

TOWN OF ROCK HALL, MARYLAND

ORDINANCE No. 2023-06

AN ORDINANCE concerning

Chapter 102 (Fees) of the Code of the Town of Rock Hall, Maryland

FOR the purpose of amending Chapter 102 (Fees) of the Code of the Town of Rock Hall to increase the Town's water and sewer rates by 10 percent, effective July 1, 2023; providing that the title of this Ordinance shall be deemed a fair summary, and generally relating to water and sewer rates in the Town of Rock Hall.

RECITALS

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-205(d), the Council of the Town of Rock Hall (the "Council") is authorized and empowered to pass ordinances to establish and collect reasonable fees and charges for franchises, licenses, or permits granted by the Town of Rock Hall (the "Town") or associated with the Town's exercise of a governmental or proprietary function; and

WHEREAS, pursuant to Md. Code Ann., Envir. § 9-723, subject to the provisions of the Charter, 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 §§ 502(9) and (33) of the Charter of the Town of Rock Hall (the "Charter"), the Council is authorized and empowered to establish and collect fees and charges for all licenses and permits issued by the Town; and

WHEREAS, pursuant to the foregoing authority, the Council has established fees and charges related to the Town's exercise of its governmental authority, which are set forth in Chapter 102 (Fees) of the Code of the Town of Rock Hall (the "Town Code"); and

WHEREAS, the Council is desirous of amending Chapter 102 (Fees) of the Town Code for the purpose of increasing the Town's water and sewer rates by 10 percent effective July 1, 2023; 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, in accordance with Md. Code Ann., Envir. § 9-727, the Council held a public hearing on August 10, 2023, concerning the necessity for and advisability of a proposed increase in the Town's water and sewer rates by 10 percent; and

WHEREAS, notice of the Council's August 10, 2023, public hearing concerning the necessity and advisability of the foregoing proposed increase was published on July 20, 2023, and on July 27, 2023, 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 102 (Fees) of the Code of the Town of Rock Hall for the purpose of increasing the Town's water and sewer rates by 10 percent.

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

SECTION 1. Chapter 102 (Fees), Section 102-1 of the Code of the Town of Rock Hall is amended as follows:

§ 102-1. Schedule of fees.

* * *

A. The following schedule of fees is hereby established with respect to licenses, permits and activities required or regulated under the provisions of various chapters of the Code of the Town of Rock Hall. Applications for and the issuance of such licenses and permits shall be subject to the provisions of the specific chapter of the Code which is indicated for each type of license or permit. The businesses, activity, or operation for which the license or permit is required shall be subject to all regulations set forth in the chapter to which reference is made.

* * *

(10) Chapter 200, Water.

(a) In-town water rates, effective [~~January 1, 2023~~] **July 1, 2023**:

Number of Gallons Used per Quarter	Quarterly Fee
First 12,000	See meter size in § 102-1A(10)(b) for quarterly fee amount.
Over 12,000, per 1,000 gallons	[\$5.75] \$6.33

(b) Charge for water by measurement: minimum quarterly charge, per meter (effective [~~July 1, 2023~~] ~~January 1, 2023~~ [~~January 1, 2023~~] **July 1, 2023**):

Meter Size (inches)		Quarterly Fee
3/4	\$57.46	<u>\$63.21</u>
1	\$57.46	<u>\$63.21</u>
1 1/2	\$114.93	<u>\$126.42</u>
2	\$172.39	<u>\$189.63</u>
3	\$229.86	<u>\$252.85</u>
4	\$344.79	<u>\$379.27</u>
6	\$574.65	<u>\$632.12</u>

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 13th day of July, 2023, and having been reviewed and considered for final action after a public hearing on the 10th day of August, 2023, was duly passed and enacted on the 10th day of August, 2023.

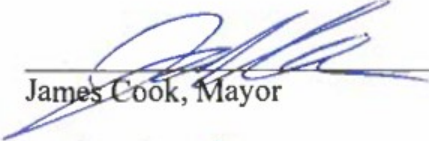
AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF ROCK HALL, MARYLAND, that this Ordinance shall become effective on the 31st day of August, 2023; provided, however, that the utility rate changes set forth in Section 1 herein shall be retroactive to July 1, 2023.

VOTE:

YEAS: 4

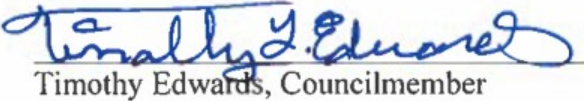
NAYS: 1

ABSTAINING: 0


James Cook, Mayor


Carolyn Jones, Vice Mayor


Eleanor Collyer, Councilmember


Timothy Edwards, Councilmember


Richard Seewald, Councilmember

Approved as to form:

Patrick W. Thomas, Town Attorney

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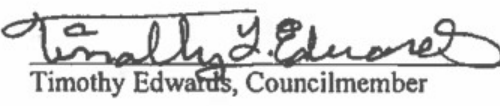
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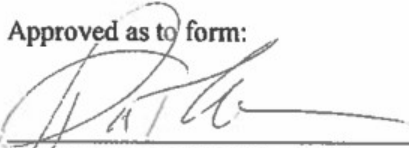

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