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

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Sewer Usage Charges**  
3 **MC/PG 120-05**

4 FOR the purpose of authorizing, under the Washington Suburban Sanitary  
5 Commission (WSSC) law, certain properties to use a certain separate metered  
6 connection under certain circumstances; establishing methods for determining  
7 sewer usage charges for certain properties; making stylistic changes; and  
8 generally relating to sewer usage charges collected by the WSSC.

9 BY repealing and reenacting, with amendments,  
10 Article 29 - Washington Suburban Sanitary District  
11 Section 4-110(d)  
12 Annotated Code of Maryland  
13 (2003 Replacement Volume and 2004 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 4-110.

18 (d) (1) For the purpose of retiring the bonds authorized to be issued by this  
19 section and the payment of the interest thereon and for the purpose of paying for the  
20 cost of the maintenance of its sewerage system and its disposal facilities, including  
21 the overhead expense and proper depreciation allowance, and payments to the  
22 District of Columbia for disposal of sanitary district sewage, the WSSC shall be  
23 empowered and directed to make a sewer usage charge, chargeable against all  
24 properties connected to the WSSC's sewerage system. [The] EXCEPT AS PROVIDED IN  
25 PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE charges shall be based upon the  
26 water consumption of the properties connected to the sewerage system[, except that  
27 where].

1           (2)       WHERE the WSSC furnishes sewerage service to a property which is  
2 not connected to the WSSC's water system the WSSC shall make a sewer usage  
3 charge on an annual, semi-annual, or monthly basis, which will fairly and ratably  
4 compensate the WSSC for the use of the sewerage system by such property, and in  
5 fixing the charge for properties not connected to the water system the WSSC shall  
6 take into consideration the usage made of the sewerage system by such property and  
7 the sewer usage charge applicable to like or similar properties connected to the water  
8 system.

9           (3)       (I)       [In] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
10 PARAGRAPH, IN the event that water furnished by the WSSC to any lot or parcel of  
11 land shall be used exclusively for any purpose which results in the water not entering  
12 the sewerage system of the WSSC, then and in that event the owner, tenant or  
13 occupant of such lot or parcel shall not be charged a sewer usage charge for the water  
14 so used, provided, however, that the owner, tenant or occupant of such lot or parcel  
15 shall pay to the WSSC the cost of installing such a separate metered connection as  
16 well as an annual amount equal to the WSSC's annual water service charge for the  
17 size of the meter so installed for measuring the water so used and which meter  
18 connection upon such payment shall be installed at a location to be determined by it  
19 and shall thereafter be maintained and exclusively controlled by the WSSC under  
20 such rules and regulations as the WSSC may adopt.

21                   (II)       A COMMERCIAL, INDUSTRIAL, OR MULTIRESIDENTIAL  
22 PROPERTY MAY USE A SEPARATE METERED CONNECTION AS PROVIDED IN  
23 SUBPARAGRAPH (I) OF THIS PARAGRAPH, EVEN THOUGH A PORTION OF THE  
24 SEPARATELY METERED WATER ENTERS THE SEWERAGE SYSTEM OF THE WSSC,  
25 PROVIDED THAT THE OWNER, TENANT, OR OCCUPANT OF THE PROPERTY REQUESTS  
26 TO BE BILLED ACCORDING TO A FORMULA DETERMINED BY THE WSSC.

27                   (III)       THE FORMULA DETERMINED BY THE WSSC UNDER  
28 SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL:

29                               1.       CREDIT THE OWNER, TENANT, OR OCCUPANT FOR  
30 SEPARATELY METERED WATER NOT ENTERING THE SEWERAGE SYSTEM OF THE  
31 WSSC; AND

32                               2.       BE CONSISTENT WITH:

33                                   A.       MANUFACTURERS' ENGINEERING STANDARDS FOR THE  
34 CLASS OF EQUIPMENT UTILIZING THE SEPARATELY METERED WATER SUPPLIED BY  
35 THE WSSC; OR

36                                   B.       INDUSTRY STANDARDS FOR THE CLASS OF OPERATIONS  
37 UTILIZING THE SEPARATELY METERED WATER SUPPLIED BY THE WSSC.

38                   (IV)       THE SEWER USAGE CHARGES FOR PROPERTIES UNDER  
39 SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE BASED ON THE TOTAL AMOUNT  
40 OF WATER USED AS DETERMINED UNDER § 6-104 OF THIS ARTICLE, LESS THE  
41 AMOUNT OF SEPARATELY METERED WATER.

1 (V) THE SEWER USAGE CHARGES FOR PROPERTIES UNDER  
2 SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL BE BASED ON THE SUM OF:

3 1. THE TOTAL AMOUNT OF WATER USED AS DETERMINED  
4 UNDER § 6-104 OF THIS ARTICLE, LESS THE AMOUNT OF SEPARATELY METERED  
5 WATER; AND

6 2. THE AMOUNT OF SEPARATELY METERED WATER AS  
7 ADJUSTED BY THE FORMULA DESCRIBED IN SUBPARAGRAPH (III) OF THIS  
8 PARAGRAPH.

9 (5) Wherever the property of any federal, State or other agency is exempt  
10 from front foot benefit charges and ad valorem taxes imposed under the provisions of  
11 Chapter 122 of the Acts of the General Assembly of Maryland of 1918, and  
12 amendments thereto, and the property is connected to the WSSC's sewerage system,  
13 the WSSC shall make a sewer usage charge against the property so connected, with  
14 full authority to change the same from time to time, which charge shall take into  
15 consideration the general tax, and front foot benefit charge levied within the sanitary  
16 district in addition to the regular sewer usage charge provided herein.

17 (6) The sum [so] OF SEWER USAGE CHARGES collected annually for the  
18 payment of principal and interest due on outstanding bonds shall be deducted from  
19 the amount which the WSSC has determined to be necessary to be raised by direct  
20 taxation upon certification to the County Councils of said counties.

21 (7) (I) Bills for the amount of the SEWER USAGE charges shall be sent  
22 monthly, quarterly or semi-annually, as the WSSC may determine to each property  
23 connected to the sewerage system, and shall be thereupon payable at the office of the  
24 WSSC[; and if].

25 (II) IF any bill shall remain unpaid after 30 days from date of  
26 sending, the WSSC shall after written notice, to be left upon the premises or mailed  
27 to the last known address of the owner, turn off the water from the property in  
28 question and it shall not be turned on again until the bill shall have been paid.

29 (III) If any bills shall remain unpaid for 60 days after being sent out  
30 by the WSSC it shall be collectible against the owner of the property served, in the  
31 same manner as other debts are collectible in the respective counties.

32 (8) The provisions of this section shall not be construed as authority to  
33 repudiate any existing contracts between the WSSC and any municipality located  
34 within the sanitary district without the consent of the municipality.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 June 1, 2005.