CITY OF BALTIMORE ORDINANCE Council Bill 08-0068

Introduced by: Councilmembers Young, Branch, Henry, Holton, Welch, Clarke, D'Adamo, Middleton, Reisinger, Cole, Conaway, Kraft, Spector, President Rawlings-Blake

Introduced and read first time: March 10, 2008

Assigned to: Taxation, Finance and Economic Development Committee Committee Report: Favorable with amendments

Council action: Adopted

Read second time: June 2, 2008

AN ORDINANCE CONCERNING

1	Water and Sewer Charges – Payment Schedules		
2	For the purpose of tolling the accrual of certain penalties while payments are being made timely		
3	under an agreed-to payment schedule; correcting, clarifying, and conforming certain		
4	language; providing for a special effective date; and generally relating to the assessment and		
5	collection of charges for water and sewer services.		
6	By repealing and reordaining, with amendments		
7	Article 24 - Water		
8	Section(s) 4-2 through 4-4		
9	Baltimore City Code		
10	(Edition 2000)		
11	By adding		
12	Article 24 - Water		
13	Section(s) 4-5		
14	Baltimore City Code		
15	(Edition 2000)		
16	By repealing and reordaining, with amendments		
17	Article 25 - Sewers		
18	Section(s) 13-9(a)		
19	Baltimore City Code		
20	(Edition 2000)		
21	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the		
22	Laws of Baltimore City read as follows:		
23	Baltimore City Code		

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law. Underlining indicates matter added to the bill by amendment. Strike out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Article 24. Water

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1	Subtitle 4. Collection of Charges			
2	§ 4-2. Metered water charges and fire supply service inspection charges.			
3	(a) When due.			
4 5	Metered water charges and fire supply service inspection charges [shall be] ARE due and payable [upon rendering of] WHEN THE bills [therefor] FOR THEM HAVE BEEN RENDERED			
6	(b) When delinquent.			
7 8 9	Any metered water charges and fire supply service inspection charges unpaid 30 days after the mailing date of the bill [shall be] ARE considered delinquent, and all water service [shall be] ARE subject to turn-off for nonpayment of [such] THOSE charges at any time [thereafter].			
1	(c) Penalties.			
12	(1) A penalty at the rate of 5% of the water charge and fire supply service inspection charge shall be added to every metered water charge and fire supply service inspection charge at the time they become delinquent.			
15	(2) An additional penalty of 5% shall be imposed on all charges, including accrued penalties, which remain unpaid and are forwarded as arrearages on subsequent bills.			
17	§ 4-3. Cut-off for nonpayment.			
18 19 20	The non-payment of any delinquent water charge against a property [shall be] is sufficient reason for terminating all water service and fire supply service to the property, even though other water charges against the property are not in arrears.			
21	§ 4-4. Full payment required to restore service.			
22	The total of all delinquent water charges, including but not limited to[,]the penalty or interest and turn-off charges, [shall] MUST be paid before service will be restored.			
24	§ 4-5. Payment schedule.			
25	(a) Effect of compliance.			
26 27 28	If a person responsible for paying a water bill enters into a payment agreement acceptable to the Director of Finance, then while the person is making timely payments in accord with the agreed-to schedule:			
29 30	(1) THE QUARTERLY PENALTY IMPOSED UNDER § 4-2(C) {"METERED WATER CHARGES: PENALTIES"} OF THIS SUBTITLE DOES NOT ACCRUE; AND			
31	(2) SERVICE THAT HAS BEEN TURNED-OFF MAY BE RESTORED.			

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1	(B) Effect of breach.		
2 3 4	If payment is missed and the payment agreement declared to be breached, the suspended penalties shall be reinstated and all subsequent penalties shall continue to accrue.		
5	Article 25. Sewers		
6	Subtitle 13. Sewer Service Charges		
7	§ 13-9. Collections.		
8	(a) Billings.		
9	(1) All charges imposed under this subtitle shall be due and payable at the same time that charges made by the City for supplying water or water service are due and payable.		
1	(2) [Said] THESE charges:		
2	(i) shall be billed by the same agency of the City [which] THAT renders [or dispatches] bills for water service;		
14	(ii) may be included in the same bills rendered for water charges or stated in separate bills; and		
16 17 18	(iii) shall be collected by the Director of Finance, at the same time or times and in the same manner and subject to the same interest rates and penalties provided for nonpayment [when due and owing as] OF charges [made by the City] for supplying water.		
20 21 22 23	(3) [The provisions of this] This section [shall apply] APPLIES to all properties and the owners [thereof] OF PROPERTIES [which] THAT are subject to the payment of the charges imposed under this subtitle, without regard to the source [or sources] of THE water used on [said] THOSE properties.		
24 25 26	SECTION 2. AND BE IT FURTHER ORDAINED , That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.		
27 28	SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30 th day after the date it is enacted.		

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Certified as duly passed this	day of	, 20
	-	President, Baltimore City Council
Certified as duly delivered to H	er Honor, the Mayor	· ,
this day of	, 20	
	_	
		Chief Clerk
Approved this day of	, 20	_
	-	Mayor, Baltimore City