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**By: Delegate Edwards**

Introduced and read first time: January 27, 1997

Assigned to: Commerce and Government Matters

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Committee Report: Favorable

House action: Adopted

Read second time: February 25, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Garrett County Sanitary Commission - Unpaid Sewerage Charges - Disconnection of**  
3 **Water Service**

4 FOR the purpose of authorizing the Garrett County Sanitary Commission to disconnect  
5 water service when a bill for sewerage service is unpaid for a specified period;  
6 authorizing the sanitary commission to disconnect water service when advised by a  
7 municipal corporation that a bill for sewerage service provided by a municipal  
8 system is unpaid for a specified period; requiring certain notice; authorizing the  
9 sanitary commission to require certain payments and reconnection charges; and  
10 generally relating to authorization to discontinue water service in Garrett County  
11 when sewerage bills owed to the Garrett County Sanitary Commission or a  
12 municipal system are not paid.

13 BY repealing and reenacting, with amendments,  
14 Article - Environment  
15 Section 9-662  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 1996 Supplement)

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

20 **Article - Environment**

21 9-662.

22 (a) For each project that it operates, a district may charge the owners of parcels  
23 serviced by or connected to the project:

24 (1) A minimum charge; and

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1 (2) A usage charge that is based on the use of the project by the owner of  
2 the parcel.

3 (b) The district shall use funds received from charges made under this section:

4 (1) To operate, maintain, and repair the project;

5 (2) To maintain proper depreciation allowances;

6 (3) To pay operation expenses of the district;

7 (4) To repay advances made by member counties under § 9-628 of this  
8 subtitle; and

9 (5) To pay the principal and interest on bonds issued under this subtitle.

10 (c) For water service, the sanitary commission:

11 (1) Shall make a minimum charge:

12 (i) That is based on the size of the meter serving the property and is  
13 uniform throughout the service area for each size of meter; and

14 (ii) That, for properties to which no meter is connected, is reasonable  
15 and uniform throughout the service area; and

16 (2) Subject to the meter size and uniformity requirements of this subsection,  
17 may change the minimum charge as necessary.

18 (d) For sewerage service, the sanitary commission shall:

19 (1) Make a minimum charge that is reasonable and uniform throughout the  
20 service area; and

21 (2) Collect, each year, the minimum charge in the same manner as the  
22 sanitary commission collects benefit assessments.

23 (e) If a minimum charge for sewerage service is unpaid, the minimum charge has  
24 the same status as an unpaid benefit assessment.

25 (f) For solid waste disposal systems, the sanitary commission shall make a  
26 minimum charge that is reasonable and uniform throughout the service area.

27 (g) If the sanitary commission uses a water meter, the sanitary commission shall  
28 connect the water meter at the sanitary commission's expense.

29 (h) For water usage, the sanitary commission shall make a charge that:

30 (1) Is based on meter readings; or

31 (2) If no water meter is connected to the property, is:

32 (i) Based on the estimated water usage; and

33 (ii) Uniform among unmetered properties in the service area.

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1 (i) For sewerage systems and solid waste disposal systems, the sanitary  
2 commission shall make a reasonable usage charge.

3 (j) Except for bills for minimum charges for sewerage services, the sanitary  
4 commission:

5 (1) Shall send to each property owner:

6 (i) For water service, a bill for minimum charges and usage charges  
7 for water once each 3 or 6 months; and

8 (ii) For other charges, a bill once each 3, 6, or 12 months; and

9 (2) May stagger the frequency and dates of bills sent under this section.

10 (k) The property owner promptly shall pay any bill sent under this section.

11 (l) If a water bill is unpaid for 30 days after being sent, and after written notice is  
12 left on the premises or mailed to the last known address of the owner, the sanitary  
13 commission may:

14 (1) Disconnect water service to the property; and

15 (2) Require, before reconnecting water service, payment of the entire water  
16 bill plus a reconnection charge reasonably related to the cost of reconnection, as  
17 established by ordinance of the governing body of the county or municipal corporation in  
18 which the water service is provided.

19 (m) (1) If a charge for which a bill sent under this section is in default 60 days  
20 after the bill is sent, the charge is in default.

21 (2) When a charge is in default, it is a lien on the property and the sanitary  
22 commission may collect the charge in the same manner as benefit assessments.

23 (N) (1) IN GARRETT COUNTY, IF A BILL FOR SEWERAGE SERVICE IS UNPAID  
24 FOR 30 DAYS AFTER BEING SENT, THE SANITARY COMMISSION MAY DISCONNECT  
25 WATER SERVICE TO THE PROPERTY.

26 (2) BEFORE THE DISCONNECTION OF WATER SERVICE UNDER THIS  
27 SUBSECTION, THE SANITARY COMMISSION SHALL PROVIDE NOTICE:

28 (I) BY MAIL SENT TO THE LAST KNOWN ADDRESS OF THE OWNER  
29 OF THE PROPERTY; OR

30 (II) BY POSTING THE NOTICE ON THE PREMISES OF THE PROPERTY  
31 SERVED.

32 (3) IF A MUNICIPAL CORPORATION ADVISES THE SANITARY  
33 COMMISSION THAT A BILL FOR SEWERAGE SERVICE PROVIDED BY A MUNICIPAL  
34 SYSTEM IS UNPAID FOR 30 DAYS AFTER BEING SENT, SUBJECT TO THE NOTICE  
35 PROVISIONS OF THIS SUBSECTION, THE SANITARY COMMISSION MAY DISCONNECT  
36 WATER SERVICE TO THE PROPERTY.

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1                   (4) BEFORE RECONNECTING WATER SERVICE, THE SANITARY  
2 COMMISSION MAY REQUIRE PAYMENT OF THE ENTIRE SEWERAGE BILL PLUS A  
3 RECONNECTION CHARGE REASONABLY RELATED TO THE COST OF RECONNECTION,  
4 AS ESTABLISHED BY REGULATION OF THE SANITARY COMMISSION.

5                   (5) THIS SUBSECTION DOES NOT PRECLUDE THE USE OF ANY OTHER  
6 PROCEDURE TO COLLECT UNPAID SEWERAGE CHARGES AVAILABLE UNDER THIS  
7 SUBTITLE.

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 1997.