

TOWN OF ROCK HALL, MARYLAND

ORDINANCE NO. 2022-04

AN ORDINANCE concerning

Chapter 220 (Water) of the Code of the Town of Rock Hall, Maryland

FOR the purpose of amending Chapter 220 (Water), Article XVII (Water Charges) of the Code of the Town of Rock Hall to increase certain penalties assessed for delinquent payment of water charges; providing that the title of this Ordinance shall be deemed a fair summary, and generally relating to water charges of the Town of Rock Hall.

RECITALS

WHEREAS, pursuant to Md. Code Ann., Envir. § 9-723, subject to the provisions of the Charter, the Council of the Town of Rock Hall (the “Council”) is authorized and empowered to establish reasonable rates for water service, and reasonable charges for sewer upkeep and sewer service, to provide funds for maintenance, repair, and operation of any water or sewerage system and payment of all or part of the principal and interest on any indebtedness that is incurred to finance any water or sewerage system; and

WHEREAS, pursuant to Md. Code Ann., Envir. § 9-724, the Council is authorized to set water usage rates, place meters on each water connection, and send bills for water service; and

WHEREAS, pursuant to the foregoing authority, the Council has established fees and charges related to water service, which are set forth in Chapter 220 (Water) of the Code of the Town of Rock Hall (the “Town Code”), including ; and

WHEREAS, pursuant to Md. Code Ann., Envir. § 9-727, before setting or modifying a rate, charge, or assessment for water service, sewer upkeep, or sewer service, the Council shall give prompt notice of the proposed rate, charge, or assessment in at least one newspaper of general circulation in the area of the water or sewerage system and conduct a hearing on the necessity or advisability of the proposed rate, charge, or assessment; and

WHEREAS, pursuant to Md. Code Ann., Envir. § 9-727, the Council held a public hearing on December 8, 2022 concerning the necessity for and advisability of a proposed increase in certain penalties assessed for delinquent payment of water charges; and

WHEREAS, notice of the Council's December 8, 2022 public hearing concerning the necessity and advisability of a proposed increase in certain penalties assessed for delinquent payment of water charges was published on November 21, 2022 and December 1, 2022 in the Kent County News a newspaper of general circulation in the Town; and

WHEREAS, the Council, for the good and welfare of the community, deems it necessary and appropriate to amend Chapter 220 (Water) of the Code of the Town of Rock Hall for the purposes of increasing certain penalties assessed for delinquent payment of water charges.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Town of Rock Hall that:

SECTION 1. Chapter 220 (Water), Article XVII (Water chargers) of the Code of the Town of Rock Hall be and it is hereby amended as follows:

§ 220-17 Water Charges.

The Town shall from time to time establish by resolution a water consumption charge and impose such penalties for delinquent payment of chargers as it deems proper.

* * *

J. (1) All bills are due and payable upon receipt and shall become delinquent 30 days after the billing date and will bear a [~~five percent~~] **ten percent** penalty after that date. Payments must be received in and by the Town Office prior to the expiration of 30 days after billing date to avoid assessment of penalties.

(2) UNCHANGED.

* * *

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a section of the Code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out and enclosed in brackets. Substantive language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

This Ordinance was introduced at a public meeting of the Council of the Town of Rock Hall, held on the 10th day of November, 2022 and having been reviewed and considered for final action after a public hearing on the 8th day of December, 2022, was duly passed and enacted on the 8th day of December, 2022.

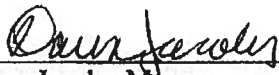
AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF ROCK HALL, MARYLAND, that this Ordinance shall become effective on the 28th day of December, 2022.

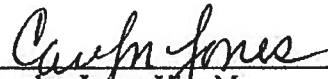
VOTE:

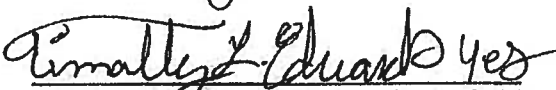
YEAS: 5

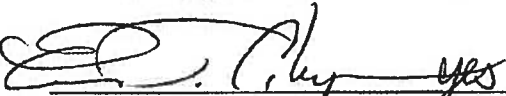
NAYS: —

ABSTAINING: —

 yes
Dawn Jacobs, Mayor (VOTE)

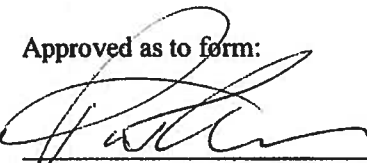
 yes
Carolyn Jones, Vice Mayor (VOTE)

 yes
Timothy Edwards, Councilmember (VOTE)

 yes
Eleanor Collyer, Councilmember (VOTE)

 yes
James Cook, Councilmember (VOTE)

Approved as to form:


Patrick W. Thomas, Town Attorney

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VOTE:

YEAS: 5

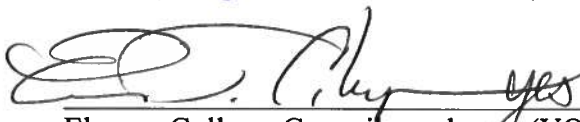
NAYS: —

ABSTAINING: —

 yes
Dawn Jacobs, Mayor (VOTE)

 yes
Carolyn Jones, Vice Mayor (VOTE)

 yes
Timothy Edwards, Councilmember (VOTE)

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Eleanor Collyer, Councilmember (VOTE)

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James Cook, Councilmember (VOTE)

Approved as to form:

Patrick W. Thomas, Town Attorney