

ORDINANCE NO 20-03

Introduced by: Thomas B. Willis, Jr.

AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO AMEND THE TOWN'S WATER AND SEWER CAPITAL ALLOCATION FEES FOR EACH RESIDENTIAL DWELLING UNIT AND NON-RESIDENTIAL USES

WHEREAS, Md. Code Ann. Environmental Article § 9-705 and the Queenstown Town Charter § 19-60, authorizes the Town to construct, operate, modify and maintain a water and sewerage system; and

WHEREAS, Md. Code Ann. Environmental Article § 9-723 and the Queenstown Town Charter, § 19-65 authorize the Town to establish reasonable rates, fees and charges for municipal water and sewer services; and

WHEREAS, on June 18, 2013, the Commissioners of Queenstown adopted Ordinance 13-04 which established water and sewer capital allocation fees which have since not been increased; and

WHEREAS, the Commissioners of Queenstown have determined that it is desirable and in the public interest to amend the water capital allocation fees and the sewer capital allocation fees to meet the Town's operation, maintenance and debt service obligations.

WHEREAS, on _____, 2020 the Commissioners of Queenstown conducted a public hearing on this Ordinance; and

WHEREAS, notice of the public hearing on this Ordinance was published on _____, 2020 and _____, 2020, in the _____.

WHEREAS, after a duly advertised public hearing, the Commissioners of Queenstown have determined that it is desirable and in the public interest to revise the water and sewer allocation fees as set forth herein.

WHEREAS, it is intention of the Commissioners of Queenstown that the revised water and sewer rates, fees and charges will be effective on September 1, 2020.

NOW THEREFORE, the Commissioners of Queenstown hereby ordain as follows:

SECTION 1.

A. Water and Sewer Capital Allocation Charges and Connection Fees for Each Residential Unit. For all residential properties that currently do not have water and sewer connections, the property owners shall pay the following fees for each residential dwelling unit:

<u>Water</u>	\$5,500.00	capital allocation fee
	\$100.00	connection fee (plus time and materials, as determined by the Town, if the Town makes the connection).
<u>Sewer</u>	\$8,000.00	capital allocation fee
	\$100.00	connection fee (plus time and materials, as determined by the Town, if the Town makes the connection).

B. Water and Sewer Capital Allocation and Connection Charges for Non-Residential Uses. For all non-residential connections, the property owner shall pay the following fees:

<u>Water</u>	The greater of \$5,500.00 or \$5,500.00 per Equivalent Dwelling Unit as determined by the Water Use Standards (Appendix 1) divided by 250 gallons per day.
	\$100.00 connection fee (plus time and materials, as determined by the Town, if the Town makes the connection).
<u>Sewer</u>	The greater of \$8,000.00 or \$8,000.00 per Equivalent Dwelling Unit as determined by the Water Use Standards (Appendix 1) divided by 250 gallons per day.
	\$100.00 connection fee (plus time and materials, as determined by the Town, if the Town makes the connection).

C. Sprinkler Connection. A customer pays the entire cost of connecting either a residential or non-residential sprinkler.

D. Additional Expenses. The connection fees set forth in this Ordinance do not cover the expense associated with water and/or sewer extensions or actual charges associated with bringing water or sewer services to town properties where no existing service exists. Where no town water or sewer extensions exist to a property, said services may be extended provided that the property owner pays for all costs associated with the extension of water or sewerage service, including, but not limited to, construction costs, engineering costs, legal fees and other professional costs. All such extensions to or from the Town's water or sewer system shall be constructed by the Town or to the Town's specifications. The property owner shall pay the Town's cost to install a water meter where no water meter exists.

SECTION 2. All Town ordinances that are inconsistent with the charges and fees set forth herein are repealed.

SECTION 3. 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 Queenstown 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.

This Ordinance shall become effective on the first day of September, 2020.

ORDAINED, APPROVED, AND PASSED by the Town Commissioners for the Town of Queenstown on this ____ day of _____, 2020.

WITNESS:

TOWN COMMISSIONERS FOR THE
TOWN OF QUEENSTOWN:

Aaron Horney, Town Clerk

Thomas B. Willis, Jr., President

Aaron Horney, Town Clerk

Holger Schuster, Commissioner

Aaron Horney, Town Clerk

Alton Hardee, Jr., Commissioner