

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 10

Bill No. 50 -2014

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

AN ACT establishing a Help To Others (H2O) Round-Up Program to assist residential customers who are facing financial hardships in the payment of their utility service charges; defining certain terms; authorizing certain payments; authorizing certain actions by the Department of Finance; and generally relating to utility service charges in Howard County.

Introduced and read first time _____, 2014. Ordered posted and hearing scheduled.

By order _____
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 _____, 2014.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2014 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2014 at ___ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved by the County Executive _____, 2014

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 "Taxes, Charges and Fees"*

5 *Section 20.605 "Utility service charges"*

6

7 **Title 20. Taxes, Charges and Fees.**

8 **Subtitle 6. Utility Charges and Assessments.**

9

10 **Section 20.605. Utility service charges.**

11 (1) *Establishment of Utility Service Charges:*

12 (a) *Water service charge established.* There is a water service charge for the volume
13 of metered water taken from the public water system by a water system user. The
14 water service charge is composed of an account user charge and seasonal
15 volumetric charges.

16 (b) *Reclaimed water service charge established.* There is a reclaimed water service
17 charge for the volume of metered reclaimed water taken from the reclaimed water
18 system by a reclaimed water system user.

19 (c) *Sewer service charge established.* There is a sewer service charge for the volume
20 of sewage discharged to the public sewer system by a sewer system user. The
21 sewer service charge is composed of an account user charge and volumetric
22 charges. See section 20.607 for measurement of sewer system usage.

23 (2) *Basis of Recommendations for Utility Service Charge Rates:*

24 (a) *Water service charge rate.* The water service charge recommended by the County
25 Executive at the time of submission of the annual budget to the County Council
26 shall be calculated to result in revenue equal to the total projected operation and
27 maintenance costs of the public water system for the upcoming fiscal year, plus or
28 minus any water service charge revenue surplus or deficit which the Director of
29 Public Works projects for the current fiscal year.

30 (b) *Reclaimed Water Service Charge Rate.* The reclaimed water service charge shall
31 be calculated to result in revenue equal to the total projected operation and

1 maintenance costs of the reclaimed water system for the upcoming fiscal year,
2 plus or minus any reclaimed water service charge revenue surplus or deficit which
3 the Director of Public Works projects for the current fiscal year. The rate may
4 account for credits that the County receives from the State for nitrogen discharge.

5 (c) *Sewer service charge rate.* The sewer service charge recommended by the County
6 Executive at the time of submission of the annual budget to the County Council
7 shall be calculated to result in revenue equal to the total projected operation and
8 maintenance costs of the public sewer system for the upcoming fiscal year, plus or
9 minus any sewer service charge revenue surplus or deficit which the Director of
10 Public Works projects for the current fiscal year.

11 (3) *Adoption of Rate Schedule Annually:*

12 (a) *Council adoption of rate schedule.* At the time of adoption of the annual budget
13 and appropriation ordinance, the County Council shall adopt by resolution a
14 service charge rate schedule and a special charge schedule for the upcoming fiscal
15 year. With the exception of the sewer use surcharge rates, the rates adopted in the
16 schedules shall be uniform throughout the metropolitan district. The service charge
17 rates shall be equal to or greater than the base charge rates consistent with the
18 approval of the operation and maintenance budget by the County Council.

19 (b) *Duration of rate schedule.* The service charge rate schedule and special charge
20 schedule shall remain in effect until the effective date of any new rate schedule
21 adopted by the County Council.

22 (4) *Computation and billing of service charges:*

23 (a) *Computation of water service charge:*

24 (i) The water service charge shall be computed by multiplying the seasonal
25 volumetric component of the water service charge rate by the volume of
26 metered water taken from the public water system by a water system user
27 during a specified billing period, and adding the product to the account
28 user charge. An alternative method authorized and approved by the
29 Director of Public Works may be used in the case of industrial and
30 commercial users and waste haulers where the aforementioned method is
31 not applicable.

1 (ii) Where a single-family residential user is not metered, the water service
2 charge shall be a special charge as provided for in subsections (3)(a) and
3 (b) above.

4 (b) *Computation of reclaimed water service charge.* The reclaimed water service
5 charge shall be computed by multiplying the reclaimed water service charge rate
6 by the volume of metered reclaimed water taken from the reclaimed water system
7 by a reclaimed water system user during a specified billing period.

8 (c) *Computation of sewer service charge.*

9 (i) The sewer service charge shall be computed by multiplying the volumetric
10 component of the sewer service charge rate by the metered volume of
11 water taken from the public water system by a sewer system user during a
12 specified billing period and adding the product to the account user charge.
13 An alternative method authorized and approved by the Director of Public
14 Works may be used in the case of industrial and commercial users and
15 waste haulers where the aforementioned method is not applicable.

16 (ii) Where a single-family residential user of the public sewer system obtains
17 water from sources other than the public water system, the sewer service
18 charge shall be a special charge as provided for in subsections (3)(a) and
19 (b) above.

20 (d) *Billing.* The water, reclaimed water, and sewer service charges shall be billed by
21 the Department of Finance and shall be billed quarterly unless otherwise
22 stipulated by the Director of Finance. Penalties for late payment of such charges
23 shall be made in accordance with section 20.316 of this subtitle. If only a portion
24 of the service charge revenues are used to cover operation and maintenance costs
25 of the water system, reclaimed water system, or public sewer system, the amount
26 of the service charge dedicated to operation and maintenance costs shall be
27 indicated on each bill.

28 (5) *HELP TO OTHERS (H2O) ROUND-UP PROGRAM.* FOR THE PURPOSE OF ASSISTING RESIDENTIAL
29 CUSTOMERS WHO ARE FACING FINANCIAL HARDSHIPS AND THE POSSIBILITY OF UTILITY SERVICE
30 DISCONNECTIONS, THERE IS A HELP TO OTHERS (H2O) ROUND-UP PROGRAM TO BE ADMINISTERED
31 AS FOLLOWS:

- 1 (A) FOR PURPOSES OF THIS SUBSECTION, “ROUNDED AMOUNT” SHALL MEAN THE
2 DIFFERENCE BETWEEN THE AMOUNT BILLED UNDER SUBSECTION (4)(D) OF THIS
3 SECTION AND THE NEAREST DOLLAR THAT IS HIGHER THAN THE AMOUNT BILLED.
- 4 (B) ON A RESIDENTIAL CUSTOMER’S UTILITY SERVICE BILL, THE DEPARTMENT OF
5 FINANCE MAY ALLOW THE RESIDENTIAL CUSTOMER TO:
- 6 (1) PAY THE ROUNDED AMOUNT OF THE CUSTOMER’S UTILITY SERVICE
7 CHARGE; OR
- 8 (2) MAKE A ONE-TIME CONTRIBUTION.
- 9 (C) ROUNDED AMOUNTS AND ONE-TIME CONTRIBUTIONS SHALL BE PLACED INTO A
10 FUND TO ASSIST RESIDENTIAL CUSTOMERS FACING FINANCIAL HARDSHIP AND
11 POSSIBLE UTILITY SERVICE DISCONNECTIONS.
- 12 (D) THE COUNTY MAY CONTRACT WITH A PRIVATE ENTITY TO ADMINISTER THE HELP
13 TO OTHERS (H2O) ROUND-UP PROGRAM AND FUND.
- 14 (E) A CUSTOMER WHO CHOOSES TO ROUND UP OR MAKE A ONE-TIME CONTRIBUTION
15 BUT WHO FAILS TO PAY THE ROUNDED AMOUNT OR CONTRIBUTION SHALL NOT BE
16 SUBJECT TO ANY LATE FEE OR PENALTY.
- 17 (F) IF A CUSTOMER FAILS TO PAY THE ROUNDED AMOUNT OR ONE-TIME CONTRIBUTION,
18 THE UNPAID ROUNDED AMOUNT OR CONTRIBUTION MAY NOT SERVE AS THE BASIS
19 FOR A LIEN OR CHARGE AGAINST THE REAL ESTATE SERVED OR BENEFITED BY THE
20 UTILITIES.

21

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