

ORDINANCE 1-2017

Introduced by: Potter

AN ORDINANCE OF THE TOWN OF TRAPPE TO AMEND SECTION 14 OF THE TRAPPE TOWN CODE TITLED “WATER AND SEWER”, TABLE 1 TITLED “FEES AND CHARGES” TO INCREASE THE BASIC MONTHLY WATER SERVICE FEE TO \$15.00 PER MONTH AND THE BASIC MONTHLY SEWER SERVICE FEE TO \$50.00 PER MONTH; TO AMEND SECTION 14.8 OF THE TRAPPE TOWN CODE TO AUTHORIZE THE COUNCIL TO ESTABLISH WATER AND SEWER RATES FOR PROPERTIES LOCATED OUT OF TOWN IN AN AMOUNT NOT TO EXCEED TWICE THE AMOUNT CHARGED TO USERS LOCATED WITHIN THE TOWN; AND TO AMEND SECTION 14.19 OF THE TOWN CODE TO CLARIFY RESPONSIBILITY FOR MAINTENANCE AND REPAIRS OF WATER AND SEWER LINES LOCATED ON PRIVATE PROPERTY

WHEREAS, Md. Code Ann. Environmental Article § 9-705 and the Trappe Town Charter § 707 authorize the Town to construct, operate, modify and maintain a water and sewerage system; and

WHEREAS, Md. Code Ann. Environmental Article § 9-723 through 9-726 and the Trappe Town Charter § 718 authorize the Town to establish rates, fees and charges for municipal water and sewer services; and

WHEREAS, Md. Code Ann. Environmental Article § 9-811 requires a municipality that issues bonds in connection with its water and sewer infrastructure to charge sufficient rates to cover the debts associated with the system, as well as an amount to cover all expenses associated with the operation and maintenance of the system; and

WHEREAS, the Council of Trappe has determined that it is necessary and in the public interest to amend Table 1 of Chapter 14, to increase the water and sewer rates as set forth in this Ordinance to enable the Town to meet its operation, maintenance and debt service obligations associated with the Town’s water and sewer system; to authorize the Council to establish water and sewer rates for properties located outside of Town in an amount not to exceed twice the amount charged to users located within the Town; and to amend Section 14.19 of the Town Code to clarify responsibility for maintenance and repairs of water and sewer lines located on private property.

NOW THEREFORE, the Council of the Town of Trappe hereby ordains as follows:

Section 1. Section 14.8 of the Trappe Town Code is amended as follows:

Section 14.8. Rates for Properties located outside of Town. ~~All users of town water and sewer shall pay the same amount regardless of whether the property is located within the Town or located outside the corporate limits of the Town.~~ *For users of town water and/or sewer service located outside of the corporate limits of the Town, the Town shall have the right to charge rates in an amount not to exceed twice the amount charged to users located within the Town.*

Section 2. Section 14.19F. of the Trappe Town Code is amended as follows:

Section. 14.19. Meters, ~~and metering~~ and service lines.

F. The customer is responsible for the installation and maintenance of service lines from the point of service connection to his premise, including any building sewer clean out installed on the owner's premises. The point of service connection for water is generally considered to be the outlet side of the meter. The point of service connection for sewer is the end of the service lateral where the lateral enters the customer's premise. *Where a customer or property owner's water or sewer line is located on or extends across the property of another and does not directly abut a public right-of-way, the customer or property owner's maintenance responsibility commences at the private property line. The Town shall not have any responsibility for maintenance or repairs of water and/or sewer lines located on private property. The cost of installation, maintenance and repairs shall be shared by the customers and/or owners whose property is served by the line. No new lines shall be constructed across the property of another without a utility easement recorded in the Talbot County land records memorializing the rights and responsibilities of the property owners to maintain the line. The provisions of this Subsection F shall apply to lateral lines or customer service lines which serve individual properties, and shall not apply to force mains or other large pipes which serve a larger area.*

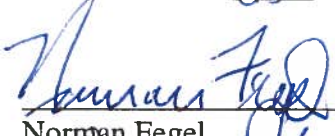
Section 3. Chapter 14 of the Trappe Town Code titled "Water and Sewer", Table 1, titled "Fees and Charges" is amended as follows. The Monthly Fees set forth Table 1 are hereby amended to reflect an increase in the Basic Water Service Fee, and the Basic Sewer Service Fee. The Monthly Water Usage Rate and the Monthly Sewer Usage Rate shall remain unchanged. Unless specifically amended below, all other Fees and Charges Set forth in Table 1 shall remain unchanged:

Monthly Fees:	
Basic Water Service Fee	\$11.11 \$15.00 per metered connection, or per residential dwelling unit or multiple non-residential user served by a master meter
Basic Sewer Service Fee	\$25.92 \$50.00 per metered connection, or per residential dwelling unit or multiple non-residential user served by a master meter

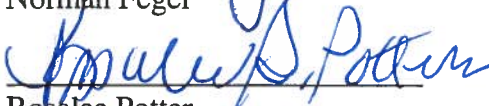
Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5: This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

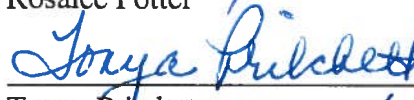
This Ordinance shall become effective on the 20th day of February, 2017.



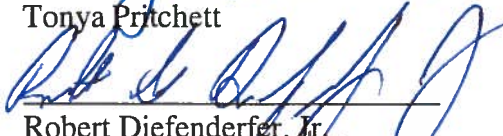
 Norman Fegel



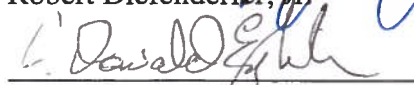
 Rosalee Potter



 Tonya Pritchett

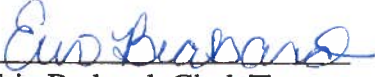


 Robert Diefenderfer, Jr.



 C. Donald English

I hereby certify that the foregoing Ordinance Number 01-2017 of the Town of Trappe was duly read and enacted in accordance with the applicable provisions of the Charter of the Town of Trappe.

Attest: 
Erin Braband, Clerk/Treasurer
Town of Trappe

Deleted text reflected as ~~stricken~~

New language reflected in *italicized and bold text*

Underlined Text represents text inserted after introduction