

**CITY OF BALTIMORE
COUNCIL BILL 07-0626
(First Reader)**

Introduced by: Councilmembers Young, D’Adamo, Kraft, Holton, Clarke, Middleton, Welch,
Reisinger, President Rawlings-Blake, Councilmember Mitchell

Introduced and read first time: March 26, 2007

Assigned to: Taxation and Finance Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Water and Sewer Charges –**
3 **Residential Property – Limitations on Lien Foreclosure**

4 FOR the purpose of precluding the City from foreclosing on residential property solely to satisfy
5 a lien imposed for either or both water service charges or sewer service charges; conforming,
6 clarifying, and correcting certain language; and generally relating to the assessment and
7 collection of charges for water and sewer services.

8 BY repealing and reordaining, with amendments

9 Article 24 - Water
10 Section(s) 1-2(c) and 2-1(a)
11 Baltimore City Code
12 (Edition 2000)

13 BY adding

14 Article 24 - Water
15 Section(s) 4-5
16 Baltimore City Code
17 (Edition 2000)

18 BY repealing and reordaining, with amendments

19 Article 25 - Sewers
20 Section(s) 13-9(a), 13-10, and 13-11
21 Baltimore City Code
22 (Edition 2000)

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
24 Laws of Baltimore City read as follows:

25 **Baltimore City Code**

26 **Article 24. Water**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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Subtitle 1. Director of Public Works

§ 1-2. Rates and charges.

(c) *Collections.*

[The said] EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, THESE rates and charges shall be collected by the [Bureau of Collections] DIRECTOR OF FINANCE [and accounted for] as in the case of taxes and other revenues [collected by said Bureau] OWED TO THE CITY.

Subtitle 2. Bills

§ 2-1. Collection.

(a) *Finance to collect.*

The bills for water used or work done by the Department of Public Works shall be collected by the Director of Finance AS PROVIDED IN THIS ARTICLE.

Subtitle 4. Collection of Charges

§ 4-5. FORECLOSURE ON RESIDENTIAL PROPERTY.

THE CITY MAY NOT FORECLOSE ON ANY RESIDENTIAL PROPERTY TO SATISFY A LIEN IMPOSED UNDER THIS ARTICLE OR ARTICLE 25 {"SEWERS"} OF THE CITY CODE UNLESS THE FORECLOSURE IS ALSO TO SATISFY SOME OTHER LIEN THAT THE CITY HOLDS ON THAT PROPERTY.

Article 25. Sewers

Subtitle 13. Sewer Service Charges

§ 13-9. Collections.

(a) *Billings.*

(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.

(2) [Said] THESE charges:

(i) shall be billed by the same agency of the City [which] THAT renders [or dispatches] bills for water service;

(ii) may be included in the same bills rendered for water charges or stated in separate bills; and

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1 (iii) shall be collected by the Director of Finance, at the same time or times and in
2 the same manner and subject to the same interest rates and penalties provided
3 for nonpayment [when due and owing as] OF charges [made by the City] for
4 supplying water.

5 (3) [The provisions of this] THIS section [shall apply] APPLIES to all properties and the
6 owners [thereof] OF PROPERTIES [which] THAT are subject to the payment of the
7 charges imposed under this subtitle, without regard to the source [or sources] of THE
8 water used on [said] THOSE properties.

9 **§ 13-10. Charges to be liens.**

10 (A) *IN GENERAL.*

11 The charges imposed under this subtitle, and all increases, [interests] INTEREST, and
12 penalties [thereon] ON THOSE CHARGES, [shall be] ARE a lien [upon] ON the property of
13 any person liable to pay [the same] THEM to the City, and [such] THE lien shall be
14 recorded in the Tax Lien Record maintained by the Bureau of Collections.

15 (B) *FORECLOSURE ON RESIDENTIAL PROPERTY.*

16 THE CITY MAY NOT FORECLOSE ON ANY RESIDENTIAL PROPERTY TO SATISFY A LIEN
17 IMPOSED UNDER THIS ARTICLE OR ARTICLE 24 {"WATER"} OF THE CITY CODE UNLESS
18 THE FORECLOSURE IS ALSO TO SATISFY SOME OTHER LIEN THAT THE CITY HOLDS ON THAT
19 PROPERTY.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
21 are not law and may not be considered to have been enacted as a part of this or any prior
22 Ordinance.

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
24 after the date it is enacted.