

The Mayor and Commissioners
of the Town of Elkton

Ordinance 5-2011

BY: **Mayor and Commissioners**

INTRODUCTION: **November 16, 2011**

ADOPTION: **December 7, 2011**

AN ORDINANCE CONCERNING

**The Code of the Town of Elkton
Title 13
Chapter 13.04
Section 13.04.290 - Water and Sewer Rates**

FOR THE PURPOSE of amending the Code of the Town of Elkton, Title 13, Chapter 13.04, § 13.04.290., Water and Sewer Rates., adjusting the water and sewer rates for customers of the Town of Elkton to ensure sufficient revenue to pay for water and wastewater systems operations, capital improvements, debt service, and the purchase of water from other utilities.

WHEREAS, Article XI-E, Constitution of the State of Maryland; Article 23A, Annotated Code of Maryland; and the Charter and Code of the Town of Elkton provide the authority under which the Board of Commissioners may adopt, repeal, and/or amend the ordinances of the Town of Elkton; and

WHEREAS, the Mayor and Commissioners authorized a water and sewer rate study update by Municipal & Financial Service Group (MFSG) to determine the necessary adjustments to the water and sewer rates beginning FY 2012 to pay for water and wastewater systems operations, capital improvements, debt service, and the purchase of water from other utilities, and have accepted the MFSG's July 2011 recommendations for adjustments to both water and sewer rates, as set forth hereinafter.

NOW, THEREFORE, the Board of Commissioners of the Town of Elkton hereby ordains that:

Section 1. The Code of the Town of Elkton, Title 13, Chapter 13.04, § 13.04.290., Water and Sewer Rates., is hereby repealed; and

Section 2. The Code of the Town of Elkton, Title 13, Chapter 13.04, § 13.04.290., Water and Sewer Rates., is hereby re-enacted to read as follows:

**The Code of the Town of Elkton
Title 13
Chapter 13.04**

§13.04.290 Water and sewer rates.

A. The Town shall bill water accounts on a quarterly basis and shall use water meters to determine the amount of water used by each residential, commercial, industrial or other property and/or portion thereof served by the town water and sewer systems.

B. Water and sewer rates established.

1. The following base water and sewer rates shall be charged:

Water Rate In-Town Minimum 9,000 gallons/quarter	Sewer Rate In-Town Minimum 9,000 gallons/quarter	Water Rate Out-Of-Town Minimum 9,000 gallons/quarter	Sewer Rate Out-Of-Town Minimum 9,000 gallons/quarter
\$25.20 <u>\$39.60</u>	\$62.91 <u>\$69.12</u>	\$50.40 <u>\$79.20</u>	\$125.82 <u>\$138.24</u>
Rate Exceeding In-Town Minimum/1,000 9,001 gallons up to 30,000 gallons	Rate Exceeding In-Town Minimum/1,000 9,001 gallons up to 30,000 gallons	Rate Exceeding Out-Of-Town Minimum/1,000 9,001 gallons up to 30,000 gallons	Rate exceeding Out-Of-Town Minimum/1,000 9,001 gallons up to 30,000 gallons
\$2.80 <u>\$4.40</u>	\$6.99 <u>\$7.68</u>	\$5.60 <u>\$8.80</u>	13.98 <u>\$15.36</u>
from 30,001 gallons up to 100,000 gallons	from 30,001 gallons up to 100,000 gallons	from 30,001 gallons up to 100,000 gallons	from 30,001 gallons up to 100,000 gallons
\$2.94 <u>\$4.62</u>	\$7.34 <u>\$8.07</u>	\$5.88 <u>\$9.24</u>	\$14.68 <u>\$16.14</u>
from 100,001 gallons up to 200,000 gallons	from 100,001 gallons up to 200,000 gallons	from 100,001 gallons up to 200,000 gallons	from 100,001 gallons up to 200,000 gallons
\$3.08 <u>\$4.85</u>	\$7.70 <u>\$8.47</u>	\$6.16 <u>\$9.70</u>	\$15.40 <u>\$16.94</u>

From 200,001 gallons and up to greater	From 200,001 gallons and up to greater	From 200,001 gallons and up to greater	From 200,001 gallons and up to greater
a 5% additional incremental rate adjustment per 100,000 gallons, up to a maximum rate of	5% additional incremental rate adjustment per 100,000 gallons, up to a maximum rate of	5% additional incremental rate adjustment per 100,000 gallons, up to a maximum rate of	5% additional incremental rate adjustment per 100,000 gallons, up to a maximum rate of
\$9.10 \$14.33	\$22.72 \$24.99	\$18.20 \$28.66	\$45.44 \$49.98

2. The base water and sewer rate for consumers outside the municipal limits of the Town shall be double the town rate.

C. Water meters required; minimum quarterly charge; sewer charge.

1. A residential, commercial, industrial or other property that receives water from the Town shall have a water meter installed thereon to measure all water consumed in any manner upon the property and/or portion thereof, including any water service connection dedicated exclusively for fire suppression and/or related purposes. The Town may require additional water meters for each dwelling unit of a multi-dwelling unit building, for each rental space on a commercial property, or upon other property, as determined by the town, to measure water consumption by the respective property.
2. The owner of property receiving water from the Town shall pay not less than the minimum quarterly charge for water and sewer service provided to the property or for each portion thereof where water meters are installed.
3. The charge for sewer service shall be determined on water usage.

D. Unless otherwise provided in the Code, or unless granted by the Mayor and Commissioners, a property owner receiving water and/or sewer service from the Town shall pay for all water and/or sewer service provided to the owner's property.

E. A property receiving water and/or sewer service from the Town that is not located within the corporate limits of the Town shall be charged double the water and sewer rates.

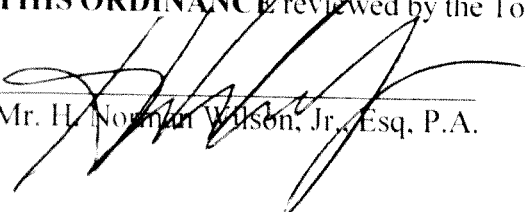
** END OF SECTION **

DATE OF EFFECT

THIS ORDINANCE shall be effective on the 27th day of December, 2011.

CERTIFICATION OF LEGAL REVIEW

THIS ORDINANCE reviewed by the Town Attorney and found legally sufficient and in proper form.

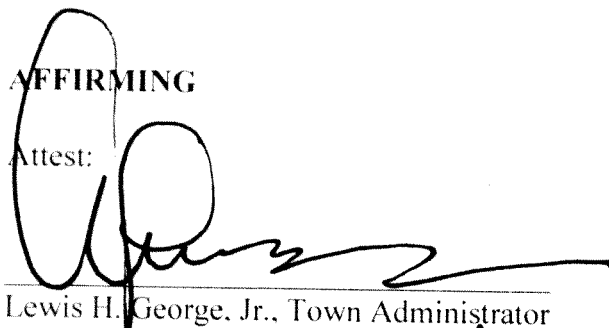

Mr. H. Norman Wilson, Jr., Esq., P.A.

Date 12/7/11

EXECUTION BY THE MAYOR AND COMMISSIONERS

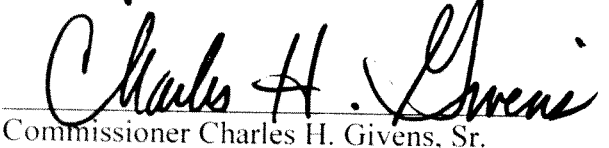
AFFIRMING

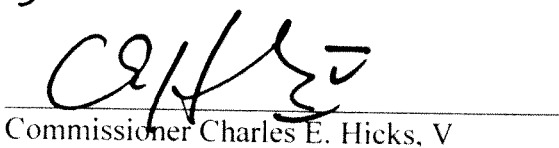
Attest:

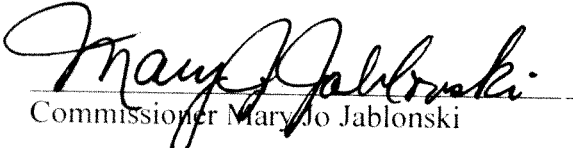

Lewis H. George, Jr., Town Administrator

**Mayor and Commissioners
of the Town of Elkton**


Mayor Joseph L. Fisona


Commissioner Charles H. Givens, Sr.


Commissioner Charles E. Hicks, V


Commissioner Mary Jo Jablonski

Commissioner Earl M. Piner, Sr.

DISSENTING



ABSTAINING

ABSENT

CERTIFICATION OF PUBLICATION

THIS ORDINANCE published in the Cecil Whig on _____ and _____.

Lewis H. George, Jr., Town Administrator

Date