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

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2005

CHAPTER _____

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

1 District of Columbia for disposal of sanitary district sewage, the WSSC shall be
2 empowered and directed to make a sewer usage charge, chargeable against all
3 properties connected to the WSSC's sewerage system. [The] EXCEPT AS PROVIDED IN
4 PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE charges shall be based upon the
5 water consumption of the properties connected to the sewerage system[, except that
6 where].

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

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

27 (II) A COMMERCIAL, INDUSTRIAL, OR MULTIRESIDENTIAL
28 PROPERTY MAY USE A SEPARATE METERED CONNECTION AS PROVIDED IN
29 SUBPARAGRAPH (I) OF THIS PARAGRAPH, EVEN THOUGH A PORTION OF THE
30 SEPARATELY METERED WATER ENTERS THE SEWERAGE SYSTEM OF THE WSSC,
31 PROVIDED THAT THE OWNER, TENANT, OR OCCUPANT OF THE PROPERTY REQUESTS
32 TO BE BILLED ACCORDING TO A FORMULA DETERMINED BY THE WSSC.

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

35 1. CREDIT THE OWNER, TENANT, OR OCCUPANT FOR
36 SEPARATELY METERED WATER NOT ENTERING THE SEWERAGE SYSTEM OF THE
37 WSSC; AND

38 2. BE CONSISTENT WITH:

39 A. MANUFACTURERS' ENGINEERING STANDARDS FOR THE
40 CLASS OF EQUIPMENT UTILIZING THE SEPARATELY METERED WATER SUPPLIED BY
41 THE WSSC; OR

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

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

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

9 1. THE TOTAL AMOUNT OF WATER USED AS DETERMINED
10 UNDER § 6-104 OF THIS ARTICLE, LESS THE AMOUNT OF SEPARATELY METERED
11 WATER; AND

12 2. THE AMOUNT OF SEPARATELY METERED WATER AS
13 ADJUSTED BY THE FORMULA DESCRIBED IN SUBPARAGRAPH (III) OF THIS
14 PARAGRAPH.

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

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

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

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

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

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

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