate service: \$10,000 per month.

(2) Demand charge:

(a) Each kilowatt of monthly billing demand: \$24.

(3) Energy charge:

(a) Each kilowatt-hour of usage: \$0.025 per kilowatt-hour.

(4) Energy charge adder:

(a) Each kilowatt-hour of usage: \$0.0025 per kilowatt-hour.

B. Charges will be calculated and billed monthly.

C. Service under WLP: Modified market rate shall be subject to §§ 687-53, 687-54, 687-57 and 687-59, and to such other items and conditions as may be set forth in the written contract between the City of Vineland and the customer.

D. This rate is generally available to industrial customers.

E. The energy charge shall be subject to an energy cost clause adjustment as established by mutual

agreement between the City of Vineland and the customer and shall be in effect for a specified period of time until amended.

§ 687-52. Modified market rate, incremental energy rider. [Amended 4-9-2002 by Ord. No. 2002-18; 9-26-2017 by Ord. No. 2017-65]

- A. This rider shall be available only to those customers taking service under the modified market rate, as follows:
- (1) Demand charge: **[Amended 3-27-2018 by Ord. No. 2018-17]**
 - (a) Each kilowatt of monthly billing demand: \$15.
 - (2) Energy charge:
 - (a) Each kilowatt-hour of usage: \$0.025 per kilowatt-hour.
 - (3) Energy charge adder:
 - (a) Each kilowatt-hour of usage: \$0.0025 per kilowatt-hour.
- B. The rate set forth in this rider shall apply only when and to the extent the customer increases demand above a base level as established by contract.
- C. This rate shall be available to the customer for terms not to exceed five years.
- D. The energy charge shall be subject to an energy cost clause adjustment as established by mutual agreement between the City of Vineland and the customer and shall be in effect for a specified period of time until amended.

§ 687-53. Determination of demand. [Amended 4-26-1994 by Ord. No. 94-30; 12-23-2003 by Ord. No. 2003-67]

The monthly billing demand shall be the highest fifteen-minute kilowatt demand occurring during the month as registered by a demand indicator or meter but shall be not less than 2/3 of the highest demand of the immediately preceding 11 months. In no case shall the monthly billing demand be less than 50 kilowatts.

§ 687-54. Power factor. [Amended 3-27-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231]

The above rate is based upon the maintenance by the customer of an average power factor of 89%. The City of Vineland Electric Utility reserves the right to determine, by test, the power factor of a customer's load at the point where the electrical energy is metered, and, if the average monthly power factor is less than 89%, the demand as determined under the provisions of this rate shall be increased for billing purposes by multiplying the demand by the required power factor and dividing the product by the measured power factor.³

§ 687-55. Energy cost clause. [Amended 3-24-1964 by Ord. No. 475; 9-8-1970 by Ord. No. 772; 3-22-1977 by Ord. No. 1074; 11-12-1980 by Ord. No. 1231; 12-8-1981 by Ord. No. 1281; 1-14-1986 by Ord. No. 85-66; 4-26-1994 by Ord. No. 94-30; 12-10-1996 by Ord. No. 96-99; 5-8-2000 by Ord. No.

3. Editor's Note: Original § 438-54, Primary metering, which immediately followed this section, was repealed 8-9-2005 by Ord. No. 2005-50.

2000-34; 12-23-2003 by Ord. No. 2003-67; 12-9-2008 by Ord. No. 2008-82]

- A. The energy cost clause (fuel adjustment factor) shall be computed thrice annually, for service billed in the months of October through December (winter rates), January through May (winter rates) and June through September (summer rates). The fuel-adjustment factor shall adjust monthly billings either upward or downward. When said fuel-adjustment factor is above or below \$0.02164 per kilowatt-hour, an additional charge or deduction will be made to each kilowatt-hour supplied under this rate schedule, except those applied to street and traffic lighting. Such added charge or decreased charge, as the case may be, will be the amount per kilowatt-hour by which such fuel purchased power and interchanged power cost is estimated to be above or below \$0.02164 per kilowatt-hour. **[Amended 7-11-2017 by Ord. No. 2017-48]**
- B. The increase or decrease in the cost of fuel consumed and of power purchased or interchanged per kilowatt-hour sold, as determined by budgeted funds and projected seasonal sales, will be applied to billings in the summer- or winter-rate period applicable. Each month, the fuel-adjustment factor calculated above shall be compared to actual fuel, purchased power and interchange power costs and the difference calculated. The difference between the fuel-adjustment factor and the actual costs of fuel, purchase power and interchanged power will be accumulated, as a recovery factor, such that the balance nets out over or under recoveries against each other. The net balance will be accumulated for the months of September through November (inclusive), December through April (inclusive), and May through August (inclusive). The net September through April balance will be applied, as either an increase or decrease, to the fuel-adjustment calculation (as described above) in the next accumulated period immediately following the adjustment period. The net May through August balance will be applied, as either an increase or decrease, to the fuel-adjustment calculation (as described above) in the winter-rate season immediately following the adjustment period. The cost per kilowatt-hour for all calculations shall be carried out to the nearest one-thousandth of a mill. Kilowatt-hours sold, as used in making such determinations, will not include the kilowatt-hours of a rate schedule to which this adjustment clause does not apply. The minimum bill shall not be reduced by reason of this energy cost clause, but the adjustment, when positive, will be billed to all kilowatt-hours delivered.
- C. In the event that, in the Utility's judgment, pass-through of 100% of the accumulated seasonal differential in fuel costs in the rate season immediately following the rate season in which the differential was experienced will result in a fuel-adjustment factor which varies substantially from the actual fuel costs during that subsequent season, the Utility may defer pass-through of a portion of the net difference to subsequent rate seasons. The specific proportion to be deferred shall be determined by the Utility as necessary to avoid price distortions and undue price volatility to customers.

§ 687-56. Minimum charge. [Amended 9-8-1970 by Ord. No. 772; 4-26-1994 by Ord. No. 94-30; 12-23-2003 by Ord. No. 2003-67]

The minimum net monthly charge under this rate shall be the amount of the monthly demand charge, plus the minimum customer charge of \$350 for secondary voltage customers and \$400 for primary voltage customers. In no case shall the minimum net monthly charge be less than the minimum customer charge as specified above.

§ 687-57. Delayed payment charge. [Amended 3-12-1991 by Ord. No. 91-22; 4-26-1994 by Ord. No. 94-30; 5-8-2000 by Ord. No. 2000-34]

The above rate is net and is contingent upon payment of bills within 15 days of the date rendered. An additional charge of 5% of the current amount billed, net of any payments applied thereon, will be added

to bills not paid within the specified payment time.

§ 687-58. Contract terms and conditions. [Amended 8-9-2005 by Ord. No. 2005-50]

The contract term under this rate shall be annual. Service under this rate is subject to the general terms, rules and regulations as adopted by the City of Vineland Electric Utility.

§ 687-59. Industrial service: transmission service rate. [Amended 8-9-2005 by Ord. No. 2005-50]

A. The following rates shall be effective April 11, 2018: [Amended 3-27-2018 by Ord. No. 2018-17; 4-10-2018 by Ord. No. 2018-20]

(1) Transmission service rate.

(a) Minimum customer charge: \$2,500 per month.

(b) Monthly energy charges. [Amended 4-10-2018 by Ord. No. 2018-20]

[1] Summer season. All energy used in the billing months of June through September: \$0.0878 per kilowatt-hour.

[2] Winter season. All energy used in the billing months of October through May: \$0.0778 per kilowatt-hour.

(c) Monthly demand charges.

[1] Summer season. Each kilowatt of monthly billing demand in the billing months of June through September: \$10.50 per kilowatt.

[2] Winter season. Each kilowatt of monthly billing demand in the billing months of October through May: \$9.50 per kilowatt.

B. This rate is not subject to an additional energy clause adjustment at the present time. VMEU reserves the right to impose seasonal energy clause adjustments in subsequent seasons after the effective date.

§ 687-60. Transmission service rate, availability and applicability. [Added 8-9-2005 by Ord. No. 2005-50]

This rate is available to general lighting and power customers having a connected load of not less than 2,500 kilowatts. The service level for this transmission service rate shall be 69 kilovolts. All transformers, switchgear, interconnection and associated equipment shall be furnished, installed and maintained by the customer according to VMEU specifications and guidelines. Any backup power requirements shall be available by contract.

ARTICLE VI

**WLP Time-of-Day Rate and WLP Interruptible Rate
[Added 3-22-1988 by Ord. No. 88-18]****§ 687-61. WLP economic development rider. [Amended 4-26-1994 by Ord. No. 94-30]**

This rider to the WLP rate provides credit to the customer charge and the demand portion of the electric bill. These credits are graduated over a five-year period in an abatement program. This service option may be contracted for in accordance with the eligibility criteria in Schedule ED.⁴

§ 687-62. Curtailable rider, qualifications and demand. [Amended 4-26-1994 by Ord. No. 94-30]

This rider to the WLP rate provides a credit for those firm customers who reduce load when called upon by the Utility. In order to qualify, customers must be WLP primary voltage level customers. Further qualifications require a minimum billing demand of 250 kilowatts in three consecutive summer season months. The rider shall be effective May 1, 1988. As used in this article, "curtailable demand" shall be defined as load which can be dropped upon request of the Utility. Load level will be determined jointly by the Utility and the customer based on usage history and the customer's load profile. Demands will be averaged over thirty-minute intervals; however, the demand interval will change to 15 minutes effective January 1, 1995.

§ 687-63. Curtailable credit. [Amended 3-14-1989 by Ord. No. 89-15]

The demand charge under the WLP rate will be forgiven for each kilowatt curtailed. Credit will only be applicable in any month when the customer curtails each time called upon in that billing month. No credit will be given in a billing month if the customer fails to curtail when called. The credit amount will be based on the lowest level of curtailment during a billing month. The customer must curtail power during the entire period requested. If demand exceeds the original level when called at any time during the curtailment period, no credit will be given.

§ 687-64. Number of curtailments.

The maximum number of curtailments in any billing month will be five with a maximum duration of 11 hours each.

§ 687-65. Notice of curtailment.

The Utility will attempt to notify the customer by phone one hour prior to a curtailment period. The customer will designate a person responsible to respond to a call for curtailment in all hours. The customer will also provide a telephone number where curtailment notice can be made. A dedicated phone line for this purpose is preferred. Depending on the size of the curtailable load, the customer may be required to provide a dedicated phone line or electronic mail terminal.

§ 687-66. Backup and maintenance service. [Added 2-13-1990 by Ord. No. 90-3]

- A. Availability (effective February 1, 1990, retroactive). This rate is available by contract to any qualifying facility owner or steam host of such a facility in the City of Vineland Electric Utility's (CVEU's) service territory requiring firm backup and/or maintenance service. The CVEU reserves the right to limit the amount of backup capacity available to 10% of the CVEU's installed generating

4. Editor's Note: Schedule ED is included at the end of this chapter.

capability.

B. Monthly rate.

- (1) The customer charge shall be \$400. **[Amended 3-10-1992 by Ord. No. 92-14; 12-23-2003 by Ord. No. 2003-67]**
- (2) Unit capacity reservation charge.
 - (a) Subject to the conditions of this section, the unit capacity reservation charge will be as follows: **[Amended 4-26-1994 by Ord. No. 94-30]**
 - [1] Subtransmission/transmission voltage level: \$2.15 per kilowatt.
 - [2] Primary service voltage level: \$2.27 per kilowatt.
 - [3] Secondary service voltage level: \$3.96 per kilowatt.
 - (b) This monthly rate is calculated assuming that the qualifying facility has a forced outage rate of 20%.
- (3) For all new qualifying facilities, the CVEU will assume a forced outage rate of 20% for the first year in which backup or maintenance service is supplied. For subsequent calendar years, the Utility will use historical data to determine whether the forced outage rate has been greater than 20%. If the forced outage rate has been greater than 20%, the customer's monthly rate shall be increased by \$0.05 for every 1% that the forced outage rate exceeds 20%.
- (4) For established qualifying facilities that require backup or maintenance service, the CVEU will use historical data to calculate the forced outage rate, but in no case shall such rate be based upon a forced outage rate of less than 20%. If the forced outage rate has been greater than 20%, the last sentence of the preceding Subsection B(3) shall apply from the initial service date of the backup or maintenance service. For subsequent years, sentence two of the preceding Subsection B(3) shall apply.
- (5) In addition, this service shall be subject to the charges set forth below.

C. Backup service. During any month in which the qualifying facility experiences an unscheduled outage that requires the CVEU to provide energy, the customer will be required to pay all energy and demand charges for metered electric use calculated in accordance with the CVEU's WLP rate schedule, in addition to the monthly unit capacity reservation charge. **[Amended 4-26-1994 by Ord. No. 94-30]**

D. Maintenance service.

- (1) During any month in which the qualifying facility experiences an outage because of scheduled maintenance during the CVEU's winter period of November through May, the customer will be required to pay all energy charges calculated under the CVEU's WLP rate schedule, in addition to the monthly unit capacity reservation charge.
- (2) At its option, the CVEU may require that the customer schedule its maintenance outage in other than the CVEU's summer period months of June through October. If the CVEU so requires, the maintenance service rate shall not be available for any scheduled maintenance during the Utility's summer period but shall be billed under the backup service provision. In the event that scheduled maintenance is extended into the CVEU's summer period, regardless of any fault of

the customer, such scheduled maintenance service occurring during the summer period shall be billed in accordance with the charges for backup service. The customer shall provide the CVEU with a written schedule of its planned yearly maintenance prior to the execution of any initial contract hereunder and no later than January 1 for every year thereafter. All schedules for planned maintenance shall be subject to the approval of the CVEU. At its discretion, the CVEU may permit the customer to alter its approved maintenance schedule, provided that such alterations do not shift maintenance from the CVEU's winter period to the summer period.

- E. Partial requirements service. All electrical service required by the customer, other than maintenance and backup services, shall be billed in accordance with the CVEU's WLP rate schedule.
- F. Contract requirement. All service delivered under this schedule shall be subject to contract for a minimum of one year.
- G. Minimum annual charge. The minimum annual charge paid under this rate schedule shall be the monthly capacity reservation charge and the monthly customer charge times 12 months. The minimum annual charge under the WLP rate shall not apply to any service under this schedule.
- H. Backup and maintenance capacity. For the purpose of determining the capacity reservation charge, the maximum amount of capacity available to a customer under this rate shall be specified in the contract, calculated in accordance with this schedule. For all customers, the maximum amount of capacity reserved shall be equal to the qualifying facility's nameplate rating or the amount of service contracted for with the qualifying facility, whichever applies. At its option, the CVEU may but is not obligated to deliver backup or maintenance services in excess of the amount specified in the contract, and such service shall be billed in accordance with the WLP rate schedule without any additional capacity reservation charge.
- I. Special facilities. The CVEU, at its option, in order to deliver service under this rate may require the installation of facilities, such as metering equipment, that are in addition to the standard facilities that the CVEU would normally install to provide firm power service. Such facilities shall be provided by the customer. The CVEU shall be granted access to inspect any facilities at the customer's site at all times, without restriction or limitation, to assure compliance with the terms of this rate.
- J. Forced outage. A "forced outage" shall be the occurrence at a qualifying facility of any condition or component failure which requires the generation unit to be removed or kept from service during scheduled operation.
- K. Forced outage rate. The "forced outage rate" shall be the number of forced outage hours divided by the sum of forced outage hours and service hours, as expressed in percent, as follows:

$$\text{FOR}\% = \text{FOH}/(\text{FOH} + \text{SH}) \times 100$$

Where:

FOH = Forced outage hours; all hours which require the generation unit to be removed or kept from service during scheduled operation.

SH = Service hours; all hours during which a generation unit is electrically connected to the system to meet the customer's load requirements.

- L. Power factor. The customer shall maintain its power factor in accordance with the provisions of the

CVEU's WLP rate and shall be subject to all adjustments thereunder.

§ 687-67. Wheeling service. [Added 2-13-1990 by Ord. No. 90-3]

- A. Availability (effective January 1, 1990, retroactive). This rate is available by contract only to qualifying facilities in the City of Vineland Electric Utility's (CVEU's) service territory to transmit their energy production to the CVEU's interconnection points with Atlantic Electric. Wheeling of energy to other locations within the CVEU's service territory is not permitted. The CVEU returns the right to limit the total amount of wheeling kilowatts available to 10% of the installed transmission plant capacity. Any contract for wheeling shall be subject to all guidelines and requirements established by the PJM Power Pool, Atlantic Electric and the CVEU.
- B. Annual rate. **[Amended 4-26-1994 by Ord. No. 94-30]**
- (1) The customer charge shall be \$3,600.
 - (2) Annual capacity charge. Subject to the conditions of this rate schedule, the capacity charge per year will be as follows:
 - (a) Primary service voltage level: \$40.15 per kilowatt.
 - (3) Billing will be based on the greatest demand placed on the CVEU system and divided into 12 equal monthly payments to be recovered in the months following the establishment of the billing demand. Payment will be made subject to the same terms as required of the CVEU in interchange transactions with Atlantic Electric, which requires payment within 10 days of the receipt of the bill.
- C. Special conditions of service.
- (1) The qualifying facility requesting wheeling service shall be solely responsible for making all arrangements with third parties which may be required for the continued transmission of power and energy for their transaction, and the CVEU shall not be responsible for any effects or changes that such third parties may have on the ability of the CVEU to provide wheeling service.
 - (2) The qualifying facility requesting wheeling service is responsible for any CVEU system upgrades necessary to comply with the PJM Power Pool or Atlantic Electric operating and reliability requirements due to wheeling of the customer's energy to the CVEU's interconnection with Atlantic Electric.
 - (3) The CVEU shall be compensated for losses due to the wheeling transaction by being repaid in-kind at the time of the transaction, unless other arrangements are mutually agreeable.
 - (4) The customer requesting wheeling service shall notify the CVEU in advance of any proposed power transfer under the agreement.
 - (5) The CVEU will use its best efforts to supply transmission and distribution capacity as requested. However, said service is not guaranteed against irregularities, forced outages, repairs or installation of equipment, maintenance and investigation and inspection of CVEU facilities, orders or restraints of law or public authorities or other cause(s) reasonably beyond the control of the CVEU, including but not limited to fire, flood, accident, hurricane, lightning, ice, explosion, riot, commotion, invasion, war, insurrection or other acts of nature or public enemies. The CVEU shall, if time and circumstances permit, notify the customer in advance of such

interruptions with an explanation of the cause, duration and magnitude of the interruptions and any pertinent information available. If details are unavailable at the time of notification, details shall be given as soon thereafter as practicable. During a period of curtailment, the CVEU will use its best efforts to provide transmission service to the extent possible without interfering with the CVEU's obligation to provide service to any of its other customers.

- (6) The CVEU may suspend wheeling service during any emergency declared by the PJM Power Pool, Atlantic Electric or the CVEU.
 - (7) A customer shall cease to wheel when requested to do so by the CVEU. In the event that the customer does not comply with this request, the customer requesting wheeling service, as a condition of such request, shall protect, indemnify and hold the CVEU, its agents, servants, employees and assigns free and harmless from all claims, demands, causes and actions, suits or other proceedings (including all costs in connection therewith and in connection with the defense thereof, including reasonable attorney's fees) of every kind and character whatsoever, including, in tort, arising in favor of any person whomsoever.
- D. Contract requirement. All service delivered under this schedule shall be subject to contract for a minimum of one year.
- E. Minimum annual charge. The annual minimum charge paid under this rate schedule shall be the annual capacity charge and the annual customer charge.
- F. Special facilities. The CVEU, at its option, in order to deliver service under this rate may require the installation of facilities, such as metering equipment, that are in addition to the standard facilities that the CVEU would normally install to provide firm power service. Such facilities shall be provided by the customer. The CVEU shall be granted access to inspect any facilities at the customer's site at all times, without restriction or limitation, to assure compliance with the terms of this rate.
- G. Power factor. The customer shall maintain its power factor in accordance with the provisions of the CVEU's rate WLP and shall be subject to all adjustments thereunder.

ARTICLE VII

Demand Side Management Rates and Incentives**[Added 11-9-1994 by Ord. No. 94-83]****§ 687-68. (Reserved)⁵****§ 687-68.1. Aggregation of retail customer demand response. [Added 1-12-2010 by Ord. No. 2009-88]**

- A. The Vineland Municipal Electric Utility or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by the Vineland Municipal Electric Utility directly into any Commission-approved independent system operator's or regional transmission organization's organized electric markets as of June 1, 2012.
- B. Retail customers served by the Vineland Municipal Electric Utility wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized electric markets may do so up to June 1, 2012, then thereafter only by participating in the program established by the Vineland Municipal Electric Utility or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Vineland Municipal Electric Utility.

§ 687-68.2. Ancillary services provided by demand response resources. [Added 1-12-2010 by Ord. No. 2009-88]

- A. As of June 1, 2012, Vineland Municipal Electric Utility or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by Vineland Municipal Electric Utility directly into any Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff).
- B. Retail customers served by the Vineland Municipal Electric Utility wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff), may do so up to June 1, 2012, then thereafter only by participating in the program established by the Vineland Municipal Electric Utility or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Vineland Municipal Electric Utility.

§ 687-68.3. Renewable energy uplift charge. [Added 4-26-2011 by Ord. No. 2011-13]

- A. Availability. This rate is available to qualifying renewable distributed generation facilities in the Vineland Municipal Electric Utility's (VMEU's) service territory to transmit energy through VMEU's delivery system to PJM Interconnection (PJM). Service under the GLP demand rate or WLP rate (depending on load characteristics) is a prequalification to service under this rate. Metering and

5. Editor's Note: Former § 687-68, Heat pump rebate program, as amended, was repealed 3-13-2018 by Ord. No. 2018-9.

interconnection requirements must be satisfied as described in Subsection B prior to taking service. Transmittal of energy to other locations within the VMEU's service territory is not permitted. The VMEU retains the right to limit the total amount of energy transmitted through its delivery system to maintain the quality of service throughout its network. Any energy transmitted through VMEU's delivery system is subject to all guidelines and requirements established by PJM and the VMEU. The customer is responsible for any arrangements and charges necessary for participation in PJM markets or continued transmittal of their energy, and VMEU shall not be responsible for any additional PJM or other third-party costs associated with the delivery and marketing of customer-generated energy. VMEU reserves the right to bill the customer for such costs should they be imposed on VMEU.

- B. Metering and interconnection. The customer must comply with all components of its executed interconnection agreement with VMEU. The interconnection agreement is subject to periodic review to demonstrate compliance. The customer shall be subject to metering requirements established in its interconnection agreement; should such requirements not be established in the interconnection agreement, the customer may be subject to additional charges for installation of metering equipment compliant with VMEU metering policy sufficient to provide hourly load information on the customer's energy production and any additional metering requirements established under the applicable GLP demand rate or WLP rate.
- C. Uplift energy charge monthly rate per kWh. For each kWh metered at the point of interconnection: \$0.0396051 per kWh. **[Amended 3-27-2018 by Ord. No. 2018-17]**
- D. Special conditions of service.
 - (1) The qualifying renewal distributed generating facility requesting uplift service is responsible for any VMEU system upgrades necessary to comply with ongoing PJM or Atlantic Electric operating and reliability requirements due to transmittal of the customer's energy to the VMEU's interconnection with PJM.
 - (2) Where applicable, the VMEU shall be compensated for losses due to the transaction by being repaid in kind at the time of the transaction, unless other arrangements are mutually agreeable.
 - (3) The customer requesting uplift service shall notify the VMEU in advance of any proposed power transfer under the agreement other than participation in the standard PJM markets.
 - (4) The VMEU will use its best efforts to supply transmission and distribution capacity as requested. However, said service is not guaranteed against irregularities, forced outages, repairs or installation of equipment, maintenance and investigation and inspection of VMEU facilities, PJM's inability to accept energy, orders or restraints of law or public authorities or other cause(s) reasonably beyond the control of the VMEU, including but not limited to fire, flood, earthquake, accident, hurricane, lightning, ice, explosion, riot, commotion, invasion, war, insurrection, terrorism or other acts of nature or public enemies. The VMEU shall, if time and circumstances permit, notify the customer in advance of such interruptions with an explanation of the cause, duration and magnitude of the interruptions and any pertinent information available. If details are unavailable at the time of notification, details shall be given as soon thereafter as practicable. During a period of curtailment, the VMEU will use its best efforts to provide service to the extent possible without interfering with the VMEU's obligation to provide service to any of its other customers.
 - (5) The VMEU may suspend uplift service during any emergency declared by the PJM, Atlantic Electric or the VMEU.

- (6) The customer shall cease to uplift when requested to do so by the VMEU. In the event that the customer does not comply with this request, the customer requesting uplift service, as a condition of such request, shall protect, indemnify and hold the VMEU, its agents, servants, employees and assigns free and harmless from all claims, demands, causes and actions, suits or other proceedings (including all costs in connection therewith and in connection with the defense thereof, including reasonable attorneys' fees) of every kind and character whatsoever, including, in tort, arising in favor of any person whomsoever.
- E. Contract requirement. All service delivered under this schedule shall be subject to contract for a minimum of one year and automatically renew for one year unless terminated by either party at least 30 days in advance of the end of the term.
- F. Minimum annual charge. The annual minimum charge paid under this rate schedule shall be the annual customer charge and the annual facility charge and any minimum charges associated with the customer's standard service under rate GLP with demand or WLP rate.
- G. Special facilities. The VMEU, at its option in order to deliver service under this rate, may require the installation of facilities, such as metering equipment, that are in addition to the standard facilities that the VMEU would normally install to provide firm power service. Such facilities shall be provided by the customer. The VMEU shall be granted access to inspect any facilities at the customer's site at all times, without restriction or limitation, to assure compliance with the terms of this rate.
- H. Power factor. The customer shall maintain its power factor in accordance with the provisions of the customer's standard service rate GLP with demand or WLP rate and shall be subject to all adjustments thereunder.

ARTICLE VIIIA
Water Utility Discount
[Added 2-8-2011 by Ord. No. 2011-5]

§ 687-68.4. Electric service discount to Water Utility; expiration. [Amended 10-9-2012 by Ord. No. 2012-43; 8-13-2013 by Ord. No. 2013-33; 8-12-2014 by Ord. No. 2014-29; 12-22-2015 by Ord. No. 2015-51; 6-27-2017 by Ord. No. 2017-41; 1-16-2018 by Ord. No. 2017-92; 12-11-2018 by Ord. No. 2018-73; 3-25-2025 by Ord. No. 2025-21]

A discount of 50% shall be applied to rates for electric service to facilities of the City of Vineland Water Utility.

Part 2**Municipal Electric Utility And Water-Sewer Utility Administration
[Adopted 12-26-1984 By Ord. No. 84-60 (Ch. 438, Part 2, Of The 1990 Code); Amended In Its
Entirety 7-14-2009 By Ord. No. 2009-43]**

ARTICLE VIII

Department of Municipal Utilities**§ 687-69. Establishment; head.**

There is hereby established a Department of Municipal Utilities of the City of Vineland, the head of which shall be the Director. The following utilities shall be embraced and allocated within the Department of Municipal Utilities:

- A. Electric Utility.
- B. Water-Sewer Utility.

§ 687-70. Appointment of Director; term of office.

- A. The Director shall be appointed by the Mayor of the City of Vineland with the advice and consent of the City Council, pursuant to N.J.S.A. 40:69A-32.
- B. The Director shall be appointed for and shall serve during the term of office of the Mayor appointing him and until the appointment and qualification of his successor.
- C. The position of Director of the Department of Municipal Utilities shall be considered a full-time position.
- D. The salary of the Director shall be fixed by the City Council in the compensation schedules heretofore adopted or hereafter to be adopted in the Schedule of Classified/Unclassified Positions and Applicable Salary Ranges in the Civil Service of the City of Vineland. **[Amended 2-14-2017 by Ord. No. 2017-10]**

§ 687-71. Qualifications of Director. [Amended 1-24-2017 by Ord. No. 2017-2]

The Director shall have a minimum of a bachelor's degree from an accredited institution, in addition to five years of supervisory experience in project management for commercial electrical construction projects. In lieu of a bachelor's degree, qualified candidates shall have not less than 10 years managerial experience in the commercial electrical profession, which shall include procurement and purchasing, budgeting, and personnel matters.

§ 687-72. Duties of Director. [Amended 2-14-2017 by Ord. No. 2017-10]

The Director of the Department of Municipal Utilities shall provide general supervision to the Department and its employees and further shall:

- A. Direct the operations and activities of all utilities, divisions, offices, and the Customer Service Center, including but not limited to the Electric Utility, Water-Sewer Utility, the activities of the engineering staff, the storeroom and related office staff, and coordinate the work of all divisional activities.
- B. Prescribe the internal organization of the work of the Department consistent with applicable statutes

and ordinances.

- C. Appoint, direct and supervise the subordinate officers and employees of the Department.
- D. Approve or disapprove pay rolls, bills and claims chargeable to the Department appropriation.
- E. Provide such information and reports on the work of the Department as may from time to time be required by the Mayor.
- F. Establish policies and procedures for the administration of all divisions of the Department.
- G. Be responsible for all financial and budgetary matters of the Department.
- H. Perform such other duties as directed by the Mayor.

§ 687-73. Electric Utility. [Amended 2-14-2017 by Ord. No. 2017-10]

Under the general supervision of the Director, the Electric Utility shall consist of the following Divisions:

- A. The Division of Electric Generation which shall be directly supervised by the Superintendent of Electric Generation.
- B. The Division of Electric Distribution which shall be directly supervised by the Superintendent of Electric Distribution.
- C. The Division of Electric Engineering which shall be directly supervised by the Superintendent of Engineering Services (Chief Engineer).
- D. The Division of Interconnection which shall be directly supervised by the Superintendent of PJM Interconnection.

§ 687-74. Division of Electric Generation.

Within the Electric Utility, there shall be a Division of Electric Generation. Under the direct supervision of the Superintendent of Electric Generation, the Division shall:

- A. Be responsible for the production of electricity, including all necessary functions, such as the procurement and storage of necessary equipment, components and supplies and the construction and maintenance of the electric generation systems.
- B. Be responsible for preparation of specifications for contracts relating to electric generation maintenance.
- C. Provide such information reports on the work of the Division as may be required by the Director or Mayor. **[Amended 2-14-2017 by Ord. No. 2017-10]**
- D. Recommend revisions in the established ordinances, resolutions, rules and regulations as deemed necessary and proper for the introduction, transmission, distribution, use and supply of light, heat, or power and the protection of the buildings, machinery, apparatus, wires, poles, piping and conduits and other works and appurtenances used in connection therewith and for the fixing and collecting of all rates, rents or charges for supplying light, heat or power for private or commercial uses in the City of Vineland franchised territory and for the imposition of penalties upon the nonpayment thereof. **[Added 2-14-2017 by Ord. No. 2017-10]**

- E. Provide for the care, storage, use and maintenance of motor vehicles and motorized equipment owned by the City of Vineland in the custody of the Electric Utility, Generation Division, and provide for the care, storage, use and maintenance of all generation and transmission equipment, and land owned by the City of Vineland and in the custody of the Electric Utility. **[Added 2-14-2017 by Ord. No. 2017-10]**

§ 687-75. Division of Electrical Distribution.

Within the Electric Utility, there shall be a Division of Electrical Distribution. Under the direct supervision of the Superintendent of Electrical Distribution, the Division shall:

- A. Be responsible for providing electric service, including all necessary functions, such as procurement and storage of necessary equipment, components and supplies and construction and maintenance of distribution systems.
- B. Be responsible for the preparation of specifications for contracts relating to electrical transmission and distribution systems.
- C. Provide such information reports on the work of the Division as may be required by the Director or Mayor. **[Amended 2-14-2017 by Ord. No. 2017-10]**
- D. Recommend to the Director, Mayor and City Council extensions of the generation and transmission systems, through the construction, maintenance and operation of additions and extensions to the plant and distribution system of the Electric Utility and to recommend to the Director, Mayor and City Council to do such acts and things as may be necessary or convenient within the powers conferred by N.J.S.A. 40:62-12 et seq. **[Added 2-14-2017 by Ord. No. 2017-10]**
- E. Provide for the care, storage, use and maintenance of motor vehicles and motorized equipment owned by the City of Vineland in the custody of the Electric Utility, Distribution Division, and provide for the care, storage, use and maintenance of all distribution equipment, and land owned by the City of Vineland and in the custody of the Electric Utility. **[Added 2-14-2017 by Ord. No. 2017-10]**

§ 687-76. Division of Electric Engineering.

Within the Electric Utility, there shall be a Division of Electric Engineering. Under the direct supervision of the Superintendent of Engineering Services (Chief Engineer), the Division shall:

- A. Be responsible for providing interconnect services with other electric utilities, including all necessary functions, such as procurement and storage of necessary equipment, components and supplies and construction and maintenance of distribution systems.
- B. Be responsible for the preparation of specifications for contracts relating to sources of generation supply and other engineering services required by the Department.
- C. Be responsible for the reviewing of specifications for the Divisions of Electric Generation and Electrical Distribution for continuity and standardization.
- D. Be responsible for supplying engineering services and maintaining records and prints for the Divisions of Electric Generation and Electrical Distribution for continuity and standardization.
- E. Provide such information reports on the work of the Division as may be required by the Director or Mayor. **[Amended 2-14-2017 by Ord. No. 2017-10]**

- F. Provide for the care, storage, use and maintenance of motor vehicles and motorized equipment owned by the City of Vineland in the custody of the Electric Utility, Electric Engineering Division, and provide for the care, storage, use and maintenance of all engineering equipment owned by the City of Vineland and in the custody of the Electric Utility. **[Added 2-14-2017 by Ord. No. 2017-10]**

§ 687-77. Division of Interconnection. [Amended 2-14-2017 by Ord. No. 2017-10]

Within the Electric Utility, there shall be a Division of Interconnection. Under the direct supervision of the Superintendent of Interconnection, the Division shall provide for the planning and procurement of purchased power to fill the needs of the Electric Utility and City of Vineland. The Division shall also manage PJM interconnection activities, including load, scheduling, generation dispatch, interconnection emergency procedures and billing.

§ 687-78. Water-Sewer Utility.

- A. The Water-Sewer Utility shall be managed by the Municipal Water-Sewer Utility Department Head under the general supervision of the Director of the Utilities. The Water-Sewer Utility Department Head shall be a full-time managerial position and not subject to the Fair Labor Standards Act (FLSA) and therefore not entitled to compensatory or overtime. He/she shall receive an annual salary to be paid in the same manner as salaries of all other City employees with a salary range as set forth in Ordinance No. 8 and amendments thereto. The position of Municipal Water-Sewer Utility Department Head shall be considered full-time. **[Amended 2-14-2017 by Ord. No. 2017-10; 9-22-2020 by Ord. No. 2020-43]**

- (1) Perform all of the managerial duties including review of current workflow, analyze administrative objectives, review the efficiency of the department and review/revise existing procedures.
- (2) Serve as the principal executive officer of the utility and perform various duties including policy development and implementation, budget planning, finance planning, assignment of duties, manage and direct all field office and supervisory personnel, evaluate employee performance and conduct, recommend the hiring, discipline and promotion of all employees of the utility, investigate employee complaints and report to the Director all findings.
- (3) Provide a systematic plan of action for short-term projects, provide a strategic plan for long-term infrastructure modification and replacement, assist in the implementation of a digital information system and work order system.
- (4) Operate, maintain, repair and manage the Water-Sewer Utility in compliance with all applicable local, state and federal laws and ordinances.
- (5) Enforce the provisions of Chapter 687, Part 4, Water-Sewer Utility, as amended.

- B. Under the general supervision of the Director and direct supervision of the Water-Sewer Utility Department Head, the Superintendent of the Water-Sewer Utility shall receive an annual salary to be paid in the same manner as salaries of all other City employees with a salary range as set forth in Ordinance No. 8 and amendments thereto. The position of Superintendent of the Water-Sewer Utility shall be considered a full-time position. **[Amended 9-22-2020 by Ord. No. 2020-43]**

- C. The Superintendent of the Water-Sewer Utility shall be a certified public works manager as defined by N.J.S.A. 40A:9-154.6g subject to the City of Vineland residency requirements. The Superintendent of the Water-Sewer Utility shall also possess a thorough knowledge of the potable

water systems within the City of Vineland and their operation, drainage systems, road network and heavy equipment maintenance and operation. The Superintendent of Water-Sewer Utility shall also have the ability to efficiently organize and schedule work to give clear assignment and instructions to groups and individuals, to prepare suitable reports and to keep needed records and files. Further, the Superintendent of the Water-Sewer Utility shall hold a valid license or licenses of the appropriate grade and class, as required by the State of New Jersey Department of Environmental Protection, and in compliance with N.J.S.A. 58:11-64 et seq. and N.J.A.C. 7:10-13.10 for the appropriate class public water system or systems owned and operated by the City of Vineland. Persons with mental or physical disabilities are eligible as long as they can perform the essential functions of the job after reasonable accommodation is made to their known limitations. If the accommodation cannot be made because it would cause the employer undue hardship, such persons may not be eligible.

- D. Provide for the care, storage, use and maintenance of motor vehicles and motorized equipment owned by the City of Vineland in the custody of the Water-Sewer Utility and provide for the care, storage, use and maintenance of all generation and transmission equipment, and land owned by the City of Vineland and in the custody of the Water-Sewer Utility.
- E. The Superintendent of the Water-Sewer Utility shall, in addition to the functions, powers and duties that are hereby or may hereafter be conferred and imposed upon him or her by law and City Ordinance pursuant to the policies adopted by the Director: **[Amended 2-14-2017 by Ord. No. 2017-10]**
- (1) Direct the operations of the Water-Sewer Utility, including the activities of the staff, and coordinate the work of all activities within the Utility.
 - (2) Report to the Director, in such form as shall be prescribed by the Director on the operations of the Utility and make such other reports as may be requested by the Director, Mayor and City Council.
 - (3) Assist in executing plans for the effective utilization of available funds, personnel, equipment, materials and supplies.
 - (4) Organize and develop suitable work programs for the varied functions of the Water-Sewer Utility.
 - (5) Give suitable assignments and instructions to individuals and groups and supervise their work.
 - (6) Make investigations of complaints and take proper action to see that needed repairs are made within a minimum of delay.
 - (7) Inspect work in progress, or completed assignments to assure that proper procedures are followed.
 - (8) Keep all records and files pertaining to the Water-Sewer Utility as are required by law and necessary for the proper function of the Division.
 - (9) Prepare and obtain approval and implement a capital improvement program for the City's potable water system in coordination with the City Engineer, the Planning Board, the Board of Adjustment, Chief Financial Officer and Business Administrator.
 - (10) Prepare and assist in the preparation of loan and grant applications to state and federal government agencies for Water-Sewer Utility projects and inform the Director, Mayor and City Council of all available financial aid.

- (11) Provide technical assistance, labor and equipment to other divisions within the Department and other Departments within the City of Vineland as expeditiously as possible, based upon the priority of the assistance needed.
- (12) Work in conjunction with the Chief Financial Officer on all financial and budgetary matters of the Water-Sewer Utility.
- (13) Approve or disapprove pay rolls, bills and claims chargeable to the Water-Sewer Utility budget.
- (14) Periodically review and recommend water rates, rules and tariffs to the Director, Mayor and City Council in order to maintain fiscal integrity and self-liquidating status of the Water-Sewer Utility.
- (15) Provide for the care, storage, use and maintenance of motor vehicles and motorized equipment owned by the City of Vineland in the custody of the Water-Sewer Utility and provide for the care, storage, use and maintenance of all water and sewer equipment and land owned by the City of Vineland and in the custody of the Water-Sewer Utility.⁶

6. Editor's Note: Former § 687-79, Customer Service Center, as amended 2-14-2017 by Ord. No. 2017-10, which immediately followed this section, was repealed 3-14-2023 by Ord. No. 2023-20.

UTILITIES

§ 687-78

ARTICLE IX
(Reserved)

Part 3
Non-Utility-Generated Electric Power
[Adopted 8-22-1989 By Ord. No. 89-49 (Ch. 438, Part 3, Of The 1990 Code)]

ARTICLE X
Minimum Standards for Purchase of Power

§ 687-80. Wheeling charge established; negotiation terms for cogeneration contracts; rates. [Amended 8-13-1991 by Ord. No. 91-56]

The City of Vineland Electric Utility hereby identifies a wheeling charge to be established pursuant to procedures of the City of Vineland Electric Utility for all tariff customers; establishes negotiation terms for cogeneration contracts; and establishes the basis for the request for proposals from cogenerators, as set forth in Exhibit A, attached hereto and made a part hereof.⁷

§ 687-81. Right to amend rates. [Amended 8-13-1991 by Ord. No. 91-56]

The City of Vineland Electric Utility shall have the right to enter into a separate agreement with a cogenerator by ordinance approved by the Mayor and City Council, which may amend the rates and terms as set forth in Exhibit A.

§ 687-82. Compliance with Federal Energy Regulatory Commission regulations.

The specific terms of this Part 3 dependent upon the FERC regulations shall be revised pursuant to said terms to avoid any inconsistency therewith since the City of Vineland Electric Utility is ultimately subject to said FERC laws as currently issued.

§ 687-83. Filing with Federal Energy Regulatory Commission and state.

A copy of this Part 3 shall be filed with the Federal Energy Regulatory Commission (FERC) and the State of New Jersey Board of Public Utilities.

7. Editor's Note: Exhibit A is on file and available at the City Clerk's office.

ARTICLE XI

Enabling Agreements With Power Suppliers
[Added 7-25-1995 by Ord. No. 95-44]

§ 687-84. Authority to negotiate.

The Vineland Municipal Electric Utility is authorized to take such actions that it deems reasonable, necessary and prudent to request offers from power suppliers, evaluate the offers and negotiate agreements with utilities and power marketers.

§ 687-85. Reporting to and approval of City Council.

The Vineland Municipal Electric Utility shall report to the Council upon completion of its negotiations and submit any agreements to City Council for approval.

Part 4
Water-Sewer Utility
[Adopted 3-1-1958 By Ord. No. 278 (Ch. 438, Part 4, Of The 1990 Code)]

ARTICLE XII
Water Service Applications

§ 687-86. Contract with users.

The following rates, rules and regulations shall form part of the contract with all users of the water services of the City of Vineland Water-Sewer Utility and shall be subscribed to by all persons applying for water service from said Utility.

§ 687-87. Application; owner's signature.

The owner or owners of property or person or persons acting as their agent must sign all applications for water service or the extension of the distribution system, or such application will not be valid.

§ 687-88. Grant of application.

All applications shall be made to the Water-Sewer Utility, and if granted, the applicant or his duly authorized agent will sign a contract including his assent to these rules, rates and regulations, and at the same time, said applicant shall pay all charges of the Utility up to the commencement of the succeeding terms, including all the charges of the Utility incidental to the introduction and extension of the service applied for. The contract shall state the date, the name of the party, the kind and extent of the service applied for, the description and location of the property to be supplied and the rates and terms of payment. All water service taps are to be made by the Utility or its authorized agent in every case, with charges as per the schedule according to the size tap desired, it being expressly understood that curb stops, valves, curb boxes or roadway boxes are to be owned by the City.

§ 687-89. Extension of water distribution system. [Amended 3-13-2004 by Ord. No. 2004-16]

- A. Applications for the extension of the water distribution system shall be made only where sufficient demand for service warrants. City Council shall set the terms and conditions upon which such applications will be granted. Extensions of new mains will generally be made as local improvements with benefits from the same assessable to owners of abutting property in accordance with applicable law.
- B. Any applicant adding to or extending the City of Vineland water public distribution system shall adhere to the Water Utility Infrastructure Standards document and rules during the planning, preconstruction, construction and post-construction phases of the project. The steps the contractor needs to take and the completed forms and data elements required to be provided back to the Water Utility Engineering office are outlined in this document in detail along with guidance on when and in what order they are required for the Water Utility to approve the project. Any failure to follow these steps may result in the withholding of those approvals from the Water Utility for the project and delays. At no time will extension and/or replacement of existing water main or addition of new water main in the water distribution system be permitted without an inspector on site. The applicant/contractor shall select an engineering firm for completing on-site inspections and water certifications from a list of third-party, prequalified inspection firms in the standards document. The applicant/contractor shall be responsible for all costs for the selected engineering firm for all provided services

and it is the responsibility of the applicant/contractor to confirm all current billing rates from the selected prequalified engineering firms. As a first step, a performance bond of 30% based on the contractor's water construction cost estimates for the water main, in-line valves, hydrants and labor will be due to the Water Utility. The bond must be in a form of a letter of credit and is due prior to the start of construction. The maintenance bond will be held by the Water Utility for a period of 24 months, beginning at the completion date of the water main extension laboratory certification testing. Once the twenty-four-month period is over, the applicant must request, in writing to the Water Utility Engineer's office, for the release of the bond. In the event the new water main is considered private, the above bonds will be waived. All water main extensions and/or replacement of existing water mains shall be installed in complete compliance with the City of Vineland Water Utility Infrastructure Installation and Standards Manual which will be provided in all requests for proposal documents for public bid as well as projects for subdivisions that extend water service. All areas of excavation on public and/or private property must be restored to preexcavation condition to also include private properties impacted by the project. All required project deliverables documents must be provided to and approved by the Water Utility prior to final payment and/or formal acceptance for public use of the new infrastructure components. [Amended 9-13-2022 by Ord. No. 2022-71]

§ 687-90. Termination of service; notice in writing required.

All applications for water service shall continue in force from year to year unless notice, in writing, is given to the Water-Sewer Utility of a desire to terminate the service.

§ 687-91. Application and fee prerequisite to tapping.

The Water-Sewer Utility will not tap its water main and run service to tree lines until application is properly executed and the tapping fee, as per the schedule, is paid in advance.

§ 687-92. Meters required.

All water taps made and services installed after the passage of this Part 4 must be metered, except in cases where the applicant desires to have water for building purposes on flat-rate charges, and this supply must be metered if the Water-Sewer Utility so directs.

§ 687-93. Stop and waste valve.

Each consumer must have installed at his own expense a stop and waste valve on the service pipe inside the building, said valve to be installed within one foot of where the service pipe enters said building, said valve so located and arranged that the water supply may be shut off without difficulty.

§ 687-94. Change in plumbing; written application required.

Before any change is made in the plumbing affecting the meter installation or the main stop and waste valve of any premises supplied with water by the Water-Sewer Utility, a written application for such change in plumbing must be made to the Utility.

§ 687-95. Separate service for each property. [Amended 8-26-1986 by Ord. No. 86-46]

- A. Water taps made for residential domestic water use shall not exceed one inch in accordance with the Water-Sewer Utility Water Conservation Plan on file with the State of New Jersey Department of Environmental Protection.

- B. The two options for water taps for duplex residential dwellings are as follows:
 - (1) Each side of the dwelling may be provided with its own one-inch tap.
 - (2) A one-and-one-half-inch tap may serve both sides. Where a single one-and-one-half-inch tap is made, the one-and-one-half-inch meter shall be located in a meter box or vault located outside the building and as close as possible to the curb stop.
- C. In all cases, the size of the service pipe entering the building shall be equal to the size of the tap made for the same.

§ 687-95.1. Procedures of Hydrant Flow Testing. [Added 8-13-2019 by Ord. No. 2019-52]

- A. The attached rules and regulations be and are hereby adopted and are to be followed for any hydrant flow testing in the City of Vineland.⁸
- B. An application in the form and substance authorized by the Director of the Vineland Municipal Utilities be completed as attached hereto.⁹
- C. A fee of \$300 per hydrant flow test be submitted with all completed applications.

8. Editor's Note: Said rules and regulations are on file in the City offices.

9. Editor's Note: Said application is available in the City offices.

ARTICLE XIII
Discontinuance of Supply

§ 687-96. Notice required.

Any consumer wishing to discontinue water service shall give notice thereof at the office of the Water-Sewer Utility. The charges will continue until such notice is given. On receipt of said notice, the Utility will turn off the service at the curb stop and record the date thereof, whereupon the charge to the consumer will cease, but in no case will an abatement of an advance-billed flat-rate charge be taken into consideration for a shorter period than one month nor for part of a month.

- A. Disconnection of service line. Any consumer wishing to disconnect the service line from a water main at the curb stop for the purposes of the demolition of structures receiving water service shall first make application to the Department of Licenses and Inspections for a demolition permit in accordance with Chapter 635, § 635-2, of the Code of the City of Vineland. Only City of Vineland personnel or their assigns may disconnect any service line from a City of Vineland water main. The cost for such disconnection shall be \$960, paid at the time of application for a demolition permit. **[Added 11-27-2018 by Ord. No. 2018-69; amended 4-28-2020 by Ord. No. 2020-23]**

§ 687-97. Temporary vacancies. [Amended 12-11-1973 by Ord. No. 916; 8-26-1986 by Ord. No. 86-46; 2-23-1993 by Ord. No. 93-9; 8-26-2003 by Ord. No. 2003-43; 11-23-2004 by Ord. No. 2004-64; 11-7-2005 by Ord. No. 2005-82; 11-28-2006 by Ord. No. 2006-95]

In the case of a temporary vacancy by the owner or occupant of any premises, the Water-Sewer Utility will turn off the water upon written request of the owner or an authorized agent for a charge of \$25. Upon written request of the owner or an authorized agent, the water will be turned on again for a charge of \$25. Water turned off at the owner's request shall not impair the contract then existing between the City and the owner.

§ 687-98. Cessation of water charges. [Amended 7-26-1988 by Ord. No. 88-62]

Where water has been turned off by written request from the property owner in accordance with the description in § 687-97, it is recorded in the Water-Sewer Utility books, and the charges cease from that date, but where water recorded as turned off is at any time found on, it is expressly agreed by the consumer that the Utility may charge for the use of water from the time it is recorded as being turned off in addition to any arrears chargeable against the premises.

§ 687-99. Disconnection or reconnection during nonbusiness hours. [Amended 7-26-1988 by Ord. No. 88-62; 2-23-1993 by Ord. No. 93-9]

Where disconnection or reconnection of service is requested for the convenience of the property owner beyond the normal working hours of 8:00 a.m. to 4:30 p.m. Monday through Friday, the same will be done at the expense of the property owner on a time-and-materials basis. There will be no charge for an emergency disconnection or reconnection during nonbusiness hours, unless the account was originally disconnected for nonpayment. (See § 687-159.)

ARTICLE XIV
Inspection of Fixtures and Meters

§ 687-100. Right of entry.

The Superintendent or any authorized employee of the Water-Sewer Utility or any person or persons delegated by the City Council for that purpose may at all reasonable hours enter the premises of any water consumer and examine the pipes, fixtures and meter, read the meter and make tests or repairs or remove or replace the meter when deemed necessary by the Utility. Leakage and wastage of water discovered by such inspection must be immediately remedied. No consumer shall supply water to other premises.

§ 687-101. Opening of curb stops.

- A. Under no circumstances shall curb stops be opened or closed by any person not an authorized employee of the Water-Sewer Utility, except that a licensed plumber may open or close a curb stop to test his work or to make necessary repairs.
- B. In all cases where a licensed plumber tests his work or makes repairs in unoccupied premises, he shall, on completion of his work, leave the curb stop closed, and upon failure or neglect to do so, he shall be liable for all damages occasioned thereby and be liable to such fine or penalty as may be imposed under the provisions of ordinances enacted by the City Council. Any authorized person who shall turn on water at the curb, for building or any other purpose, will be dealt with according to law.

§ 687-102. Water main valves.

No person or persons, except a duly authorized employee of the Water-Sewer Utility, shall open or close any valve in the water mains of the City.

§ 687-103. Interference with meters.

No person, other than an employee of the Water-Sewer Utility, shall remove, replace or in any manner interfere with a meter attached to a water pipe used or intended to be used to supply water to any premises. This applies whether the meter is set within or without a building or whether or not owned by the City.

§ 687-104. Damages; rebates.

No person shall be entitled to damages or the rebate of any portion of payments due for any stoppage of supply occasioned by accident, addition or repair to any portion of the water system.

§ 687-105. Boilers, liability for collapse.

All consumers having boilers upon their premises, depending upon the pressure in the water mains and pipes of the Water-Sewer Utility to keep them supplied, are hereby cautioned against the danger of collapse, and all such damage must be borne exclusively by the consumer. Under no circumstances will the Utility be responsible for any accidents to pipes, fixtures or property caused by turning on or off water for any cause whatever. To provide against accident to hot-water boilers or heaters, a safety valve should be installed to relieve excessive steam pressure or a tank should be provided, so arranged as to keep the supply of water in such boiler or heater when the water supply is discontinued from the main.

§ 687-105.1. Inspection of service lines on private property. [Added 12-26-2023 by Ord. No. 2023-71]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

CONTRACTOR — A licensed vendor that contracts with the City of Vineland to inspect and/or replace lead service lines.

LEAD SERVICE LINE — A water supply connection that is made of or lined with a material consisting of lead and which connects a water main to a building inlet, including a lead pigtail, lead gooseneck or other lead fitting regardless of the composition of the service line; and, further, a galvanized service line is also considered to be a lead service line.

OCCUPANT — A person or persons in actual possession of and occupying the building or structure.

OWNER — Any person or entity with legal title to any property or who has equitable title and is either in possession or collects rents therefrom or an executor, trustee, guardian or receiver of the estate of the owner, or a mortgagee in possession or has charge, care or control of any property.

PROPERTY — A building or structure or part thereof which is serviced with City water by the City of Vineland Municipal Water-Sewer Utility.

B. Lead service lines prohibited. It is hereby established that the existence of lead service lines are strictly prohibited in the City of Vineland.

C. Access to private property to perform lead service line inspection/replacement. In accordance with N.J.S.A. 58:12A-39, the City is responsible to access private property to perform a lead service line inspection and/or replacement, provided:

(1) The owner and any residents of the property have received not less than 72 hours' notice unless an emergency exists. Notice may be in person or, if not able to be reached, by certified mail or posting of a written notice on the property including:

(a) The date and time of the inspection/replacement.

(b) Likely extent of water service disruption.

(c) Nearby locations where the City is distributing supplementary drinking water.

(d) Any remedies the City shall take if the City is unable to access the property, including commencing an action in Superior Court for access.

(2) The notice shall be in both English and Spanish.

(3) Upon completion of the replacement, the City shall send, by certified mail, the owner a letter stating the approximate time that the replacement occurred and providing a brief summary of the work performed.

D. Failure to provide access to private property.

(1) If the owner of the property is inaccessible or otherwise denies access to the property to enable the inspection and/or replacement of the lead service line, the City shall issue a refusal of access form as prescribed by the Director of the utility which shall state the owner acknowledges delay of lead service line replacement may contribute to increased lead levels in drinking water, which can cause serious health problems such as damage to the brain and kidneys. The notice shall also direct the owner to the Division of Water Supply and Geoscience website at <https://www.state.nj.us/dep/watersupply/dws-sampreg.html>.

(2) The City may commence an action in the Superior Court of New Jersey to gain access to the

property naming the owner and occupants as defendants.

- (3) The City shall file with the office of the County Clerk a notice that the owner has refused to allow the City access to the property and lead service lines are believed to service the property.
 - (4) No certificate of occupancy, temporary certificate of occupancy, continued certificate of occupancy or rental registration shall be issued by the City for property upon which the City has been denied access as set forth herein until access and remediation has taken place.
- E. Penalties. Violations of this section by any owner or occupant shall be punishable by a fine of not less than \$250 or more than \$1,000. Each day the City is denied access shall constitute a separate offense and punishable as set forth herein.

ARTICLE XV

Meters

[Amended 8-26-1986 by Ord. No. 86-46; 7-26-1988 by Ord. No. 88-62; 11-27-2018 by Ord. No. 2018-68; 8-27-2019 by Ord. No. 2019-56]

§ 687-106. Location and installation.

The Water Utility shall supply the tap, meter and meter pit, the charge for installation of a 5/8 inch to two inches in size shall be in accordance with the established schedule of fees. The charge for the installation a tap for a meter of larger than two inches in size shall be at current cost as per ordinance. All fees shall be payable in advance.

§ 687-107. One premises per service pipe or meter.

Only one dwelling, store or other premises shall be attached to or supplied by one service pipe or meter.

§ 687-108. Furnishing of meters.

All meters used on any City water services measuring the quantity of water consumed shall be obtained from the Water-Sewer Utility. The applicant or consumer or their contractor shall pay for the cost of the tap, meter pit and meter as well as all necessary associated fittings for the new installation. The cost for the new meter and associated fittings shall be the current cost as stated on the rate sheet at the time of the request. All meters shall remain the property of the Water-Sewer Utility.

§ 687-109. Meters required for services.

All services shall be metered by a water meter of the same size as the water tap and service pipe, except that one-inch residential services may be metered with smaller meters in accordance with the schedule of water rates.

§ 687-110. Remote meters.

The Utility reserves the right to install a meter which may be read by remote means, either manually or by telephone, cable or other data communication devices. The owner of any property served by the Water-Sewer Utility shall permit installation and provide uninterrupted access to any such device so installed. The remote meter shall be installed in a place suitable to the Water-Sewer Utility.

§ 687-111. Protection of meter from damage.

The owner of any premises where a meter is installed shall be held responsible for its care and protection from freezing or hot water and from other injury thereto. The owner or consumer shall notify the Water-Sewer Utility of any injury to or of the nonworking of the meter as soon as the same comes to his knowledge. No bypass around the meter will be permitted.

§ 687-112. Repairs to water meter.

Repairs to water meters will be made by the Water-Sewer Utility only at its expense; provided, however, that if proper protection has not been provided a meter, all expenses incurred by the Utility for the repairing or replacing of said meter shall be charged to the owner or consumer of the premises where such meter is located. It is understood that such repairs will be charged only when evidence is obtained that such repairs are due to gross neglect on the part of the consumer.

§ 687-113. Faulty meters; determination of charges.

Where water is furnished by meter measurement, the quantity recorded by it shall be conclusive on both the applicant and the City, except when the meter has been found to be registering incorrectly or has ceased to register. In such a case or cases, the quantity may be determined by the average registration of another meter for a period of 30 days or of the same meter for a period of 30 days after it has been repaired and tested, or the quantity used during a previous corresponding period may be used as a basis for settlement.

§ 687-114. Water testing.

The Water-Sewer Utility will, at the request of any customer with an abnormally high consumption, based upon past billing records and the age of the meter, test the meter at an approved testing facility and make the certified test results available to the customer. If the meter is found to be recording water in excess of that delivered, bills rendered will be adjusted. If the meter is found to be accurate, the contended bill will stand, and the cost of removal and testing will be due from the property owner.

ARTICLE XVI
Meter and Flat-Rate Services

§ 687-115. Billing. [Amended 12-11-1973 by Ord. No. 916; 3-13-2001 by Ord. No. 2001-8]

Effective April 1, 2001, meters will be read monthly for water services rendered, and bills shall be due in accordance with Article XVI, Meter and Flat Rate Services, § 687-116, Penalties and due dates. The Water Utility may discontinue service upon five days' written notice in case the customer is in arrears in the payment of bills, but no such cutting off shall deprive the City of the right before water is again turned on to demand and require payment of all water rents or other charges accrued.

§ 687-116. Penalties and due dates. [Added 12-8-1981 by Ord. No. 1279; amended 7-26-1988 by Ord. No. 88-62; 9-11-1990 by Ord. No. 90-83; 7-13-1999 by Ord. No. 99-36; 4-25-2000 by Ord. No. 2000-29]

The rates specified in the rate schedule of the Water-Sewer Utility are net rates and are contingent upon payment of bills within 15 days of the date rendered. An additional charge of 5% of the current amount billed, net of any payments applied thereon, will be added to bills not paid within the specified payment time.

A. Senior citizens. [Added 2-23-1993 by Ord. No. 93-9]

- (1) The delayed payment charge shall be waived to senior citizens 65 years of age or older, provided that a written application is made and service is in the applicant's name. Proof of age must be presented at time of application.
- (2) If all conditions are met in Subsection A(1), the senior citizen customers, as defined above, shall receive net billing only. This waiver of the delayed payment charge shall apply to residential customers only.

B. Disabled American veterans. [Added 2-23-1993 by Ord. No. 93-9]

- (1) The delayed payment charge shall be waived to disabled American veterans, provided that a written application is made and service is in the applicant's name. Proof of disabled American veteran status must be presented at time of application. For purposes of this subsection, a "disabled American veteran" is any veteran who has been or shall be declared by the United States Veterans Administration or its successor to have a service-connected disability.
- (2) If all conditions are met in Subsection B(1), the disabled American veteran customers, as defined above, shall receive net billing only. This waiver of the delayed payment charge shall apply to residential customers only.

C. Permanently and totally disabled persons. [Added 2-23-1993 by Ord. No. 93-9]

- (1) The delayed payment charge shall be waived to permanently and totally disabled persons, provided that a written application is made and service is in the applicant's name. Proof of permanent and total disability status must be presented at time of application. For purposes of this subsection, a "permanently and totally disabled person" is any person who has been or shall be declared by the United States Social Security Administration or its successor to be permanently and totally disabled.
- (2) If all conditions are met in Subsection C(1), the permanently and totally disabled customers defined above shall receive net billing only. This waiver of the delayed payment charge shall

apply to residential customers only.

§ 687-117. Charge for returned checks. [Added 12-8-1981 by Ord. No. 1279; amended 2-11-1986 by Ord. No. 86-5; 10-27-2009 by Ord. No. 2009-68]

A charge as provided in Chapter 280, Checks, Returned, will be made when a customer's check is returned by the customer's bank as uncollectible.

§ 687-118. Estimated bills. [Added 12-8-1981 by Ord. No. 1279]

In the event that a meter reading is not obtained by the Water-Sewer Utility, an estimated bill will be rendered based on previous metered usage. If the estimate is less than the minimum for that meter size, the Water-Sewer Utility will charge the minimum for said size.

§ 687-119. Meters retired from service.

It is to be understood that, when a water meter is once installed, the same cannot be taken out from service without permission from the Water-Sewer Utility. It is also to be understood that, upon the expiration of the life of any meter or meters owned by the City, a new meter shall be installed by the Utility.

§ 687-120. Nonmetered service. [Amended 12-11-1973 by Ord. No. 916]

In order to comply with the official order of the Department of Conservation and Economic Development of the State of New Jersey, Division of Water Policy and Supply, dated November 8, 1956, water service shall be supplied only on a metered basis except for temporary service for building construction and other purposes, fire hydrant and sprinkler service. Charges for such nonmetered service shall be in accordance with the schedule established herein for such service, or where such schedule of charges does not apply, the charge for the service shall be on any other basis agreed upon between the Utility and the applicant or consumer based upon estimated consumption of water, said charge to be not less than 1 1/2 times the minimum charge for applicable metered service. Bills for such special services and for fire hydrant and sprinkler service shall be rendered semiannually, and sprinkler service shall be rendered at the first of each half-year period on the first business day of January and July. Should the water rent or any bill for water, shop material furnished or work done remain unpaid 30 days from the date of bill, the City reserves the right to shut off the water without further notice, but no such cutting off shall deprive the City of the right before the water is again turned on to demand and require payment of all water rents or other charges accrued.

§ 687-121. Right to install meter.

Where the water is furnished for special services on an unmetered basis, the Water Utility shall have the right to install, maintain and inspect a meter to detect waste, and the owner shall provide a suitable location therefor. The utility also reserves the right to install a meter at its expense and furnish water only by meter measurement.

§ 687-122. Discontinuance of service.

When water is furnished for temporary or other purposes or for special services on an unmetered basis, the charge for such service as provided in § 687-120 shall be continued so long as the consumer's premises shall remain connected with the service pipe. Owners or consumers desiring to discontinue the use of any hydrant, sprinkler service or other special service must have the same physically disconnected, with written notice of such disconnection given promptly to the Water-Sewer Utility office. The charge for such

service will then cease, but in no case will an abatement of an-advance-billed flat-rate charge be taken into consideration for a shorter period than one month nor for part of a month.

ARTICLE XVII
Miscellaneous Provisions

§ 687-123. Authority for agreements.

No agent or employee of the Water-Sewer Utility shall have the authority to bind it by any promises, agreement or representation not provided for in these rules, unless such authority is in writing and signed by the proper person designated by the City Council.

§ 687-124. Repairs to Utility's property. [Added 12-8-1981 by Ord. No. 1279]

The Water-Sewer Utility will charge on a time-and-materials basis for work which is rendered due to customer neglect, damaging of Utility property or failure to comply with the Utility's regulations or agreements, either written or verbal.

§ 687-125. Right not to turn on water.

No plumber or owner shall turn on water to any premises, whether an old or new supply, in cases where the water has been turned off for nonpayment of water rent or for any other cause. The City reserves the right not to turn on the water until all water rents or other charges have been paid.

§ 687-126. Fire hydrants. [Amended 12-26-1968 by Ord. No. 688; 7-26-1988 by Ord. No. 88-62]

No person or persons, except a duly authorized person or persons designated by the City Council, shall take water from any public fire hydrant, except for fire purposes or for the use of the Fire Department in case of fire, nor shall anyone in any way use or take water for private use. Use of a fire hydrant for purposes other than firefighting or other emergent municipal use shall not be permitted.

§ 687-127. Right to reserve emergency supply.

The City shall have the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fire and other emergencies.

§ 687-128. Delinquent accounts.

The City will look to the property supplied in whomsoever the ownership may be for all delinquent accounts for water supplied.

§ 687-129. Reconnection charges. [Added 12-8-1981 by Ord. No. 1279; amended 7-26-1988 by Ord. No. 88-62; 2-23-1993 by Ord. No. 93-9; 8-26-2003 by Ord. No. 2003-43; 11-23-2004 by Ord. No. 2004-64; 11-7-2005 by Ord. No. 2005-82; 11-28-2006 by Ord. No. 2006-95]

If the Water-Sewer Utility disconnects service for nonpayment of bills and reconnection is requested, a reconnection charge shall be made, which will appear on the customer's next bill as arrears. Normal reconnections done on weekdays between 1:00 p.m. and 4:30 p.m. shall carry a twenty-five-dollar charge. Requests for reconnections on weekdays after 4:30 p.m. or on weekends at any time shall carry an eighty-dollar charge. Customers who turn their own service back on will be charged an additional \$25 and may face criminal charges for tampering with City property.

§ 687-130. New tap required.

It is expressly understood that service from the City main to the tree line is owned by the property owner, except curb stops or valves or curb boxes or roadway boxes, which are to be used by the Water-Sewer Utility for turning on and shutting off the water supply, so that at the end of the service life of such service it will be necessary for the property owner to make application for a new tap and be charged as per the schedule for the tapping of the City mains.

§ 687-131. Waste of water.

Excessive or unnecessary use or waste of water, whether caused by carelessness or by defective or leaky plumbing or fixtures is strictly prohibited. Water must not be kept running for sprinkling purposes longer than the time specified in any seasonal or restrictive regulations which may be in force. For willful or indifferent waste of water, special unmetered charges may be increased as the case may require, or the supply may be cut off by the Water-Sewer Utility and not turned on until all charged are paid and satisfactory assurance obtained that such waste may not occur again.

§ 687-132. Refund of overpayments. [Added 2-23-1993 by Ord. No. 93-9]

- A. The City of Vineland Water-Sewer Utility shall establish a procedure for refund of overpayments to customers within the current fiscal period, said procedure to be an addition to this Part 4.
- B. The City of Vineland Water-Sewer Utility shall apply a credit balance to active accounts where an overpayment does exist.
- C. The City of Vineland Water-Sewer Utility shall issue refund checks to customers, addressed to the last known address of record, where said refund exceeds \$5 and there is no active Water-Sewer Utility account against which to charge said credit.
- D. The City of Vineland Water-Sewer Utility shall establish a policy of canceling the overpaid balance of customer accounts less than or equal to \$5 where there is a remaining credit balance, which balance has accrued on the records for a period in excess of one year, and no valid address of record is available for refunding said balance of overpaid account funds.
- E. The Superintendent of the Water-Sewer Utility shall be the authorized municipal official with authority to authorize said cancellation of customer accounts with \$5 or less remaining therein pursuant to Subsection D above.

ARTICLE XVIII
Rights Reserved; Rates

§ 687-133. Change in supply or pressure.

The City may at any time restrict or regulate the quantity of water used by the consumers in case of scarcity or if, in the judgment of the governing body, such restriction or regulation may be necessary for the safety of the community or in case of fire, and, in case of necessity, the City may be at liberty to shut off the water supply in order to make repairs, and said municipality shall not be liable under any circumstances for the deficiency or failure in the supply of water, whether occasioned by shutting off of water or any other cause whatsoever, nor shall the City be held liable for any damage caused by increased pressure being put on the mains during the time of fires, drills by the companies or any other time, and all contracts shall be held and construed to be made subject to the provisions of this section.

§ 687-134. Installation of meters.

The City shall have the right to install meters at its own expense in any and all properties now being served on a nonmetered basis. All bills thereafter shall be rendered at metered rates. All new services installed shall be metered, except for the supply of water for temporary, building, construction, fire hydrant and sprinkler services or for other special purposes.

§ 687-135. Amendment of rules and regulations.

The City shall have the right to modify, rescind, amend or alter any of the terms of this Part 4 or make such additional regulations and restrictions as shall be found advisable for the protection of the municipal water system and plant.

§ 687-136. Right to turn off water.

The City reserves the right to turn off water for:

- A. Nonpayment of rent therefor or any charges that may stand against any premises supplied.
- B. Fraudulent representation on the part of the consumer.
- C. Use of water for other purposes than those stated in the application or permit.
- D. Hampering or in any way interfering with the mechanism of any meter or parts of a meter installed on any premises. This is a misdemeanor under the law.
- E. Persistent violation of the rules and regulations of the Water-Sewer Utility.

§ 687-137. Strict enforcement.

The Water-Sewer Utility will spare no pains in order to furnish an abundant supply of good, pure and wholesome water at sufficient pressure for general usage and special pressure in case of fire, and, to ensure an efficient and successful management of the municipal water plant, the foregoing rules and regulations will be strictly enforced.

§ 687-138. Rate schedules. [Last amended 8-27-2019 by Ord. No. 2019-57; 4-28-2020 by Ord. No. 2020-22; 6-28-2022 by Ord. No. 2022-49; 9-13-2022 by Ord. No. 2022-70; 9-27-2022 by Ord. No.

2022-75; 3-25-2025 by Ord. No. 2025-20]

The following rates shall be charged and paid for water services, effective ~~July 1, 2019.~~
April 1, 2025

A. Schedule of flat water rates:

(1) Hydrants.

- (a) \$190 per year for the use of each hydrant for fire purposes only on private property; can be billed annually, biannually, or monthly at the utility's discretion.
- (b) \$27.50 per year for the use of each hydrant for fire purposes by the City on public highways; can be billed annually, biannually, or monthly at the utility's discretion.
- (c) \$300 per fire flow test. Procedures and applications are obtained from the Water Utility. No test shall be conducted without prior Water Utility approval and a scheduled test appointment.
- (d) Automatic fire sprinkler service. For service connections to an automatic fire sprinkler system for fire protection only:

Meter Size (inches)	Rate per Year
2 and 3	\$375
4	\$450
6 and larger	\$525

B. Metered rates. The following rates shall be hereafter charged monthly for water supplied by metered measurement to consumers. The following rates apply on the consumption as registered by one or more meters. The consumption by multiple meters on an account will be combined in rendering the monthly statement of charges.

Gallage per Month	Rate per Thousand Gallons
First 25,000 gallons	\$3.16
Next 225,000 gallons	\$2.33
Next 2,250,000 gallons	\$1.80
Next 2,500,000 gallons	\$1.59

- (1) Metered service rates. The following shall be the rates at which water will be furnished, the allowance of water for the said minimum charge to be deducted from the quantities shown below under minimum charges.
- (2) Minimum charges. After a meter is installed, no bill will be rendered or payment accepted for less than the following minimum rates for each meter monthly:

Meter Size (inches)	Gallage Included	Monthly Rates
Through 5/8	3,000	\$13.86
Through 1	10,000	\$37.06
Through 1 1/2	16,000	\$63.03
Through 2	21,000	\$77.87
Through 3	25,000	\$88.98
Through 4	30,000	\$120.45
Through 6	80,000	\$277.95
Through 8	107,000	\$370.60
Through 10	133,000	\$463.24

C. Additional consumer units.

- (1) There shall be a monthly consumer unit charge for each additional unit (multifamily dwelling) served through the same meter as follows:

	Equivalent Units	Monthly Charge
3 or more bedrooms	1	\$5.59
2 bedrooms	3/4	\$4.22
1 bedroom	1/2	\$2.84
Hotel/motel (per room)	1/4	\$1.38

- (2) Examples of multifamily dwellings: apartments, duplexes, mobile home parks, condominiums, senior complexes, townhouses, etc.
- (3) Service charge. The Water-Sewer Utility reserves the right to impose a service charge on all meters if deemed necessary.
- (4) For replacement and supply of a water meter damaged or stolen from a residential location, the applicant for water service shall be required to purchase the appropriate size meter at their expense prior to receiving water service. The cost for such meter shall be consistent with the current cost as listed on the Vineland Municipal Utilities Rate Card.

D. Tapping fees.

- (1) Tapping, meter and meter pit fees (piping to curblines complete) shall be charged as follows:

Size of Tap (inches)	Fee
5/8 with meter pit	\$2,250
1 with meter pit	\$2,250
1 1/2 with meter and pit	\$4,765
2 with meter and pit	\$5,580
4	\$2,788
6	\$3,068
8	\$3,715
10	\$4,690
12	\$6,105

- (2) Taps, meters and meter pits larger than two inches in size shall be made only on special arrangement with the Water-Sewer Utility, and the applicant shall pay the full and actual cost of materials and installation. Excavation and required compactions shall be executed by a contractor per the specification sheet provided by the Water Utility.
- (3) All charges incident to tap applications shall be due and payable in advance.
- E. Street opening fees. A street opening fee in such amount as may be determined by ordinance or resolution of City Council shall be charged in addition to the above tap charges.
- F. Missed appointment charge. A charge of \$45 shall be debited to the account of a Water-Sewer Utility customer who fails to keep a prescheduled appointment for services to be performed or readings to be taken.
- G. Recovery clause. The Water-Sewer Utility reserves the right to impose a recovery clause to adjust for the escalation in energy and treatment costs associated with the supply and distribution of City water.¹⁰
- H. Connection fee.
- (1) A water connection fee is initially required from a new connector to the Water Utility distribution system. A connection fee represents a fair payment toward the total capital cost for developing the water distribution infrastructure system as determined by ordinance or resolution of City Council. The Water Utility reserves the right to review the original submission of gallons-per-day usage versus actual gallons-per-day water usage of the established business for period of three years from the time of water service activation and adjust the original paid connection fee accordingly. Water connection fees of the established business will be recalculated when additional water service laterals at the business location are requested no matter what the time from post-service activation. Multiphase projects are subject to review at the start of each phase for calculation of water connection fees. Multiphase projects are subject to review upon completion of each phase. All aforementioned time of water service activation terms, conditions and review of water usage apply to each phase of multiphase projects. All

10. Editor's Note: Ordinance No. 2025-20, adopted 3-25-2025, amended the recovery clause to allow an increase to the imposition of a recovery clause to \$0.4370250 per 1,000 gallons.

water utility fees are due in full prior to issuance of a building permit for single and multiphase projects.

I. Assessment fee.

- (1) Assessment for water main extension shall be based on the number of properties in the project. The total cost for the project shall be divided by the number of properties that are serviceable by the water main extension.
- (2) Each property that is serviceable by the water main extension shall be provided with a standard 5/8 inch water tap, meter and meter pit. The owner of the parcel shall determine the location of the tap on the frontage of the property. The cost for the tap/meter/pit shall be included in the assessment. Any additional taps, or taps of increased size, requested by the property owner, must conform to all zoning and other regulations set forth by the City of Vineland and the Vineland Water-Sewer Utility. If permitted, additional and/or larger taps will be charged to the property owner and will not be included in the assessment. A connection fee, as established by this chapter, shall be paid in advance before access is granted.
- (3) Easements/rights-of-way: No assessments shall be levied upon government or public utility easements/rights-of-way.
- (4) Properties that are owned by government, utilities, schools, and other tax-exempt properties are assessable.
- (5) Railroad property shall be exempt from assessment, with the exception of railroad properties that require a water tap.
- (6) Unique situations may be exempted from assessment upon approval by the Water-Sewer Utility Superintendent and the Business Administrator.
- (7) Any parcel that is subdivided to create a new parcel contained within the original project area and completed within the original period of the assessment shall be subject to payment of the same lot assessment as if it had existed at the time of the construction of the project. This assessment shall be paid in full during the period of the original assessment and may be charged in annual assessments. Installation of new taps shall not be permitted until the street-opening moratorium has expired.
- (8) The Water-Sewer Utility reserves the right to have the customer (commercial customers only) replace their existing water meter with a new Water-Sewer Utility meter at the current market price if the Utility deems the existing meter to be malfunctioning due to age and/or meter equipment failure. Cost of the meter shall be the responsibility of the customer.

§ 687-139. Gallonage basis for billing. [Added 8-26-1986 by Ord. No. 86-46]

In order to make bills more easily understood by the customers, all water bills shall reflect the gallonage pumped to each customer during the quarter. Since the water meters record cubic feet of usage, a conversion factor of 7.5 gallons per cubic foot of water shall be used.

§ 687-140. Assessment fee. [Added 8-26-2003 by Ord. No. 2003-43; amended 11-23-2004 by Ord. No. 2004-64; 11-7-2005 by Ord. No. 2005-82]

- A. Assessment for water main extension shall be based on the number of properties in the project. The total cost for the project shall be divided by the number of properties that are serviceable by the water

main extension.

- B. Each property that is serviceable by the water main extension shall be provided with a standard one-inch water tap. The owner of the parcel shall determine the location of the tap on the frontage of the property. The cost for the tap shall be included in the assessment. Any additional taps or taps of increased size, requested by the property owner, must conform to all zoning and other regulations set forth by the City of Vineland and the Vineland Water-Sewer Utility. If permitted, additional and/or larger taps will be charged to the property owner and will not be included in the assessment. A connection fee, as established by this part, shall be paid in advance before access is granted.
- C. Easements/rights-of-way. No assessments shall be levied upon government or public utility easements/rights-of-way.
- D. Properties that are owned by governments, utilities, schools, and other tax-exempt properties are assessable.
- E. Railroad property shall be exempt from assessment, with the exception of railroad properties that require a water tap.
- F. Unique situations may be exempted from assessment upon approval by the Water-Sewer Utility Superintendent and the Business Administrator.
- G. Any parcel that is subdivided to create a new parcel contained within the original project area and completed within the original period of the assessment (usually 10 years) shall be subject to payment of the same lot assessment as if it had existed at the time of the construction of the project. This assessment shall be paid in full during the period of the original assessment and may be charged in annual assessments. Installation of new taps shall not be permitted until the street opening moratorium has expired, usually five years.

ARTICLE XIX
Sewer Service

§ 687-141. Contract with users.

The following rates, rules and regulations shall form part of the contract with all users of sewer services of the City of Vineland and shall be subscribed to by all persons applying for such services.

§ 687-142. Service connections.

All service connections must be made by a registered, licensed plumber, be inspected by one of the City plumbing inspectors and be properly reported to the Water-Sewer Utility, as provided in an ordinance or ordinances heretofore or hereafter adopted by the Board of Health or the City Council of the City of Vineland. All changes of sewer services, connections or fixtures must also be inspected by one of the City plumbing inspectors and reported as provided in an ordinance or ordinances heretofore or hereafter adopted by the Board of Health or the City Council of the City of Vineland.

§ 687-143. Service charges; abatement.

For all users of sewer services who have City water service, charges for sewer service will be made in accordance with scheduled rates for such times as the water is supplied. Where water has been turned off for any cause, the sewer charge ceases from that date; provided, however, that in no case will an abatement of an advance-billed sewer charge be taken into consideration for a shorter period than one month nor for part of a month. When water is again turned on, sewer charges will commence from the date, no extra charge being made.

§ 687-144. Right of entry.

The Superintendent or any authorized employee of the Water-Sewer Utility or any person or persons delegated by the City Council for that purpose may, at all reasonable hours, enter the premises of any users of sewer services for the purpose of examining the pipes and fixtures and also to check the number of fixtures connected.

§ 687-145. Sewer rents. [Amended 12-11-1973 by Ord. No. 916]

Sewer rent shall be paid quarterly in advance, the bills being rendered on the first business day of the month following quarterly reading for metered water service. The City will look to the property supplied, in whomsoever the ownership may be, for all delinquent accounts for sewer services.

§ 687-146. Schedule of sewer rates.

- A. The following rates shall be charged and paid for sewer service.
- B. Schedule of sewer rates. Sewer rates shall be as follows: **[Amended 5-26-1970 by Ord. No. 748]**
 - (1) Class A. Residences: \$13 per annum.
 - (2) Class B. Stores and commercial establishments: \$16 per annum.
 - (3) Class C. Stores and offices; stores and one apartment (stores combined with more than one apartment will take apartment houses, Class D rate): \$20 per annum.

- (4) Class D. Hotels, apartment houses, churches, lodge buildings, theaters and public buildings not otherwise classified; service charge of \$8 per annum; fixture charge of \$2 each per annum, in addition to service charge.
- (5) Class E. Factories, commercial laundries and industrial establishments.
 - (a) Where the establishment receives full water supply from the City Water-Sewer Utility, the following charge for sewer service will be made for each quarterly period: 50% of the total amount of water charges, exclusive of water meter service charge, for the preceding quarterly billing. There shall be a minimum charge of \$6.50 per quarterly period.
 - (b) Where the establishment maintains private water supply, the charge for sewer service will be made in accordance with one of the following optional rates, the Water-Sewer Utility reserving the right to determine, the best interest of the Utility's sewerage system being considered, which optional rate shall apply. If private source or sources of supply supplement City water supply, separate billings will be made for sewer service, one billing based upon the regular charge for City water service and the other billing in accordance with one of the following optional rates:
 - [1] Option 1. Customer shall install, at his own expense, a meter or meters approved by the Water-Sewer Utility to measure the quantity of water received from such private source or sources and subsequently discharged into the City sewers, the recorded flow from such source or sources to be used as the basis for the charge for sewer service as follows: 50% of the equivalent charge which would be made by the Water-Sewer Utility for the quantity of water received from private source or sources, based on the established schedule of rates in effect for metered water service. There shall be a minimum charge of \$6.50 per quarterly period.
 - [2] Option 2.
 - [a] The customer shall install, at his own expense, a suitable device for continuously recording and totalizing the flow discharged by it into the sewerage system, said device or devices and the installation thereof to be approved by the Water-Sewer Utility, the recorded quantity of flow into the sewerage system to be charged for in accordance with the following schedule of rates, the advance billing for the quarterly period to be based upon the recorded flow for the prior three months.

Cubic Feet Per Quarter	Per 1,000 Cubic Feet
First 10,000	\$1.25
Next 10,000	\$0.85
Next 10,000	\$0.75
Next 20,000	\$0.65
Next 50,000	\$0.55
Next 100,000	\$0.45
Over 200,000	\$0.40

- [3] There shall be a minimum charge of \$6.50 per quarterly period.

- [4] Option 3. Where no device is installed by the customer for the measuring of water received from private source or sources or discharged into the City sewers, a charge for sewer service shall be made on the basis of the number of employees at the rate of \$2.50 per employee per annum, the maximum number of employees at any one time during the three-month period prior to the period for which advance sewer charge billing is made, as certified by the customer to the Utility from established records, to be used as the basis for said sewer service charge; provided, however, that the minimum charge on such billing basis shall be \$35 per quarterly period.
- (6) Class F. Commercial garages and automobile laundries: annual charge for service, exclusive of wash drains, \$16; extra charge for wash drains, \$13 per annum.
- (7) Class G. Public schools and parochial schools: annual charge, per classroom, \$13.
- (8) Class H. Institutions: Special rates will be made and approved by the City Council of the City of Vineland.
- (9) Class I. Air-conditioning equipment: *annual charge in addition to regular sewer charge:
- (a) Three horsepower (tons): \$35.
 - (b) Two horsepower to 2.99 horsepower (tons): \$20.
 - (c) Under two horsepower (tons): \$13.

* NOTE: Annual charge for one year billed on the second quarterly bill rendered during the year. No refunds, credits or rebates will be allowed for units disconnected during the year following the date of the bill. A pro rata charge shall be made on equipment installed between billing dates.

- (10) Class J. Disposal of cesspool effluent and sludge. [**Amended 12-11-1973 by Ord. No. 916; 6-10-1980 by Ord. No. 1220**]
- (a) The dumping of cesspool effluent and sludge in specially prepared areas at the sewage disposal plant will be permitted for only licensed cesspool cleaners operating within the limits of the City of Vineland. Dumping will be permitted only at times specified by and in accordance with regulations established by the Superintendent of the Water-Sewer Utility. Fees for said disposal service shall be in accordance with the following schedule, according to truck tank size, and shall be payable in the manner and in accordance with regulations established by the Superintendent of the Water-Sewer Utility and the City Comptroller.
 - (b) During regularly scheduled hours of availability to the manhole of the sewer utility located in the sanitary landfill, the licensed cesspool cleaners shall be charged the following rates (Regularly scheduled hours of the sanitary landfill are Monday through Friday, 8:00 a.m. to 4:00 p.m.; Saturdays, 8:00 a.m. to 3:00 p.m.):
 - [1] Tank size of up to 1,500 gallons: \$7 per load.
 - [2] Tank size of over 1,500 gallons and up to 2,000 gallons: \$10 per load.
 - [3] Any larger-sized tank will be charged on a basis of \$0.005 per gallon.

§ 687-147. Reserved right to classify users.

The City of Vineland Water-Sewer Utility reserves the right to classify all users of sewer service in accordance with the above schedule. Where a property may come under more than one classification, the Utility shall determine which rate shall apply.

§ 687-148. Operation of interconnections. [Added 7-14-1992 by Ord. No. 92-49]

- A. The New Jersey Administrative Code section entitled "Water Supply Allocation Permits" provides the procedure for Class 3 Water Utility purveyors to interconnect pursuant to water supply allocation needs.
- B. The City of Vineland Water Utility desires to interconnect with the Buena Borough Municipal Utility Authority, which interconnection is the second municipal interconnection for the City of Vineland, the Borough of Newfield being the first.
- C. The City Council of the City of Vineland hereby ordains and authorizes execution of said written agreement in accordance with N.J.A.C. 7:19-6.9.

ARTICLE XX
Water Conservation

[Added 9-23-2008 by Ord. No. 2008-63; amended 2-24-2017 by Ord. No. 2017-1]

§ 687-149. Water use restrictions.

Restrictions on outdoor water use apply to all users in the City of Vineland at all times regardless of source of supply (e.g., public water supplies, well or ground water, lakes, streams, or ponds) unless expressly exempt in § 687-154, Exemptions. Such outdoor water use shall conform to the following water use restrictions:

- A. Car washing, pressure washing and other non-landscape outdoor water uses:
- (1) Properties may only use water for this purpose two days per week.
 - (a) Properties with even number addresses may only use water on Wednesdays and Saturdays.
 - (b) Properties with odd number addresses may only use water on Thursdays and Sundays.
- B. Lawn watering with a hose or hose-end sprinkler:
- (1) Properties may only use water for this purpose two days per week.
 - (a) Properties with even number addresses may only use water on Wednesdays and Saturdays.
 - (b) Properties with odd number addresses may only use water on Thursdays and Sundays.
 - (2) Watering shall only be conducted between the hours of 6:00 a.m. and 9:00 a.m. or between the hours of 5:00 p.m. and 8:00 p.m.
 - (3) The watering of any single area shall not exceed thirty minutes per day.
 - (4) Flowers and shrubs may be watered as needed with a hand-held hose equipped with an automatic shut-off nozzle.
 - (5) No hose or hose-end watering shall be permitted when it is raining.
- C. Irrigating lawns and landscapes with automatic irrigation systems equipped with a conventional irrigation controller:
- (1) Properties may only use water for this purpose two days per week.
 - (a) Properties with even number addresses may only use water on Wednesdays and Saturdays.
 - (b) Properties with odd number addresses may only use water on Thursdays and Sundays.
 - (2) Irrigation shall only be conducted between the hours of 12:00 midnight and 10:00 a.m.
 - (3) Operation of any irrigation zone equipped with spray (mist) heads shall not exceed 15 minutes per zone. Operation of any irrigation zone equipped with rotary sprinkler heads shall not exceed 50 minutes per zone.
- D. Flowers and shrubs irrigated with drip or microirrigation:
- (1) Properties may use water for this purpose as needed.

- E. State of New Jersey requirements shall supersede those identified in this section when more stringent than those identified in this article.

§ 687-150. Declaration of extreme water emergency.

- A. Upon declaration of an extreme water emergency by the City of Vineland, outside water use is strictly prohibited. In addition to the outside prohibition and whenever possible, all inside water use for homes and businesses shall be reduced.
- B. Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, and sod farms are exempt from extreme water emergency restrictions.
- C. Non-turf plants may be watered by hand-held containers

§ 687-151. Violations.

- A. Violations of the water use restrictions in § 687-149 include outdoor water use on days not permitted in this article, or during hours not permitted in this article, where said use is not explicitly exempted by § 687-154, Exemptions.
- B. Violations of the extreme water emergency restrictions in § 687-150 include any outdoor water use not explicitly exempted by § 687-150, Extreme water emergency.
- C. Violations of these restrictions are subject to the fines and penalties described in § 687-153, Penalties.

§ 687-152. Enforcement of water conservation restrictions.

- A. Enforcement of the above restrictions shall be administered by representatives of the Water Utility, and any representative of the City (i.e., inspectors, fire fighters, police), who will inform the Water Utility of any violations. All fines imposed per § 687-153, Penalties shall be added onto the next regular billing cycle of the offending property.
- B. All written warnings issued per § 687-153, Penalties shall include an explanation of the penalties for additional offenses.
- C. The Water Utility shall keep such records as may be reasonable and necessary for the purpose of determining the persons and businesses who have been warned or fined for violations of this article.

§ 687-153. Penalties.

- A. Water use restrictions per § 687-149.
 - (1) First offense: written warning.
 - (2) Second offense: written warning.
 - (3) Third offense: fine of \$100.
 - (4) Fourth offense: fine of \$250.
 - (5) Fifth offense: fine of \$500 and water shut-off until payment made.
- B. Extreme water emergency restrictions per § 687-150.

- (1) First offense: written warning.
- (2) Second offense: fine of \$250.
- (3) Third offense: fine of \$500 and water shut-off until payment is made and water emergency is lifted.

§ 687-154. Exemptions.

The water use restrictions in § 687-149, Water use restrictions above do not apply to the following:

- A. Outdoor water use from rain water harvesting, gray water, or reclaimed water are exempt from the provisions of the ordinance. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP.
- B. Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, sod farms and golf courses are exempt from the provisions of the article.
- C. Other commercial uses including, but not limited to, commercial car washing and commercial power washing.
- D. Outdoor irrigation necessary for one day only where treatment with an application of chemicals require immediate watering to preserve an existing landscape or to establish a new landscape.
- E. Outdoor irrigation necessary for the establishment of newly sodded lawns or landscaping within the first 21 consecutive days of planting.

Part 5
Collection Of Utility Billings
[Adopted 7-9-2019 By Ord. No. 2019-46]

ARTICLE XXI
Time Limitation

§ 687-155. Time limitation for payment or collection of utility billings based upon meter failures.

The time limitation for the payment or collection of erroneous utility bills shall be six years next after the cause of action shall have accrued.

AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the City of Vineland, (hereafter "City") do hereby agree that the provisions of title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the City of Vineland pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the City in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the City, its agents, servants, and employees from and against any and all suits, claims, losses, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the City's grievance procedure, the contractor agrees to abide by any decision of the City which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the City of Vineland or if the City of Vineland incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The City shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceedings is brought against the City of Vineland, or any of its agents, servants, and employees, the City shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the City or its representatives.

It is expressly agreed and understood that any approval by the City of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the City pursuant to this paragraph.

It is further agreed and understood that the City of Vineland assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractors obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the City from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

**NEW JERSEY ANTI-DISCRIMINATION PROVISIONS
NJ.S.A.10:2-1 ET SEQ.**

Pursuant to NJ.S.A. 10:2-1, if awarded a contract, the contractor agrees that:

- a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
- b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
- c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

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**NEW JERSEY ANTI-DISCRIMINATION PROVISIONS
NJ.S.A.10:2-1 ET SEQ.**

Pursuant to NJ.S.A. 10:2-1, if awarded a contract, the contractor agrees that:

- a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
- b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
- c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

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City of Vineland

Revised Contract Language for BRC Compliance

Good and Services Contracts (including purchase orders)

***Construction Contracts (including public works related purchase orders)**

N.J.S.A 52:32-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform services for a contractor fulfilling this contract:

1. the contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
2. subcontractors through all tiers of a project must provide written notice to their subcontractors and suppliers to submit proof of business registration and subcontractors shall collect such proofs of business registration and maintain them on file;
3. prior to receipt of final payment from a contracting agency, a contractor must submit to the contacting agency an accurate list of all subcontractors and suppliers* or attest that none was used;
4. during the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A> 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

Pursuant to N.J.S.A. 54:49-4.1, a business organization that fails to provide a copy of a business registration as required, or that provides false business registration information, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000, for each proof of business registration not properly provided under a contract with a contracting agency. Information on the law and its requirements is available by calling (609) 292-9292.

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NEW JERSEY BUSINESS REGISTRATION

Pursuant to P.L. 2004, c.57, all consultants (both in-state and out-of-state) must obtain a Business Registration Certificate (BRC) from the New Jersey Department of the Treasury, Division of Revenue prior to conducting business with the NJTPA. A consultant or sub-consultant who fails to submit a copy of a valid BRC in accordance with the statute will be held liable for monetary penalties in accordance with N.J.S.A. 54-49-4.1. Questions regarding how to obtain a BRC can be directed to the New Jersey Division of Revenue at (609) 292-1730. The business registration form (Form NJ-REG) can be found online at:

<http://www.state.nj.us/treasury/revenue/busregcert.shtml>, or

<http://www.state.nj.us/treasury/revenue/gettingregistered.shtml>.

Sample New Jersey Business Registration Certificates:


STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE
FOR STATE AGENCY AND CASINO SERVICE CONTRACTOR

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 202
TRENTON, NJ 08646-0202

TAXPAYER NAME	TAX REG TEST ACCOUNT	TRADE NAME	CLIENT REGISTRATION
TAX REGISTRATION TEST ACCOUNT		CLIENT REGISTRATION	
TAXPAYER IDENTIFICATION#	970-057-082/500	SECURITY NUMBER	01072
ADDRESS	847 ROEBLING AVE TRENTON NJ 08611	ISSUANCE DATE	07/14/04
ISSUANCE DATE			
ISSUANCE DATE			
ISSUANCE DATE			

John S. Tully
Acting Director

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

 STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REG TEST ACCOUNT

Trade Name:

Address: 847 ROEBLING AVE
TRENTON, NJ 08611

Certificate Number: 1093907

Date of Issuance: October 14, 2004

For Office Use Only:
20041014112823533

(REVISED 4/10)

EXHIBIT A
MANDATORY EQUAL EMPLOYMENT OPPURTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C.127)
N.J.A.C.17:27

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

1. Letter of Federal Affirmative Action Plan Approval
2. Certificate of Employee Information Report
3. Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at:
www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

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**THE FOLLOWING
DOCUMENTS TO BE
SUBMITTED WITH
YOUR PROPOSAL**

PROPOSAL CHECKLIST

The following checklist is provided as assistance in the development of the RFP response. It in no way supersedes or replaces the requirements of the RFP. Please initial on the lines below for each document/section attesting to the fact that you have read and/or included the documents with your RFP.

- General Requirements/Instructions _____
- Scope of Work _____
- Proposal requirements _____
- Evaluation Criteria _____
- Acknowledgment of Receipt of Addenda _____
- Statement of Ownership Disclosure _____
- Statement of Authority _____
- EEO/Affirmative Action Compliance Notice _____
- Affirmative Action Mandatory Language _____
- Americans with Disabilities Act Mandatory Language _____
- Disclosure of Investment Activities in Iran _____
- Prohibited Activities in Russia or Belarus _____

STATEMENT OF AUTHORITY

RFP SUBMITTED FOR:

COMPANY: _____

ADDRESS: _____

RFP SUBMITTED BY: _____

(Print Name of Company Officer)

SIGNATURE: _____

(Signature of Company Officer)***

TITLE: _____ DATE: _____

TELEPHONE: _____ EXT: _____

FACSIMILE: _____

EMAIL ADDRESS: _____

TAXPAYER IDENTIFICATION NUMBER: _____

***** The RFP must be signed by a Company Officer in order to be accepted by the City as a valid RFP. Failure to sign the RFP shall cause the RFP submission to be rejected as non-responsive.**

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I:

Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type)
- Limited Liability Company (LLC)
- Limited Partnership
- Limited Liability Partnership (LLP)
- Other (be specific):

Part II:

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the **<name of contracting unit>** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with **<type of contracting unit>** to notify the **<type of contracting unit>** in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the **<type of contracting unit>** to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print) :		Title :
Signature :		Date :

AFFIRMATIVE ACTION COMPLIANCE NOTICE

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS

(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

FAILURE BY THE BIDDER TO COMPLETE AND RETURN THIS NOTICE WITH THEIR BID SUBMISSION SHALL BE CAUSE FOR THEIR BID TO BE REJECTED AS NON-RESPONSIVE

CITY OF VINELAND
ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

Pursuant to N.J.S.A. 40A:11-23.1a, the undersigned bidder hereby acknowledges receipt of the following notices, revisions, or addenda to the bid advertisement, specifications or bid documents. By indicating date of receipt, bidder acknowledges the submitted bid takes into account the provisions of the notice, revision or addendum. Note that the local unit's record of notice to bidders shall take precedence and that failure to include provisions of changes in a bid proposal may be subject for rejection of the bid.

Addendum Number	Dated	Acknowledge Receipt (Initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____

_____ No addenda received.

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Please type or Print)

Title: _____

Date: _____



City of Vineland - Division of Purchasing DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY - DIVISION OF PURCHASE AND
PROPERTY 33 WEST STATE STREET, P.O. BOX 230 TRENTON, NEW
JERSEY 08625-0230

BID SOLICITATION # AND TITLE: _____

VENDOR NAME: _____

Pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4) any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must certify that neither the person nor entity, nor any of its parents, subsidiaries, or affiliates, is identified on the New Jersey Department of the Treasury's Chapter 25 List as a person or entity engaged in investment activities in Iran. The Chapter 25 list is found on the Division's website at: <https://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>.

Vendors/Bidders must review this list prior to completing the below certification. If the Director of the Division of Purchase and Property finds a person or entity to be in violation of the law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

CHECK THE APPROPRIATE BOX

I certify, pursuant to N.J.S.A. 52:32-57, et seq. (P.L. 2012, c.25 and P.L. 2021, c.4), that neither the Vendor/Bidder listed above nor any of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of the Treasury's Chapter 25 List of entities determined to be engaged in prohibited activities in Iran.

OR

I am unable to certify as above because the Vendor/Bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of the Treasury's Chapter 25 List. I will provide a detailed, accurate and precise description of the activities of the Vendor/Bidder, or one of its parents, subsidiaries or affiliates, has engaged in regarding investment activities in Iran by completing the information requested below.

Entity Engaged in Investment
Activities _____
Relationship to Vendor/ Bidder _____
Description of Activities _____

Duration of Engagement _____
Anticipated Cessation Date _____

**Attach Additional Sheets If
Necessary.*

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the City of Vineland is relying on the information contained herein, and that the Vendor is under a continuing obligation from the date of this certification through the completion of any contract(s) with the City to notify the City in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I may be subject to criminal prosecution under the law, and it will constitute a material breach of my contract(s) with the City, permitting the City to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Date

Full Name (Print) and Title



CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([L. 2022, c. 3](#)) any person or entity (hereinafter "Vendor") that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, certify that I have read the definition of "Vendor" below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

A. That the Vendor is not identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

B. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#).

OR

C. That I am unable to certify as to "A" above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list](#). However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor's activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

Signature of Vendor's Authorized Representative	Date
Print Name and Title of Vendor's Authorized Representative	Vendor's FEIN
Vendor's Name	Vendor's Phone Number
Vendor's Address (Street Address)	Vendor's Fax Number
Vendor's Address (City/State/Zip Code)	Vendor's Email Address

ⁱ Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2).