

TOWN OF MANCHESTER
Ordinance No. 261

AN ORDINANCE TO AMEND THE PROVISIONS OF CHAPTER 173 OF THE CODE OF THE TOWN OF MANCHESTER RELATING TO SEWER SERVICE AND RATES.

WHEREAS, the Annotated Code of Maryland, Local Government Article and Chapter 9 of the Charter of the Town of Manchester, authorize the Mayor and Council of the Town of Manchester to establish and from time to time amend a system and schedules for the creation of fees and other requirements regarding the public water system; and

WHEREAS, the ongoing development and growth of the Town of Manchester requires an updating of these schedules and other requirements; and

WHEREAS, it is in the best interests of the citizens of the Town of Manchester to amend the Code to incorporate these modernized requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MANCHESTER:

ARTICLE 1.

SECTION 1. That Section 173-27 be repealed and re-enacted as follows:

An excise tax is hereby imposed upon the privilege of connecting to the Town's sewer system in the amount of ~~\$2,250~~ \$3150 per connection. The inspection fee for each connection is \$100.

SECTION 2. That Section 173-28 be repealed and re-enacted as follows:

- A. From and after the effective date of this section, in any instance in which the Town shall furnish sewer service to any building, dwelling, apartment, living unit or other building or structure as herein set forth, a special benefit assessment is hereby levied and imposed for the purpose of capital improvements and maintenance of the sewer collection and treatment system, payable prior to the issuance of a building permit in accordance with current practices, upon the owner or owners of such property or properties to be serviced, in the amount or amounts as follows:

Type of Structure	Charge
Dwellings and dwelling units	Each single-family dwelling unit or each unit in a multifamily \$2,500 <u>\$5,000</u>

	dwelling unit	
Schools, churches and colleges, including dormitories (students and staff)	1 to 100 persons	\$3,000 <u>\$5,550</u>
	100 to 250 persons	\$6,000 <u>\$8,500</u>
	250 to 400 persons	\$9,000 <u>\$11,500</u>
	400 to 1,000 persons	\$17,000 <u>\$19,500</u>
	Each additional 400 persons or fraction thereof over 999	\$8,000 <u>\$10,500</u>
Hospitals, care and nursing homes	1 to 20 beds	\$2,600 <u>\$5,500</u>
	20 to 60 beds	\$5,000 <u>\$7,500</u>
	Each additional bed over 59	\$100 <u>\$300</u>
Hotels and motels	1 to 10 rooms	\$2,000 <u>\$4,500</u>
	10 to 50 rooms	\$3,400 <u>\$5,900</u>
	Each additional room over 49	\$125 <u>\$325</u>
Commercial (retail, wholesale, business offices)	Minimum, includes a building containing up to 6,000 square feet of total floor space	\$2,000 <u>\$4,700</u>
	Next 4,000 square feet	\$0.25 <u>\$0.50 per square</u>
	Next 10,000 square feet	\$0.21 <u>\$0.30 per square foot</u>
	All over 20,000 square feet	\$0.17 <u>\$0.25 per square foot</u>

B. In any instance in which an existing structure is altered to connect to additional dwelling units, commercial units or business offices, there shall be imposed a special benefit assessment of ~~\$1,000~~ \$1,500 for each dwelling unit added and ~~\$500~~ \$1,000 for each business office added.

C. In any instance in which an industrial or commercial structure is altered to add additional square footage, there shall be imposed a special benefit assessment

in accordance with the schedule hereinbefore set forth. Expansion of existing structures shall be allowed credit for previously paid special benefit assessments in all types of uses except dwellings and dwelling units and planned unit developments.

- D. In any instance in which a school or college expands existing structures or constructs new buildings for nonresidential use, there shall be imposed a special benefit assessment in accordance with the item in the schedule entitled "Commercial." In the instance where a school or college adds or expands its residential buildings, a benefit assessment shall be imposed in accordance with the item in the schedule entitled "Dwellings and dwelling units," or, in the event of construction of dormitories, the item in the schedule entitled "Schools and colleges, including dormitories" shall be applicable.
- E. In situations where no specified category is provided for in this section, the Public Utilities Committee shall determine the applicable special benefit assessment to be charged, but in no case shall such charges exceed those existing in Subsection A of this section.

SECTION 3. That Section 173-29A be repealed and re-enacted as follows:

- A. Rates generally; metered service (based on water meter readings); effective date. The following quarterly rates and charges for metered service shall be in effect as of July 1, ~~2023~~ 2024.
 - (1) Residential rates per unit:
 - (a) \$6 per thousand gallons; plus
 - (b) ~~\$49~~ \$57 per residential unit.
 - (2) Commercial rates, including retail and business, hotels and motels, apartments, hospitals and care homes, schools and colleges and industrial rates:
 - (a) \$6 per thousand gallons; plus for the first unit:
 - [1] ~~\$49~~ \$57 for a unit with a five-eighths-inch meter;
 - [2] ~~\$64~~ \$72 for a unit with a one-inch meter;
 - [3] ~~\$73~~ \$81 for a unit with a one-and-one-half-inch meter;
 - [4] ~~\$84~~ \$92 for a unit with a two-inch meter;

[5] ~~\$124~~ \$132 for a unit with a four-inch meter;

[6] ~~\$164~~ \$172 for a unit with a six-inch meter;

(b) Plus ~~\$49~~ \$57 for each additional unit.

(3) The outside-of-Town rate shall be two times the above Town rates.

ARTICLE 2. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this chapter 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 portion of this chapter, it being the intent of the Town that this chapter shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion thereof.

ARTICLE 3. Section Headings, Chapter Headings, Titles.

Section headings, chapter headings, titles, etc., are for the purpose of description or ease of use and do not form a part of the text of this Ordinance or any Code or test adopted hereby.

ARTICLE 4. Existing Liabilities.

This Ordinance shall not discharge, impair or release any contract, obligation, duty, liability or penalty whatever existing on the date of its enactment. All suits and actions, both civil and criminal pending or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance affected by the adoption of this Ordinance shall be instituted, proceeded with and prosecuted to final determination and judgment as if this Ordinance had not become effective.

ARTICLE 5. Effective Date.

Introduced this ___ day of _____, 2024.

Passed this ___ day of _____, 2024, by a vote of _____ Council members in favor and _____ Council members opposed.

This Ordinance shall take effect on ____ day of ____, 2024.

ATTEST:

Melinda Smith
Mayor

Kelly J. Baldwin
Director of Finance

Approved as to form and legal
sufficiency this ____ day of
_____, 2024.

Thomas V. McCarron, Town Attorney

NOTE: Matter in ~~strike through~~ is proposed for deletion from existing law.
Matter underlined is new material proposed to be added to existing law.