

## Chapter 255

(House Bill 1531)

AN ACT concerning

### **St. Mary's County Metropolitan Commission – Water and Sewer Service Charges – Volunteer Fire Departments and Rescue Squads – Exemption**

FOR the purpose of exempting certain property owned ~~or leased~~ by certain volunteer fire departments and volunteer rescue squads from the imposition of certain water or sewer service charges by the St. Mary's County Metropolitan Commission; making this Act an emergency measure; and generally relating to water and sewer service charges imposed by the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,  
The Public Local Laws of St. Mary's County  
Section 113–14  
Article 19 – Public Local Laws of Maryland  
(2007 Edition and February 2013 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### **Article 19 – St. Mary's County**

113–14.

A. For the purpose of providing funds for maintaining, repairing and operating its water supply and sewerage systems, for line extensions of them, for its administrative and other expenses, including proper depreciation allowances, if any, and for interest on and the retirement of bonds as specified in this chapter, the Commission may make service rates, as it deems necessary, on water lines and sewers chargeable against all properties having a connection with any water pipe or sewer pipe under its supervision or ownership. The service rates may include any State or Federally mandated fees or charges. The rate for both water and sewer service shall be uniform throughout a sanitary district, subject to changes that the Commission considers necessary. Beginning on July 1, 1993, the rate for both water and sewer service shall be uniform throughout all sanitary districts, subject to changes that the Commission considers necessary. However, where the Commission provides service to property in an area in which it is economically not feasible to provide service at the uniform rate because of the distance of the area from the principal facilities of the Commission, the Commission may classify the property as a remote area and may impose an additional service charge to meet the additional cost of providing service to

the property. The Commission may collect a reasonable deposit in advance of furnishing water or sewerage service. The Commission shall begin the assessment of water and sewer service rates either at the time of the connection of all spigots or hydrants, toilets, and waste drains to a water main or sewer or on the expiration of the deadline for connection as required by the Commission in accordance with section 113–10 of this Article, whichever occurs first.

B. The sewer service rates shall be reasonable and shall be charged to all properties being served in a given sanitary district.

C. The water service charge shall consist of a minimum or ready-to-serve charge, which shall be based upon the size of the meter on the water connection leading to the property, and of a charge for water used, which shall be based upon the amount of water passing through the meter in excess of any water included in the minimum or ready-to-serve charge during the period between the last two (2) readings. The meter shall be placed on water connections as determined by the Commission. If the Commission at any time determines not to have meters installed in all the properties in a given sanitary district that are connected to the system, then a reasonable flat rate, as determined by the Commission, shall be charged to all properties in which meters have not been installed. This rate shall be uniform within a sanitary district.

**D. NOTWITHSTANDING SUBSECTIONS B AND C OF THIS SECTION, ANY PROPERTY OWNED ~~OR LEASED~~ BY EITHER A REGULARLY ORGANIZED VOLUNTEER FIRE DEPARTMENT OR A VOLUNTEER RESCUE SQUAD IS EXEMPT FROM THE IMPOSITION OF A WATER OR SEWER SERVICE CHARGE WHILE USED FOR PUBLIC PURPOSES.**

[D.] E. Bills for the amount of the charges shall be sent monthly, quarterly or semiannually, as the Commission determines, to the owner of each property served and are then payable at the Office of the Commission. If any bill remains unpaid after thirty (30) days from the due date or dates specified in it, the bill is overdue and the Commission may begin collection proceedings. At the request of the owner, bills for services may be sent, at the discretion of the Commission, to persons or entities other than the owner, provided that the owner states in his request that any bill so mailed will be considered as notice to him as if it were mailed to the owner in accordance with above.

[E.] F. When a bill is overdue and after written notice is left upon the premises or mailed to the last known address of the owner, the Commission shall turn off the water or sewer, if possible, from the property in question. The water or sewer service may not be resumed until the bill or bills, and a charge as determined by the Commission to cover costs incurred to turn off and to turn on the water or sewer service, have been paid.

**[F.] G.** If any charges remain unpaid for a period of thirty (30) days after the due date for payment, a late charge at a rate not to exceed one and five-tenths (1 5/10) percent per month may be made by the Commission until all delinquent charges are paid, the late charge to be in addition to all other charges.

**[G.] H.** If any bill shall remain unpaid for thirty (30) days after the due date, it shall be collectible from the owner of the property served in the same manner as other debts are collectible in the County. The service charges and all penalties and late charges shall be a first lien against the property, and the same procedures as set forth in section 113-12.D. of this chapter, shall be followed by the Commission in collecting those debts.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

**Approved by the Governor, April 14, 2014.**