

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 6

Bill No. 9-19

Mr. Julian E. Jones, Jr., Councilman

By the County Council, March 18, 2019

A BILL
ENTITLED

AN ACT concerning

Metropolitan District – ~~Review of Wastewater User Charges~~ – ~~Time for Request~~

FOR the purpose of amending the time to request a review of annual Metropolitan District wastewater user charges; requiring procedure to request review be written on consumer bill; and generally relating to requests for review of wastewater user charges.

BY repealing and re-enacting, with amendments

Section 20-3-214

Article 20 - Metropolitan District

Title 3 - Charges and Assessments

Subtitle 2 – Authorized Charges and Assessments

Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

Section 20-5-110(a)
Article 20 – Metropolitan District
Title 5 – Wastewater Regulation
Baltimore County Code, 2015

BY adding

Section 20-5-110(d)
Article 20 – Metropolitan District
Title 5 – Wastewater Regulation
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 20 – METROPOLITAN DISTRICT

5 Title 3 - Charges and Assessments

6 Subtitle 2 – Authorized Charges and Assessments

7 § 20-3-214. – Duty of Director of Budget and Finance in Making Up Tax Bills; Payment

8 Required When Taxes Paid.

9 (a) It shall be the duty of the Director of Budget and Finance, in making up the tax bills, to
10 make provision under appropriate heading for a statement thereon of and to state thereon the
11 amount of such assessments and charges (except water service charges) due for the current year
12 and of the amount thereof in arrears. Should a tax be imposed on any taxable property of the
13 metropolitan district or of the county under any provision of this article, the rate and amount of
14 such tax shall be also appropriately shown on the tax bill. The Director of Budget and Finance
15 shall accept no taxes on real estate unless tendered at the same time payment of all metropolitan

1 district assessments, charges, and taxes shown on his books as liens on the property with respect
2 to which taxes are tendered.

3 (b) THE DIRECTOR OF BUDGET AND FINANCE SHALL REQUIRE THAT ALL
4 STATEMENTS PREPARED PURSUANT TO SUBSECTION (A) CONSPICUOUSLY STATE
5 IN A SEPARATE PARAGRAPH UNDER ITS OWN BOLDED HEADING LABELED
6 “REVIEW BY DIRECTOR OF PUBLIC WORKS” THE FOLLOWING SENTENCE:
7 “PURSUANT TO § 20-5-110 OF THE COUNTY CODE, ANY REQUESTS FOR REVIEW OF
8 THE METROPOLITAN DISTRICT WASTEWATER USER CHARGES SHALL BE
9 ADDRESSED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS WITHIN
10 240 DAYS AFTER MAILING OF THE BILL FOR SUCH CHARGES.” THE DIRECTOR
11 SHALL ALSO INCLUDE THE NAME, MAILING ADDRESS, AND PHONE NUMBER FOR
12 THE DIRECTOR OF PUBLIC WORKS.

13 (C) All unpaid amounts shall bear interest at the rate as provided in § 11-2-303 of the
14 code or as amended from time to time until paid. In the event there be established under any
15 ordinance or law the practice of permitting payments in the county of taxes in installments, the
16 provisions herein with respect to payment of metropolitan district annual assessments and
17 charges in installments shall cease to be operative, and in lieu thereof with respect to each
18 assessable property all metropolitan district annual assessments and charges thereon shall be
19 included in the taxes thereon and collected together, in installments.

20
21 Title 5 – Wastewater Regulation

22 § 20-5-110. - Review of User Charges; Appeals; Refunds.

1 (a) Any person liable for the payment of the user charges imposed pursuant to this title and
2 who disputes such charges may, within [ninety (90)] TWO HUNDRED FORTY (240) days after
3 mailing of the bill for such charges, request the Director of Public Works to review the charges
4 imposed. Such requests for review shall be in such form, contain such information, and be
5 supported by such documents as the Director of Public Works may require. The Director of Public
6 Works shall investigate the merits of all such requests, and the person requesting review shall be
7 entitled to a hearing before the Director of Public Works or designee. After investigation and
8 hearing, if requested, the Director of Public Works shall, by written notice, notify the person
9 requesting review of the action taken. If the Director of Public Works or designee determines that
10 all or any part of the charges were erroneously, mistakenly, or illegally charged or collected, such
11 charges shall either be abated or refunded.

12
13 (D) NO LATER THAN TEN (10) DAYS AFTER DECEMBER 31 OF EACH YEAR,
14 BEGINNING DECEMBER 31, 2019, THE DIRECTOR OF PUBLIC WORKS SHALL
15 SUBMIT A REPORT DETAILING THE REVIEWS AND APPEALS OF CHARGES THAT
16 OCCURRED DURING THE PRECEEDING TWELVE (12) MONTHS TO THE COUNTY
17 COUNCIL AND THE COUNTY AUDITOR. THE REPORT SHALL SEPERATELY LIST
18 THE FOLLOWING: THE NUMBER OF REQUESTS FOR REVIEW THAT WERE
19 SUBMITTED; THE ANNUAL CUMULATIVE AND AVERAGE DOLLAR AMOUNT OF
20 THE CHARGES FOR WHICH A REQUEST FOR REVIEW WAS SUBMITTED; THE
21 NUMBER OF REQUESTS FOR REVIEW THAT WERE DENIED; THE ANNUAL
22 CUMULATIVE AND AVERAGE DOLLAR AMOUNT OF THE CHARGES FOR WHICH A
23 REQUEST FOR REVIEW WAS DENIED; FOR ALL DENIALS BASED ON THE

1 TIMELINESS OF THE REQUEST, A LIST OF THE CALCULATED DEADLINES AND
2 COORESPONDING DATE THE REQUEST WAS RECEIVED TO SUPPORT SUCH
3 DENIAL; THE NUMBER OF APPEALS FILED UNDER THIS SECTION TO THE BOARD
4 OF APPEALS; THE NUMBER OF DECISIONS RENDERED BY THE BOARD OF
5 APPEALS IN SUCH CASES; THE NUMBER OF CASES IN WHICH THE BOARD OF
6 APPEALS RULED IN FAVOR OF THE DEPARTMENT OF PUBLIC WORKS; THE
7 NUMBER OF CASES IN WHICH THE BOARD OF APPEALS RULED IN FAVOR OF THE
8 CUSTOMER; THE ANNUAL CUMULATIVE AND AVERAGE DOLLAR AMOUNT OF
9 ALL REFUNDS OR ADJUSTMENTS MADE UNDER THIS SECTION.

10 SECTION 2. AND BE IT FURTHER ENACTED THAT THE DIRECTOR OF
11 PUBLIC WORKS SHALL SUBMIT TO THE COUNTY COUNCIL AND COUNTY
12 AUDITOR AN INTERIM REPORT, NO LATER THAN TEN (10) DAYS AFTER THE END
13 OF FISCAL YEAR 2019, THAT SHALL CONSIST OF THE SAME INFORMATION
14 REQUIRED FOR AN ANNUAL REPORT FROM THE EFFECTIVE DATE OF THIS BILL
15 UNTIL THE END OF FISCAL YEAR 2019.

16
17 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
18 the affirmative vote of five members of the County Council, shall take effect on April 29, 2019.