

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

6 **..Body**

7 **CITY COUNCIL OF THE**  
8 **City of Annapolis**

9  
10 **Ordinance 20-14**

11  
12 **Introduced by: Alderman Pfeiffer, Alderman Paone, and Alderman Arnett**

13  
14 **Referred to**  
15 **Finance**  
16 **Environmental Matters**

17  
18 **A ORDINANCE** concerning

19 **Water Service Charges**

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

24 **BY** repealing and re-enacting with amendments the following portions of the Code of  
25 the City of Annapolis, 2012 Edition  
26 Section 6.04.100  
27 Section 16.08.040  
28 Section 16.08.080

29  
30  
31 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**  
32 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as  
33 follows:

34  
35 **Chapter 6.04 FINANCE AND TAXATION GENERALLY**

36 **6.04.100 Payment of water and sewer charges required prior to transfer of**  
37 **property.**

38 A. A deed for the transfer of property shall not be validated for recordation by the  
39 Department of Finance until payment is made for all water and sewer service received to  
40 the date of transfer, whether billed or unbilled. The liability for unbilled service is defined  
41 as the minimum bill or a percentage of the last bill as determined from the schedule  
42 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

1

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

5

6 **Chapter 16.08 WATER SERVICE**

7 **16.08.010 Opening fireplugs—Turning water on or off.**

8 A. No person shall open or assist in opening any fireplug belonging to the City, except  
9 in the case of an actual fire in the vicinity, or remove the cover from any water box,  
10 stopcock box or meter box, or turn off or on the supply of water by means of valves  
11 on the main stopcock on the service pipe, meter box, or otherwise, without the  
12 authority of the Director of Public Works, without first having obtained a permit, and  
13 without displaying the permit during the course of committing the act.

14 B. A person who violates this section is guilty of a municipal infraction and is subject to  
15 a fine as established by resolution of the City Council.

16 **16.08.020 Obstructing access to valve or stopcock.**

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

20 **16.08.030 Right of entry of City employees.**

21 In any case where any valves, stopcock, meter or other equipment of the City is  
22 installed or to be installed upon private property, any authorized employee of the City  
23 may enter upon property for the purpose of inspecting, installing, removing, repairing,  
24 maintaining or altering equipment or for reading meters or turning on or off the water

1 supply, provided entry is at a reasonable hour and is necessary for the performance of  
2 the duties of the employee.

3 **16.08.040 Charges—Users within City.**

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

5 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

6  
7 B. Consumption shall be billed to each connection each quarter at the following  
8 rates:

9 **Residential Usage Charges**  
10 **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

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12 **Non-Residential and Multifamily Usage Charges**  
13 **Per Thousand Gallons**

All usage	\$4.65
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15 C. A resident may request in writing to make monthly payments. There shall be a  
16 four percent surcharge for this service.

17 D. A charge of ~~ten~~ SIXTY dollars shall be billed each time a customer requests the  
18 City to turn on, turn off, or reconnect any water supply system and that service  
19 is performed during normal business hours. If the service is performed outside  
20 normal business hours, the charge shall be ~~seventy-five~~ ONE-HUNDRED  
21 FIFTY dollars.

22 E. A charge of fifteen dollars shall be billed for any special water meter readings  
23 requested by a customer.

- 1 F. A charge of fifty dollars shall be billed for any testing of a water meter requested  
2 by a customer; provided, that if it is determined that the meter is defective, the  
3 charge shall be waived.
- 4 G. A CHARGE OF FIFTY DOLLARS SHALL BE ASSESSED THE SECOND  
5 TIME, AND ALL SUBSEQUENT TIMES, WITHIN EACH CALENDAR YEAR,  
6 THAT A CUSTOMER'S WATER SERVICE IS INTERRUPTED FOR NON-  
7 PAYMENT.
- 8 H. A CHARGE OF FIFTY DOLLARS SHALL BE ASSESSED FOR THE SECOND  
9 TRIP, AND ALL SUBSEQUENT TRIPS, WITHIN EACH CALENDAR YEAR  
10 THAT THE DEPARTMENT OF PUBLIC WORKS MAKES TO RESTORE  
11 WATER SERVICE THAT HAS BEEN INTERRUPTED DUE TO NON-  
12 PAYMENT.

13 **16.08.050 Charges—Users outside City.**

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

1 **16.08.055 Dwelling units—Individual water meters.**

- 2 A. Every dwelling unit newly constructed pursuant to building permits issued after June  
3 30, 1988 shall be provided with an individual water meter. For purpose of this  
4 subsection, the Director of Public Works or his or her designee shall determine the  
5 number of dwelling units in a multiple unit, institutional, multiple residential, elder-  
6 care, health-care, child-care, hotel or similar structure, including rentals.
- 7 B. As a condition of granting a building permit, the Director of Public Works or his or  
8 her designee may require, from time to time, that "remote reading water meters"  
9 (manufacturer and model number to be specified for standardization) be provided on  
10 multifamily residential/mixed residential commercial structures. The cost of these  
11 meters is to be borne by the permittee.
- 12 C. The limit of City maintenance of the water-house connection shall be either the right-  
13 of-way line or the water meters, whichever is closer to the City's water main, unless  
14 otherwise specified by the Director of Public Works or his or her designee at the  
15 time of issuance of the building permit.

16 **16.08.060 Billing.**

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

26 **16.08.070 Turning off water for nonpayment.**

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

33 **16.08.080 Adjustments.**

- 34 A. All requests for any adjustments in the charges imposed under this chapter for water  
35 or sewer service shall be made in writing and shall be received by the Department  
36 of Finance no later than the due date indicated on the bill. AFTER THE  
37 CUSTOMER SUBMITS ONE REQUEST FOR ADJUSTMENT, THE CUSTOMER  
38 SHALL BE ASSESSED A CHARGE OF THIRTY-FIVE DOLLARS FOR ANY  
39 ADDITIONAL REQUESTS FOR ADJUSTMENT THAT THE CUSTOMER  
40 SUBMITS. IF THE DEPARTMENT OF FINANCE DETERMINES THAT AN ERROR

1 HAS OCCURRED, THE THIRTY-FIVE DOLLAR CHARGE SHALL BE REFUNDED  
2 TO THE CUSTOMER. ADJUSTMENTS THAT ARE DETERMINED TO BE  
3 ERRONEOUS SHALL NOT COUNT TOWARDS THE ONE ADJUSTMENT  
4 REQUEST WITHOUT CHARGE ALLOWED PER CUSTOMER.

5 B. All requests for any adjustment in the charges imposed under this chapter for water  
6 or sewer service, upon receipt by the Finance Department, shall be referred to  
7 appropriate personnel of the Department of Public Works for review, investigation or  
8 inspections as are deemed necessary and appropriate to determine the validity or  
9 correctness of any requests for adjustment of charges. Unless it becomes  
10 necessary to perform further or more detailed tests of equipment, a  
11 recommendation for the allowance, partial allowance, or disallowance of the  
12 requested adjustment shall be submitted by the reviewing employee to the Director  
13 of Public Works within fifteen working days after receipt of the requested  
14 adjustment.

15 C. The Director of Public Works, after reviewing the recommendation of the  
16 department's personnel, and any further investigation or inspections the director  
17 deems necessary, shall issue a decision with respect to all requests for adjustments  
18 in the charges imposed under this chapter for water or sewer service, within fifteen  
19 working days after receipt of the requested adjustment, but any decision shall be  
20 limited to the following actions: (1) Allowance of the requested adjustment in whole  
21 or in part; or (2) disallowance of the requested adjustment. All decisions shall be in  
22 writing and shall state the grounds for the decision. No adjustments shall be  
23 allowed, in whole or in part, if it is determined that the claimed excessive charge has  
24 occurred as a result of any of the following conditions:

- 25 1. Malfunction or improper operation of any water or sewer equipment or facilities  
26 located on the user's property or premises;
- 27 2. Subsurface breakage in any water or sewer line between the property or  
28 premises of the user and the point where the line is connected to the City's lines  
29 or equipment;
- 30 3. Failure of the user to repair or correct any broken or malfunctioning water or  
31 sewer equipment or facilities or water or sewer line on the property or premises  
32 of the user, after receipt of notice from the City to do so;
- 33 4. Improper or illegal use of any City water or sewerage equipment or facilities,  
34 including any water box, stopcock box, meter box, valve, water or sewer main,  
35 fire hydrant and ancillary equipment, or service pipe of any type, or wherever  
36 located.

37 D. A decision of the Director of Public Works made under the authority of this chapter  
38 shall be final. A decision resulting in an adjustment in a bill issued for water or sewer  
39 charges shall be furnished to the Director of Finance, who shall issue an adjusted  
40 billing. No request for adjustment in charges imposed under this chapter shall  
41 relieve the user from liability for the payment of the charges, or for any interest or  
42 penalties (including the discontinuance of service) imposed in connection with late  
43 payment or nonpayment.

