

COUNCIL OF THE TOWN OF LEONARDTOWN
Ordinance No. 126

Date Introduced on First Reading: December 11, 2006

Date Adopted on Second Reading: January 8, 2007

Date Effective: January 29, 2007

1 **AN ORDINANCE** concerning

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3 **WATER AND SEWER CAPACITY ALLOCATION CHARGES AND**
4 **CONNECTION FEES**

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6 **FOR** the purpose of adopting and codifying certain water and sewer capacity
7 allocation charges and connection fees; ratifying, confirming and validating the
8 charge and collection of all such charges and fees paid prior to the effective
9 date of this Ordinance; and all matters generally related to the imposition and
10 collection of certain water and sewer capacity allocation charges and
11 connection fees in the Town of Leonardtown.

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13 **BY** adding
14 Code of the Town of Leonardtown
15 Chapter 69, FEES, CHARGES AND RATES
16 Sections 69-1 and 69-2

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18 **SECTION I. BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF**
19 **LEONARDTOWN** that new Sections 69-1 and 69-2 be and they hereby are added to
20 the Code of the Town of Leonardtown, Chapter 69, Fees, Charges and Rates, to
21 read as follows:

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23 Chapter 69-FEES, CHARGES AND RATES

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25 **§ 69-1. WATER AND SEWER CAPACITY ALLOCATION CHARGES.**

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27 A. THERE IS IMPOSED UPON EVERY CONNECTION TO THE TOWN'S
28 WATER AND SANITARY SEWER SYSTEMS A WATER CAPACITY
29 ALLOCATION CHARGE AND A SEWER CAPACITY ALLOCATION
30 CHARGE. THE AMOUNTS OF THESE CHARGES ARE SET FORTH IN
31 THIS SECTION.
- 32 B. THE WATER CAPACITY ALLOCATION CHARGE IS BASED UPON THE
33 SIZE OF THE WATER LINE THAT IS TO BE CONNECTED TO THE TOWN
34 WATER SYSTEM AS FOLLOWS:

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<u>LINE SIZE</u>	<u>CHARGE</u>
5/8" OR 3/4"	\$956.25 PLUS \$573.75 PER EDU
1" OR LESS	\$1,415.25 PLUS \$573.75 PER EDU
2" OR LESS	\$2,792.25 PLUS \$573.75 PER EDU
3" OR LESS	\$4,092.75 PLUS \$573.75 PER EDU
4" OR LESS	\$5,622.75 PLUS \$573.75 PER EDU
6" OR LESS	\$9,830.25 PLUS \$573.75 PER EDU
8" OR LESS	\$12,890.25 PLUS \$573.75 PER EDU
10" OR LESS	\$14,764.50 PLUS \$573.75 PER EDU

C. THE SEWER CAPACITY ALLOCATION CHARGE IS \$650.25 PLUS \$1,032.75 PER EDU FOR A STANDARD 6" DIAMETER SERVICE LINE CONNECTION OR SMALLER. THE AMOUNT OF SEWER CAPACITY ALLOCATION CHARGE FOR A SERVICE LINE CONNECTION OF GREATER THAN 6" SHALL BE DETERMINED ON A CASE BY CASE BASIS BY ORDINANCE OF THE TOWN COUNCIL AFTER TAKING INTO CONSIDERATION THE AMOUNT OF SEWAGE ANTICIPATED TO FLOW THROUGH THE CONNECTION.

D. THE WATER CAPACITY ALLOCATION CHARGE AND SEWER CAPACITY ALLOCATION CHARGE ARE PAYABLE CONCURRENTLY WITH AND AS A CONDITION PRECEDENT TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR ANY IMPROVEMENT THAT IS TO BE CONNECTED TO THE TOWN'S WATER OR SANITARY SEWER SYSTEMS.

§ 69-2 TOWN RUN SEWER CONNECTION CHARGE.

A. EFFECTIVE JUNE 30, 1992 THERE IS IMPOSED UPON EVERY CONNECTION TO THE TOWN'S SANITARY SEWER SYSTEM THAT WILL CONTRIBUTE SEWAGE FLOWS TO THE TOWN'S TOWN RUN SEWER INTERCEPTOR A TOWN RUN SEWER CONNECTION CHARGE IN THE AMOUNT OF \$1,100 PER EDU. COMMENCING ON JULY 1, 1993, AND ON EACH SUBSEQUENT JULY 1, THE AMOUNT OF THE TOWN RUN SEWER CONNECTION CHARGE SHALL INCREASE BY 7% OVER THE AMOUNT OF THE CHARGE IN THE PREVIOUS YEAR.

B. THE TOWN RUN SEWER CONNECTION CHARGE IS PAYABLE CONCURRENTLY WITH AND AS A CONDITION PRECEDENT TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR ALL IMPROVEMENTS THAT ARE TO BE CONNECTED TO THE TOWN RUN SEWER INTERCEPTOR.

80 **SECTION II: AND BE IT FURTHER ORDAINED**, that the fees and charges provided
81 for in Section 69-1 of the Code of the Town of Leonardtown (formerly known as water
82 and sewer connection fees) as adopted by Section 1 of this Ordinance are imposed
83 retroactively to March 13, 1989, and the collection of any such fees and charges,
84 however denominated, since March 13, 1989 is ratified, confirmed and validated.

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86 **SECTION III: AND BE IT FURTHER ORDAINED**, that the fees and charges
87 provided for in Section 69-2 of the Code of the Town of Leonardtown as adopted by
88 Section 2 of this Ordinance are imposed retroactively to June 30, 1992, and the
89 collection of any such fees and charges since June 30, 1992 is ratified, confirmed
90 and validated.

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92 **SECTION IV: AND BE IT FURTHER ORDAINED**, that if any provision of this
93 Ordinance, or the application thereof to any person or circumstance is held invalid for
94 any reason, such invalidity shall not affect the other provisions or any other application
95 of this Ordinance which can be given effect without the invalid provisions or application,
96 and to this end, all the provisions of this Ordinance are hereby declared to be
97 severable.

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99 **SECTION V: AND BE IT FURTHER ORDAINED**, that this Ordinance shall become
100 effective twenty (20) days following approval by the Mayor or passage by the
101 affirmative vote of four-fifths of the whole Council after veto by the Mayor.
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103 **SEAL:**

**COMMISSIONERS OF THE TOWN
OF LEONARDTOWN**

Absent

Walter Wise, Vice President

Thomas R. Collier

Thomas R. Collier, Councilmember

Robert C. Combs

Robert C. Combs, Councilmember

J. Maguire Mattingly III

J. Maguire Mattingly, III, Councilmember

Leslie E. Roberts

Leslie E. Roberts, Councilmember

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121 **ATTEST:**

122 *Lashelle E. Miller*
123 _____

124 **Laschelle E. Miller, Town Administrator**

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126 **Date** 1/8/07

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This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 8 day of January, 2007.

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Laschelle E Miller
Laschelle E. Miller, Town Administrator

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In accordance with Section 210 of the Charter of the City of Town of Leonardtown, I hereby [(Approve) or (Disapprove)] _____ this Ordinance this 8 day of January, 2007.

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J. Harry Norris, III
J. Harry Norris, III, Mayor

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Key:

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CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

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((Double Parenthesis)) indicate matter deleted from existing law.

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Underlining indicates amendments to bill.

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~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

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