

Introduced 5/6/2013
Public Hearing 5/20/2013
Council Action 6/03/2013
Executive Action 6/16/2013
Effective Date 8/16/2013

County Council Of Howard County, Maryland

2013 Legislative Session

Legislative Day No. 6

Bill No. 22-2013

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the eligibility requirements for the water/sewer connection financing program; setting forth the purpose and applicability of the program; making certain technical corrections; and generally related to the water/sewer connection financing program.

Introduced and read first time May 6, 2013. Ordered posted and hearing scheduled.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on May 20, 2013.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

This Bill was read the third time on June 3, 2013 and Passed , Passed with amendments , Failed .

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4th day of June, 2013 at 4:00 a.m./p.m.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive June 6, 2013

Ken Ulman
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 By amending:

4 Title 20 – Water/sewer connection financing program established.

5 Section 20.700. Water/sewer connection financing program established.

6
7 By amending:

8 Title 20 – Water/sewer connection financing program established.

9 Section 20.701. Eligibility.

10
11 By amending:

12 Title 20 – Water/sewer connection financing program established.

13 Section 20.702. Costs which may be financed.

14
15 By amending:

16 Title 20 – Water/sewer connection financing program established.

17 Section 20.703. Application form.

18
19 By amending:

20 Title 20 – Water/sewer connection financing program established.

21 Section 20.704. Administration.

22
23 **Title 20. Taxes, Charges and Fees.**

24 **Subtitle 7. Water/sewer connection financing program.**

25
26 **Section 20.700. Water/sewer connection financing program [[established]] ESTABLISHED;**
27 **PURPOSE; APPLICABILITY.**

28 (A) There is a program to provide loans to finance all or part of the costs of connecting existing
29 buildings to the public SEWERAGE SYSTEM OR THE PUBLIC water and sewerage systems. THE
30 PROGRAM MAY NOT BE USED TO FINANCE THE COSTS OF ONLY CONNECTING TO THE PUBLIC WATER
31 SYSTEM.

1 (B) THE PURPOSE OF THIS PROGRAM IS TO ENCOURAGE AS MANY PROPERTY OWNERS AS POSSIBLE
2 TO CONNECT TO THE PUBLIC SEWERAGE SYSTEM IN ORDER TO REDUCE THE NUMBER OF SEPTIC
3 SYSTEMS IN THE PLANNED SERVICE AREA.

4 (C) THIS SUBTITLE SHALL ONLY APPLY TO A PROPERTY OWNER WHO SEEKS TO CONNECT TO:

- 5 (1) THE PUBLIC SEWERAGE SYSTEM; OR
- 6 (2) BOTH THE PUBLIC WATER AND SEWERAGE SYSTEMS.

7
8 **Section 20.701. Eligibility.**

9 The owner of property located in the planned service area of the Howard County Master Plan for
10 water and sewerage [[or property ordered by the Health Officer to be connected to the public
11 water and/or sewerage]] is eligible for a loan under the water/sewer connection financing
12 program under this subtitle if:

13 (a) The property is located within the metropolitan district[[, or the]];

14 (B) THE property owner has submitted a petition to the Director of Public Works to incorporate
15 the property into the metropolitan district; OR

16 [[(b)]](c) The Health Department has ordered the property to be connected to the public water
17 and/or sewerage under Section 12.105 of [[the County]] THIS Code[[: or

18 (c) The property owner certifies that the owner has been denied financing from two banks, or
19 from one bank and one consumer credit agency]].

20
21 **Section 20.702. Costs which may be financed.**

22 The following County charges and plumbing charges may be financed with a loan under the
23 water/sewer connection financing program:

- 24 (1) Water and/or sewer house connection charges;
- 25 (2) Water and/or sewer in-aid-of construction charges and supplemental sewer in-aid-
26 of construction charges, if applicable;
- 27 (3) Plumbing permit fee;
- 28 (4) Costs to physically connect the existing building to the public [[water and/or
29 sewerage system]] SEWERAGE SYSTEM OR THE PUBLIC WATER AND SEWERAGE
30 SYSTEMS; and

- 1 (5) Costs to disconnect and seal all existing connections to wells and/or septic
2 systems.
3

4 **Section 20.703. Application form.**

5 (a) *Application for Participation.* The owner of property that meets the requirements of Section
6 20.701 of this subtitle may apply for a loan under the water/sewer connection financing program
7 by filing an application with the Director of Public Works.

8 (b) *Application:*

- 9 (1) The application for a loan under the water/sewer connection financing program
10 shall be signed by all owners of record of the property. The application form shall
11 include:

- 12 (i) The names and addresses of all owners of record of the property;
13 (ii) The address and tax account number of the property that is to be
14 connected;
15 (iii) An estimate of the costs for which the property owner is requesting
16 assistance;
17 (iv) A statement acknowledging that the property owner is responsible for the
18 selection of the contractor and for the performance of all work needed to
19 connect to the [[public water and/or sewerage system]] PUBLIC SEWERAGE
20 SYSTEM OR THE PUBLIC WATER AND SEWERAGE SYSTEMS and that the
21 County does not warrant the work performed by the contractor;
22 (v) A statement granting the Department of Public Works authority to enter
23 the property, if necessary, to do work associated with the connection
24 and/or in case of emergency, to perform the work;
25 (vi) A statement that the property owner will repay the County for the full
26 amount financed, plus interest, in installments over a period not to exceed
27 ten years;
28 (vii) IF APPLICABLE, A [[A]] copy of the Health Department's order to connect
29 the property to the public water and/or sewerage system;
30 (viii) A statement from the Director of Public Works that the public water
31 and/or sewer service is available to the property;

1 (ix) A statement that financing under this subtitle is subject to the availability
2 of funds; and

3 (x) A statement acknowledging that each person required to sign the
4 application shall, as a condition of acceptance into the program, execute
5 all documents the County deems necessary to secure repayment of the
6 loan.

7 (c) *Approval of Application.* After review of all documentation under subsection (b) of this
8 section the Director of Public Works shall approve or disapprove an application.

9
10 **Section 20.704. Administration.**

11 (a) *Notice to Department of Finance.* After approving an application under Section 20.703 of
12 this subtitle, the Director of Public Works shall notify the owner of the property and the Director
13 of Finance that the property will be connected to the public [[water and/or sewerage]] SEWERAGE
14 SYSTEM OR THE PUBLIC WATER AND SEWERAGE SYSTEMS [[system]] under the water/sewer
15 connection financing program.

16 (b) *Department of Public Works to Contact Owner.* After approving an application under
17 Section 20.703 of this subtitle, the Director of Public Works shall notify the owner of the
18 property of the approval and shall arrange for an accounting of the cost of the work to connect
19 the property to the public [[water and/or sewerage]] SEWERAGE SYSTEM OR THE PUBLIC WATER
20 AND SEWERAGE systems.

21 (c) *Account of Costs.* Upon completion of the connection work, including a satisfactory
22 inspection of the plumbing work by the Department of Inspections, Licenses and Permits, the
23 property owner shall provide the Director of Public Works with a detailed account of the costs of
24 connection, including copies of all invoices, bills, or other evidence of the costs.

25
26 **Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland,**
27 *that this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on June 6, 2013.

Sheila M. Tolliver
Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2013.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2013.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2013.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2013.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2013.

Sheila M. Tolliver, Administrator to the County Council