
By: **Prince George's County Delegation and Montgomery County
Delegation**

Introduced and read first time: February 6, 2002
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Service Charge - Limitation**
3 **of Owner's Liability**
4 **PG/MC 117-02**

5 FOR the purpose of limiting a property owner's liability for certain service charges
6 owed to the Washington Suburban Sanitary Commission to a certain amount if
7 certain conditions are met; and generally relating to the Washington Suburban
8 Sanitary Commission's service charges.

9 BY repealing and reenacting, with amendments,
10 Article 29 - Washington Suburban Sanitary District
11 Section 6-104(b)
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 2001 Supplement)

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

16 **Article 29 - Washington Suburban Sanitary District**

17 6-104.

18 (b) (1) (i) Except as provided in this section, the rate for service shall
19 consist of a minimum or a ready to serve charge and a charge for water used.

20 (ii) The ready to serve charge is based on the size of the meter on
21 the water connection leading to the property.

22 (iii) The charge for water used is based on the amount of water
23 passing the meter during the period between the last 2 readings.

24 (iv) The meter shall be placed on each water connection by and at
25 the sole expense of the WSSC.

1 (2) The WSSC may provide that the minimum or ready to serve charge
2 includes a specified minimum number of gallons of water without additional service
3 charges for the water, and the minimum figure may vary with the size of the meter
4 involved.

5 (3) The WSSC:

6 (i) May provide for the billing and collection of the water and sewer
7 usage charges on an estimated basis for periods of 6 months or less, based on the
8 historical daily average consumption calculated from actual previous usage;

9 (ii) Shall read the meter at least every 6 months; and

10 (iii) 1. Shall base the final bill for the 6-month period on the
11 actual consumption adjusted by previous estimates, if the meter had not been read
12 because it was inaccessible;

13 2. Shall base the final bill for the 6-month period on the
14 historical daily average consumption, calculated from actual previous usage, if a final
15 reading cannot be made because:

16 A. The meter malfunctioned;

17 B. The meter had been taken out of service for repairs or
18 maintenance, or for water system relining purposes; or

19 C. There was theft of service;

20 3. May modify the historical daily average consumption
21 calculation based upon any appropriate evidence submitted by the owner; and

22 4. May not base a final bill on estimated usage for 2
23 consecutive 6-month periods.

24 (4) (i) A bill for the amount of these charges shall be sent monthly, 4
25 times a year, or twice a year, as the WSSC determines, to each property served, and
26 on receipt each bill is payable at the office of the WSSC.

27 (ii) An additional late payment charge of 5 percent of the unpaid
28 charges shall be added and collected as part of the bill if:

29 1. The WSSC sends out a bill for water and sewer usage
30 charges in the regular course of business;

31 2. For a service period of 3 months or more, the bill is not
32 paid 30 days from the date of sending; or

33 3. For a service period of less than 3 months, the bill is not
34 paid 20 days from the date of sending.

1 (iii) The additional charge is in addition to and not in substitution
2 for or derogation of any other right or remedy granted to the WSSC by any other law.

3 (iv) 1. [If] EXCEPT AS PROVIDED IN ITEM 2 OF THIS PARAGRAPH,
4 IF any bill is not paid for 60 days after being sent out by the WSSC, the bill shall be
5 collected against the owner of the property served in the same manner as other debts
6 are collected in Montgomery and Prince George's Counties.

7 2. THE WSSC MAY NOT COLLECT FROM THE PROPERTY
8 OWNER ANY AMOUNT ON THE BILL OVER \$200 IF:

9 A. THE PROPERTY IS A RENTAL PROPERTY THAT WAS
10 OCCUPIED BY A PERSON WHO WAS NOT AN OWNER OF THE PROPERTY DURING THE
11 PERIOD THAT THE DELINQUENT CHARGES ACCRUED;

12 B. NO OWNER OF THE PROPERTY OCCUPIED THE PROPERTY
13 DURING THE SAME PERIOD; AND

14 C. THE BILL IS NOT REGULARLY SENT TO THE OWNER OF
15 THE PROPERTY OR THE OWNER'S AGENT.

16 (v) 1. If any bill is not paid after 30 days from the date of
17 sending, the WSSC, after written notice left on the premises or mailed to the last
18 known address of the owner, shall turn off the water from the property in question.

19 2. The water may not be turned on again until the bill, any
20 late payment penalty charges as authorized by law, and the cost incurred in shutting
21 off and restoring the water supply are paid.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2002.