



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Signature Copy

Ordinance: O-20-14

File Number: O-20-14

Water Service Charges - For the purpose of instituting charges for re-establishing water service after non-payment; authorizing a charge for billing adjustments; authorizing a charge for estimating property transfer charges; and for all other matters related to water service charges.

CITY COUNCIL OF THE City of Annapolis

Ordinance 20-14 Amended

Introduced by: Alderman Pfeiffer, Alderman Paone, and Alderman Arnett

**Referred to
Finance
Environmental Matters**

A ORDINANCE concerning

Water Service Charges

FOR the purpose of instituting charges for re-establishing water service after non-payment; authorizing a charge for billing adjustments; authorizing a charge for estimating property transfer charges; and for all other matters related to water service charges.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2012 Edition

- Section 6.04.100
- Section 16.08.040
- Section 16.08.080

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Chapter 6.04 FINANCE AND TAXATION GENERALLY

6.04.100 Payment of water and sewer charges required prior to transfer of property.

A. A deed for the transfer of property shall not be validated for recordation by the Department of Finance until payment is made for all water and sewer service received to the date of transfer, whether billed or unbilled. The liability for unbilled service is defined as the minimum bill or a percentage of the last bill as determined from the schedule below, whichever is greater:

Number of Days From Last Billing Date to Settlement Date	Percentage
1-9	10
10-18	20
19-27	30
28-36	40
37-45	50

46-54 60
55-63 70
64-72 80
73-81 90
82-90 100

B. A CHARGE OF FIFTY DOLLARS SHALL BE ASSESSED EACH TIME A CUSTOMER SUBMITS A REQUEST FOR ESTIMATED PROPERTY TRANSFER CHARGES TO THE DEPARTMENT OF FINANCE.

Chapter 16.08 WATER SERVICE

16.08.010 Opening fireplugs-Turning water on or off.

- A. No person shall open or assist in opening any fireplug belonging to the City, except in the case of an actual fire in the vicinity, or remove the cover from any water box, stopcock box or meter box, or turn off or on the supply of water by means of valves on the main stopcock on the service pipe, meter box, or otherwise, without the authority of the Director of Public Works, without first having obtained a permit, and without displaying the permit during the course of committing the act.
- B. A person who violates this section is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council.

16.08.020 Obstructing access to valve or stopcock.

No person shall obstruct the access to any valve or stopcock connected with a water main or service pipe by placing or causing to be placed in the access to a main or pipe any stones, dirt or other material.

16.08.030 Right of entry of City employees.

In any case where any valves, stopcock, meter or other equipment of the City is installed or to be installed upon private property, any authorized employee of the City may enter upon property for the purpose of inspecting, installing, removing, repairing, maintaining or altering equipment or for reading meters or turning on or off the water supply, provided entry is at a reasonable hour and is necessary for the performance of the duties of the employee.

16.08.040 Charges-Users within City.

The charges for water service to users within the City are as follows:

- A. A minimum fixed charge of shall be based on water meter size as follows:

Meter Size	Fixed Charge
1 Inch or Less	\$9.89
1½ Inch	\$49.43
2 Inch	\$79.09
3 Inch	\$158.19
4 Inch	\$247.17
6 Inch	\$494.33

- B. Consumption shall be billed to each connection each quarter at the following rates:

Residential Usage Charges

Per Thousand Gallons

1 to 7,000 gallons	\$3.12
7,001 gallons to 20,000 gallons	\$6.25
Over 20,001 gallons	\$9.37

Non-Residential and Multifamily Usage Charges

Per Thousand Gallons

All usage	\$4.65
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- C. A resident may request in writing to make monthly payments. There shall be a four percent surcharge for this service.
- D. A charge of ~~ten~~ FOURTY dollars shall be billed each time FOR NON-PAYMENT OR WHEN a customer requests the City to turn on, turn off, or reconnect any water supply system and that service is performed during normal business hours. If the service is performed outside normal business hours, the charge shall be ~~seventy-five~~ ONE-HUNDRED TWENTY-FIVE dollars.
- E. A charge of fifteen dollars shall be billed for any special water meter readings requested by a customer.
- F. A charge of fifty dollars shall be billed for any testing of a water meter requested by a customer; provided, that if it is determined that the meter is defective, the charge shall be waived.
- ~~G. A CHARGE OF FIFTY DOLLARS SHALL BE ASSESSED THE SECOND TIME, AND ALL SUBSEQUENT TIMES, WITHIN EACH CALENDAR YEAR, THAT A CUSTOMER'S WATER SERVICE IS INTERRUPTED FOR NON-PAYMENT.~~
- ~~H. A CHARGE OF FIFTY DOLLARS SHALL BE ASSESSED FOR THE SECOND TRIP, AND ALL SUBSEQUENT TRIPS, WITHIN EACH CALENDAR YEAR THAT THE DEPARTMENT OF PUBLIC WORKS MAKES TO RESTORE WATER SERVICE THAT HAS BEEN INTERRUPTED DUE TO NON-PAYMENT.~~

16.08.050 Charges-Users outside City.

- A. Water service shall not be extended to any user outside of the City except by written agreement approved by resolution. Such resolution shall be referred to the Finance Committee for recommendation and shall lie on the table for at least thirty days prior to consideration by the City Council. A fiscal impact note shall be submitted by the Finance Director. The resolution shall expressly find, upon a determination issued by the Director of Public Works, that existing and/or funded facilities, capacity and infrastructure are sufficient to serve the user outside the City in addition to existing and reasonably foreseeable City users. The terms of each such agreement shall bind the user, its successors and assigns, according to its terms which shall not be inconsistent with the requirements of this chapter. The agreement shall make specific reference to the resolution authorizing it and be recorded in the land records for Anne Arundel County.
- B. The charge for water service to users outside the City shall be triple that charged to users within the City.
- C. In addition to the charge required by the provisions of subsection B of this section, water service to users outside the City shall make annual payments to the City in amounts equivalent to City real property taxes which would be imposed if the property were in the City.
- D. All costs incurred in extending water service to users outside the City, including but not limited to costs incurred in extending existing water mains, shall be paid by the user. All improvements to existing public infrastructure made in extending water service to users outside the City shall be built to City standards and shall be transferred to public ownership upon such terms and conditions as the Director of Public Works shall require.
- E. Whenever property outside the City receiving City water service is annexed to the City, the charge for such service shall be reduced to that charged to users in the City and the payments required under subsection C of this section shall abate as of the date of annexation.

16.08.055 Dwelling units-Individual water meters.

- A. Every dwelling unit newly constructed pursuant to building permits issued after June 30, 1988 shall be provided with an individual water meter. For purpose of this subsection, the Director of Public Works or his or her designee shall determine the number of dwelling units in a multiple unit, institutional, multiple residential, elder-care, health-care, child-care, hotel or similar structure, including rentals.
- B. As a condition of granting a building permit, the Director of Public Works or his or her designee may require, from time to time, that "remote reading water meters" (manufacturer and model

number to be specified for standardization) be provided on multifamily residential/mixed residential commercial structures. The cost of these meters is to be borne by the permittee.

- C. The limit of City maintenance of the water-house connection shall be either the right-of-way line or the water meters, whichever is closer to the City's water main, unless otherwise specified by the Director of Public Works or his or her designee at the time of issuance of the building permit.

16.08.060 Billing.

- A. A bill for water service shall be issued each quarter, unless the City has received a written request to terminate service from the property owner or person being billed for the service.
- B. A penalty of ten percent shall be added to each bill unpaid after thirty days.
- C. All charges for water shall be a lien upon the property to be collected in the same manner as municipal taxes are collected.
- D. When the owner of a residential property terminates water service for at least one calendar quarter, the charge for refuse collection shall also be terminated until water service is restored.

16.08.070 Turning off water for nonpayment.

If charges for water service remain unpaid sixty days after the billing date, the Director of Public Works, after at least ten days' written notice left upon the premises and mailed to the last known address of the property owner, shall discontinue water service to the property for which the charges remain in arrears. Water service shall not be reestablished until all overdue water charges, together with all applicable penalties and turn-off and turn-on charges, have been paid.

16.08.080 Adjustments.

A. All requests for any adjustments in the charges imposed under this chapter for water or sewer service shall be made in writing and shall be received by the Department of Finance no later than the due date indicated on the bill. ~~AFTER THE CUSTOMER SUBMITS ONE REQUEST FOR ADJUSTMENT, THE CUSTOMER SHALL BE ASSESSED A CHARGE OF THIRTY-FIVE FORTY DOLLARS FOR ANY ADDITIONAL REQUESTS FOR ADJUSTMENT THAT THE CUSTOMER SUBMITS. IF THE DEPARTMENT OF FINANCE DETERMINES THAT AN ERROR HAS OCCURRED, THE THIRTY-FIVE FORTY DOLLAR CHARGE SHALL BE REFUNDED TO THE CUSTOMER. ADJUSTMENTS THAT ARE DETERMINED TO BE ERRONEOUS SHALL NOT COUNT TOWARDS THE ONE ADJUSTMENT REQUEST WITHOUT CHARGE ALLOWED PER CUSTOMER.~~

- B. All requests for any adjustment in the charges imposed under this chapter for water or sewer service, upon receipt by the Finance Department, shall be referred to appropriate personnel of the Department of Public Works for review, investigation or inspections as are deemed necessary and appropriate to determine the validity or correctness of any requests for adjustment of charges. Unless it becomes necessary to perform further or more detailed tests of equipment, a recommendation for the allowance, partial allowance, or disallowance of the requested adjustment shall be submitted by the reviewing employee to the Director of Public Works within fifteen working days after receipt of the requested adjustment.
- C. The Director of Public Works, after reviewing the recommendation of the department's personnel, and any further investigation or inspections the director deems necessary, shall issue a decision with respect to all requests for adjustments in the charges imposed under this chapter for water or sewer service, within fifteen working days after receipt of the requested adjustment, but any decision shall be limited to the following actions: (1) Allowance of the requested adjustment in whole or in part; or (2) disallowance of the requested adjustment. All decisions shall be in writing and shall state the grounds for the decision. No adjustments shall be allowed, in whole or in part, if it is determined that the claimed excessive charge has occurred as a result of any of the following conditions:
1. Malfunction or improper operation of any water or sewer equipment or facilities located on the user's property or premises;
 2. Subsurface breakage in any water or sewer line between the property or premises of the

- user and the point where the line is connected to the City's lines or equipment;
3. Failure of the user to repair or correct any broken or malfunctioning water or sewer equipment or facilities or water or sewer line on the property or premises of the user, after receipt of notice from the City to do so;
 4. Improper or illegal use of any City water or sewerage equipment or facilities, including any water box, stopcock box, meter box, valve, water or sewer main, fire hydrant and ancillary equipment, or service pipe of any type, or wherever located.
- D. A decision of the Director of Public Works made under the authority of this chapter shall be final. A decision resulting in an adjustment in a bill issued for water or sewer charges shall be furnished to the Director of Finance, who shall issue an adjusted billing. No request for adjustment in charges imposed under this chapter shall relieve the user from liability for the payment of the charges, or for any interest or penalties (including the discontinuance of service) imposed in connection with late payment or nonpayment.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage.

ADOPTED this 16th day of June, 2014.

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.
Strikethrough indicates matter stricken from existing law.
Underlining indicates amendments.

THE ANNAPOLIS CITY
COUNCIL

Michael Pantelides
Mike Pantelides, Mayor

Date 7-11-2014

ATTEST

Regina C. Watkins-Eldridge
Regina C. Watkins-Eldridge, M.M.C.,
City Clerk

Date 7/16/14