

ORDINANCE 5-2019

Introduced by: Comm. Fegel

**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 MONTHLY UNOCCUPIED WATER SERVICE CHARGE TO \$15.00 PER METERED CONNECTION, AND THE MONTHLY UNOCCUPIED SEWER SERVICE CHARGE TO \$52.50 PER METERED CONNECTION, AND THE BAY RESTORATION FUND CHARGE TO \$5.00 PER MONTH PER RESIDENCE; AND TO AUTHORIZE THE TOWN TO PROHIBIT PAYMENT BY CHECK FOR WATER AND SEWER FEES AND CHARGES UPON THE RECEIPT OF THREE (3) INSUFFICIENT FUND PAYMENTS ON THE SAME BILLING ACCOUNT**

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 unoccupied building water and sewer rates as set forth in this Ordinance to enable the Town to meet its operation, maintenance and debt service obligations, and to increase the monthly Bay Restoration Fund fee.

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

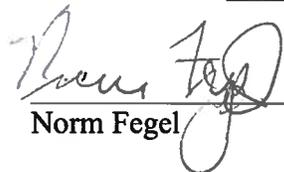
**Section 1.** Chapter 14 of the Trappe Town Code titled "Water and Sewer", Table 1, titled "Fees and Charges" is amended as follows. Unless specifically amended below, all other Fees and Charges Set forth in Table 1 shall remain unchanged:

<b>Monthly Fees:</b>	
Unoccupied (turned off) Water Service charge (Applies to individually metered services turned off for more than 90 days for reasons other than nonpayment. Turn off/on fees apply.)	<del>\$4.95</del> <b>\$15.00</b> per metered connection (Does not apply to individual units served by a master meter.)
Unoccupied (turned off) Sewer Service charge (Applies to individually metered services turned off for more than 90 days for reasons other than nonpayment. Turn off/on fees apply.)	<del>\$11.55</del> <b>\$52.50</b> per metered connection (Does not apply to individual units served by a master meter.)
Bay Restoration Fund	Billed per State of Md. fee schedule ( <del>January 2010 — \$2.50</del> <b>\$5.00</b> per residence. Commercial uses based on State equivalent residential unit formula.)
<b>Other Fees and Charges:</b>	
Returned Check fee  <i>The Town, in its discretion, may deny payment by check for any water or sewer charges and fees upon the receipt of a third (3<sup>rd</sup>) insufficient funds payment on the same billing account.</i>	\$25.00

**Section 2.** 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 Trappe 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 3:** This ordinance and the rates established and adopted herein shall take effect on July 1, 2019.

This Ordinance shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

  
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 Norm Fegel

  
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Robert Diefenderfer, Jr.

  
\_\_\_\_\_

Walter Chase

  
\_\_\_\_\_

Tonya Pritchett

  
\_\_\_\_\_

Nicholas Newnam

I hereby certify that the foregoing Ordinance Number 05-2019 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, Town Administrator/Town Clerk

Deleted text reflected as ~~stricken~~

New language reflected in *italicized and bold text*

