

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 30

Bill No. 98-20

Introduced by Ms. Pickard, Chair
(by request of the County Executive)

By the County Council, November 2, 2020

Introduced and first read on November 2, 2020
Public Hearing set for and held on December 7, 2020
Bill Expires on February 5, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works – Utilities – Mayo Water Reclamation
2 Subdistrict

3
4 FOR the purpose of eliminating certain special charges and provisions for the Mayo Water
5 Reclamation Subdistrict; requiring that properties within the Mayo Water Reclamation
6 Subdistrict be subject to the same environmental protection fee and capital facility
7 connection charges as other properties in the County; providing that properties within
8 the Mayo Water Reclamation Subdistrict shall no longer be subject to a service
9 availability charge and that any unpaid or deferred capital facility connection charges
10 shall remain due and payable; making certain technical changes; and generally relating
11 to public works.

12
13 BY repealing: § 13-5-814
14 Anne Arundel County Code (2005, as amended)

15
16 BY renumbering: §§ 13-5-815 through 13-5-816, respectively, to be §§ 13-5-814 through
17 13-5-817, respectively
18 Anne Arundel County Code (2005, as amended)

19
20 BY repealing and reenacting, with amendments: §§ 13-5-102; 13-5-403(a)(2); 13-5-404;
21 13-5-808(a); and 13-5-813(b)
22 Anne Arundel County Code (2005, as amended)

23
24 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
25 That § 13-5-814 of the Anne Arundel County Code (2005, as amended) be repealed.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 SECTION 2. *And be it further enacted*, That §§ 13-5-815 through 13-5-816,
2 respectively, of the Anne Arundel County Code (2005, as amended) are hereby renumbered
3 to be §§ 13-5-814 through 13-5-817, respectively.

4
5 SECTION 3. *And be it further enacted*, That Section(s) of the Anne Arundel County
6 Code (2005, as amended) read as follows:

7
8 **ARTICLE 13. PUBLIC WORKS**

9
10 **TITLE 5. UTILITIES**

11
12 **13-5-102. Mayo Water Reclamation Subdistrict.**

13
14 **[(a) Establishment; expansion.]** There is a Mayo Water Reclamation Subdistrict, the
15 boundaries of which are as set forth in the master plan for water and sewer. **[[On petition**
16 **by a majority of affected property owners, at the direction of the appropriate State or**
17 **County Health Official or on the Director's own initiative, the Director may recommend to**
18 **the County Council expansion of or changes to the subdistrict.**

19
20 **(b) Rules and regulations.** The Director shall adopt rules and regulations for the
21 management of the Mayo Subdistrict, including rules and regulations to control and
22 manage expansion of the modular sand filter and wetland system treatment units and the
23 modular cells at the soil absorption systems and to establish procedures for petitions for
24 expansion of service, for determining the level of service to be provided, for administering
25 the service availability charge set forth in § 13-5-814, and for making connections to the
26 system.

27
28 **(c) Type of utility service.** The Director has the sole discretion to determine the type
29 of service to be provided for each property in the Mayo Subdistrict.]]

30
31 **13-5-403. Charges and fees for property subject to adequate public facilities.**

32
33 **(a) Fees and charges.** For property receiving an allocation in conjunction with
34 approval by the Office of Planning and Zoning for adequacy of public water supply
35 facilities or adequacy of public sewerage facilities, the owner of the property shall pay, for
36 each equivalent dwelling unit:

37
38 (2) the capital facility connection charge established in **[[§§ 13-5-813 and 13-5-**
39 **814]]** § 13-5-813 subject to any exemption contained in **[[those sections]]** THAT SECTION.

40
41 **13-5-404. Fees and charges for property otherwise connecting.**

42
43 For property receiving an allocation otherwise than in conjunction with approval of
44 adequacy of public facilities by the Office of Planning and Zoning, the owner of the
45 property shall pay, for each equivalent dwelling unit, **[[the user connection charge and]]**
46 **the capital facility connection charge as provided in **[[§§ 13-5-813 and 13-5-814]]** § 13-5-**
47 **813.**

1 **13-5-808. Environmental protection fee.**

2
3 (a) ~~[[Except in the Mayo Water Reclamation Subdistrict, an]]~~ AN environmental
4 protection fee shall be added to all usage charges for both water and wastewater service,
5 except for the capital facility recoupment charge, to recover costs associated with
6 construction of, expansion of, and improvements to capital facilities to service existing
7 connected customers at the following rates:

8
9 (1) ~~[[27.5%;~~

10
11 (2)] 30%, beginning on July 1, 2020;

12
13 ~~[[31]]~~ (2) 32.5%, beginning on July 1, 2021;

14
15 ~~[[4]]~~ (3) 35%, beginning on July 1, 2022.

16
17 **13-5-813. Water and wastewater system connection charges and assessments.**

18
19 (b) **Scope.** ~~[[Except for properties in the Mayo Water Reclamation Subdistrict, the]]~~
20 THE charges specified in this section shall apply to each property connecting to the
21 County's water system or wastewater system and to each commercial or industrial property
22 that has an existing connection and undergoes an expansion or addition to the
23 improvements on the property or a change of use that the Director determines will result in
24 an increase in the water required during peak daily usage.

25
26 SECTION 4. *And be it further enacted,* That upon the effective date of this Ordinance,
27 real properties within the Mayo Water Reclamation Subdistrict shall no longer be subject
28 to the service availability charge set forth in § 13-5-814(g) of the Anne Arundel County
29 Code (2005, as amended), and any unpaid or deferred service availability charge, or any
30 portion thereof, shall no longer be due and payable and shall no longer constitute a lien on
31 the property.

32
33 SECTION 5. *And be it further enacted,* That upon the effective date of this Ordinance,
34 any unpaid or deferred capital facility connection charges, or any portion thereof, for any
35 real property within the Mayo Water Reclamation Subdistrict shall remain due and payable
36 in accordance with § 13-5-814 of the Anne Arundel County Code (2005, as amended) in
37 effect prior to the effective date of this Ordinance.

38
39 SECTION 6. *And be it further enacted,* That this Ordinance shall take effect 45 days
40 from the date it becomes law.

READ AND PASSED this 7th day of December, 2020

By Order:


JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 8th day of December, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 11th day of December, 2020



Stuart Pittman
County Executive

EFFECTIVE DATE: January 25, 2021

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 98-20. THE ORIGINAL OF WHICH IS RETAINED IN THE
FILES OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer