

Ordinance No. _____

ORDINANCE: To amend Chapter 24 of the Rockville City Code entitled "Water, Sewers and Sewage Disposal," Article III, "Rates and Charges," so as to generally amend the billing and collection procedures for water and sewer usage, including adding provisions to clarify that delinquent charges may be collected in the same manner as taxes; to amend the provisions for adjustments to water and sewer bills; and to amend the provisions regarding the testing of City meters

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Chapter 24 of the Rockville City Code entitled "Water, Sewers and Sewage Disposal," Article III, "Rates and Charges" be amended as follows:

CHAPTER 24. WATER, SEWERS, AND SEWAGE DISPOSAL

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Article III. Rates and Charges

Sec. 24-46. Water consumption charge.

(a) In order to determine the consumption of water obtained from the mains of the City, the City Manager shall cause the meters installed as herein provided to be read monthly or quarterly and at such other times as the [Council] City Manager shall determine in order to bill timely in accordance with State Law. Within the corporate limits of the City, a charge as set forth in the following chart for fiscal years 2013 through 2015, per one thousand (1,000) gallons of water supplied, as determined from the readings of the meter, shall be made against the owner or owners of each premises supplied with water, and the charges shall be due and collectible monthly or quarterly.

Level (usage amount)	FY 2013	FY 2014	FY 2015
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1: 0—<12,000 gallons	\$4.68	\$5.05	\$5.45
2: 12,000—<24,000 gallons	\$6.73	\$7.27	\$7.85
3: 24,000 and over gallons	\$7.23	\$7.80	\$8.43

(b) The established charges shall go into effect on July 1, of the fiscal year for which they have been established. The new charges will apply to the entire billing cycle and are not prorated.

[(b)] (c) There shall be due from each user of the water system, a monthly Ready to Serve charge. The amount of the charge shall be based on water meter size and is hereby established for fiscal years 2013 through 2015 as set forth in the following chart:

Meter Size	FY 2013	FY 2014	FY 2015
5/8"	\$2.70	\$3.24	\$3.89
¾"	\$4.05	\$4.86	\$5.84
1"	\$6.75	\$8.10	\$9.73
1½"	\$13.50	\$16.20	\$19.45
2"	\$21.60	\$25.92	\$31.12
3"	\$43.20	\$51.84	\$62.24
4"	\$67.50	\$81.00	\$97.25
6"	\$135.00	\$162.00	\$194.50
8"	\$216.00	\$259.20	\$311.20
10"	\$324.00	\$388.80	\$466.80

[(c)] (d) Notwithstanding the foregoing, there shall be no charge for water provided to a line which serves only a fire suppression system and consumes water only for the fire suppression and/or for flushing or testing not more than one (1) time per year.

Sec. 24-47. Sewer usage charge.

(a) There shall be due to the City from each user of its sewerage system and/or disposal plant for each property served by its system, the sum as set forth in the following chart for fiscal years 2013 through 2015, for each one thousand (1,000) gallons of water used by such property during the preceding three (3) months or at such other times as the City Manager shall determine in order to bill timely in accordance with State Law.

	FY 2013	FY 2014	FY 2015
Sewer Charge	\$5.73	\$6.25	\$6.63

(b) No person using water obtained otherwise than from the water system of the City shall empty such water into the sewerage system of the City unless the water shall be measured through a meter owned or installed and owned by the City at the expense of such user, and quarterly thereafter shall be due to the City from each such user of its sewer system and/or disposal plant for each property so served by its system the sum as set forth in the following chart for fiscal years 2013 through 2015 for each one thousand (1,000) gallons of water used on such property during the preceding three (3) months or at such other times as the City Manager shall determine in order to bill timely in accordance with State Law.

	FY 2013	FY 2014	FY 2015
Sewer Charge	\$5.73	\$6.25	\$6.63

(c) Any person procuring water from the water system of the City, a substantial part of which water is not thereafter diverted into the sewerage system of the City, shall have the privilege of having a meter installed in compliance with permits issued by the City's Inspection Services Division and/or Department of Public Works [by the City] at the expense of such water user, whereby that portion of the water purchased by him from the City and not thereafter diverted into its sewer system, may be measured, and in computing the amount due the City from such user, as a sewer usage charge, the amount of water so measured and not diverted into the sewerage system of the City shall be deducted from the total amount of water delivered to the user from the water system of the City. This additional meter shall only be read by the City if said meter is compatible with the technology used by the City for meter reading. This meter shall be privately installed, owned and maintained, and is not the responsibility of the City once installed.

Sec. 24-48. Capital contribution charges.

(a) In this section:

(1) *Apartment building* is a rental building operated under a single ownership containing multiple-unit dwellings as defined in article 3 of chapter 25 of

this Code (the Zoning Ordinance). "Apartment building" includes the garden-type apartment.

(2) *Connection* means any new connection to the sanitary sewer system and water system of the City or any connection to the water system which requires the installation of a larger sized water meter.

(3) *Townhouse* means one (1) of a group of three (3) or more single unit dwelling units separated from each other by a party wall extending from the basement floor to the highest point of the roof with no openings, and must have two (2) separate entrances from the outside.

(b) Any applicant for a new connection to the sanitary sewer system of the City, or the water system of the City shall be charged, in addition to the normal plumbing permit fee, additional charges to be known as water and sanitary sewer capital contribution charges. Such charges shall be in the amount established by resolution; provided, however, that credit shall be given for a previous capital contribution when the connection is for the installation of a larger sized water meter. The amount of the credit shall be the capital contribution charge in effect at the time of the application for the size of the existing meter being upgraded. The charges shall be paid prior to the issuance of the plumbing permit.

Sec. 24-49. Adjustments to bills and testing of meters.

(a) Where a meter fails to function correctly or bears evidence of having been tampered with, charges shall be made on the basis of an average consumption of water, unless the supply shall have been suspended. The average consumption of water shall be calculated over the preceding one year period. Where a consumer or user desires to have his meter tested and the meter is a 1 inch meter or less, the City Manager shall have the meter removed and appropriate tests made and should the meter prove to be functioning correctly, a charge of fifty dollars (\$50.00) shall be paid by such consumer or user. Where the meter is greater than 1 inch, the customer will pay the direct fee that the City is billed for the outside testing. There shall be no charge to test the meter if the meter is determined not to be functioning correctly and needs to be replaced. The City Manager may grant a one-time waiver of this charge in the sole discretion of the City Manager, but not more frequently than once every five years.

(b) When a consumer or user desires to have the water meter manually re-read to determine if the original reading was correct, there shall be a charge of [twenty dollars (\$20.00)] fifty dollars (\$50.00) if the original reading of the meter is determined to be accurate. There shall be no charge if the original reading of the water meter is determined to have been incorrect.

(c) The City Manager shall have the authority to adjust water and sewer utility bills under the following circumstances:

(1) When an underground leak occurs between a water meter and a building and the customer could not have reasonably detected the leak, or when a water line bursts inside a building. In such instances, the City Manager may not adjust any bill below the average amount of the combined water and sewer usage for the preceding [four (4) billing periods] one year period. [Fewer periods] A lesser amount of time may be used in the discretion of the City Manager if the account in question has not been in existence for [four (4) billing periods] one year. Satisfactory evidence that an underground leak or burst water pipes have occurred and have been repaired shall be required. The customer shall cause such leaks to be repaired within ten (10) days of discovery. The bill adjustment described in this subsection is limited to once every five (5) years and the adjustment will only be applied to a customer's account once satisfactory evidence that the repair has been made has been provided to the City.

(2) When an amount of water consumed for any one (1) billing period exceeds [five (5)] four (4) times the average amount of water consumed for the preceding four (4) billing periods, the City Manager may not adjust any bill by an amount which exceeds two-thirds (2/3) of the amount billed for combined water and sewer usage[, and shall have no authority to make such adjustment on more than one (1) occasion for each customer account]. The bill adjustment described in this subsection is limited to once every five (5) years. Evidence that a plumbing repair has occurred shall be required, and the adjustment will only be applied to a customer's account once evidence that the repair has been made has been provided to the City.

(d) If a customer notifies the City in writing that the customer is filling a swimming pool, the City may provide a credit for sewer usage for the time period in which the pool is filled if the customer qualifies for the credit. In order to qualify for the credit, the customer must schedule with the City and the City must take both a meter reading prior to filling the swimming pool, and a meter reading after filling the pool. The customer will receive the credit against the sewer portion of the bill for the usage registered between the beginning and ending reading.

Sec. 24-50. Billing and collection procedures.

(a) Customers are responsible for providing the City with their correct information including telephone number, mailing address and, where applicable, email address. Failure to receive bills will not be considered a reason for nonpayment, nor permit an extension of the date at which time the account will be considered delinquent.

[(a)] (b) Following the reading of the meters as provided in section 24-46, the City Manager shall render a statement covering the charges provided for in sections 24-46 and 24-47. Upon failure to pay such charges within thirty (30) days from the rendition of a bill, a penalty of ten (10) percent of the amount of the statement shall be added thereto. The City Manager may grant a one-time waiver of the penalty once every five years should no previous penalties have been incurred. Where such charges remain unpaid for a period of thirty (30) days from the date of the imposition of the penalty, service shall be suspended to the premises involved. A [twenty-five] fifty dollar [(\$25.00)] (\$50.00) disconnect charge shall be assessed against the account. Water service shall not again be restored until all charges and penalties are paid in full, and an additional penalty of [twenty-five] fifty dollars [(\$25.00)] (\$50.00) for restoring the flow of water to the premises involved shall be added to the charges and penalties. The City Manager may grant a one-time waiver of the disconnect and reconnect charges once every five years should no previous disconnect/reconnect charges have been incurred. If requested and approved, the disconnect/reconnect charge may be placed on a customer's future bill in order to get service reconnected. If reconnection of water service is performed after normal business hours at the request of the customer, an additional eighty dollars (\$80.00) shall be charged for after hours service.

[(b)] (c) The City Manager is authorized to approve a payment plan on unpaid bills. Only one payment plan can be active per customer account. During the period of a payment plan, all regular bills and all regular charges apply to amounts not covered in the payment plan. A customer defaulting on a payment plan will have water service disconnected until all delinquent amounts are paid in full.

(d) If a meter should fail to register for any reason or if the City after reasonable effort, is unable to obtain a meter reading, an estimated bill will be rendered. Such bill shall be for a reasonable estimated consumption as determined by the customer's prior usage history based on the average consumption of water calculated over the preceding one year period, or in the case of a new customer as determined by normal usage for similar customers.

(e) The City reserves the right to correct any bills issued in error.

(f) Payment of water bills may be made by check. In the event a customer submits two (2) checks within a three-year period that are returned by the customer's bank for insufficient funds, then payment must be made by cash or money order for the next [four (4) billing cycles] one year period.

(g) Where electronic payments are rejected by the financial institution on which they are drawn, then payment must be made by cash or money order for the next one year period.

(h) In all instances where a payment method is rejected, a customer's account becomes immediately delinquent and subject to disconnection of service in accordance with the provisions of State Law.

Sec. 24-51. Ownership/rental changes.

(a) Where a property is sold, the water and sewer charges due on the property after settlement will be placed on the first bill for payment by the new property owner and be subject to and deemed a current charge for the new owner.

(b) (1) Where the property is rented and the account is in the name of the renter, any delinquency owed by the renter that remains unpaid after thirty (30) days from the billing shall be billed to the property owner and service to the property shall be disconnected if the account remains unpaid after sixty days from the billing.

(2) Payment for final bills is due upon issuance of the bill. While a final bill remains unpaid on a property, a new account shall not be established for a new tenant at that property address.

Sec. 24-52. Delinquent accounts.

(a) Where an account is delinquent for more than sixty (60) days, the City will forward the delinquent amount and the property address of the property being served to the County for placement of the unpaid charges on the property tax bill of the property being served. All charges including penalties, interest and disconnection/reconnection charges shall be included.

(b) The delinquent charges will appear on the property tax bill and shall be collected in the same manner as property taxes.

(c) Service shall only be restored to the property once the City has received payment in full.

NOTE: Underlining indicates material added
[Brackets] indicate material deleted

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I hereby certify that a copy of the foregoing is a true and correct copy of an

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Ordinance adopted by the Mayor and Council at its meeting of

Douglass Barber, City Clerk