

Introduced 09/02/2014  
Public Hearing 09/15/2014  
Council Action 10/06/2014  
Executive Action 10/15/2014  
Effective Date 12/15/2014

## 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 September 2, 2014. 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 September 15, 2014.

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

This Bill was read the third time on October 6, 2014 and Passed ✓, Passed with amendments ✓, Failed \_\_\_\_\_.

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

Scaled with the County Seal and presented to the County Executive for approval this 7 day of October, 2014 at 11:30 a.m./p.m.

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

Approved by the County Executive October 15, 2014

Ken Utman  
Ken Utman, 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.

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

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

(c) *Computation of sewer service charge.*

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

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

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

(5) *HELP TO OTHERS (H2O) ROUND-UP PROGRAM.* FOR THE PURPOSE OF ASSISTING RESIDENTIAL CUSTOMERS WHO ARE FACING FINANCIAL HARDSHIPS AND THE POSSIBILITY OF UTILITY SERVICE DISCONNECTIONS, THERE IS A HELP TO OTHERS (H2O) ROUND-UP PROGRAM TO BE ADMINISTERED 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 AN ACCOUNT HELD BY THE COUNTY TO ASSIST RESIDENTIAL CUSTOMERS  
11 FACING FINANCIAL HARDSHIP AND POSSIBLE UTILITY SERVICE DISCONNECTIONS.
- 12 (D) THE COUNTY MAY ~~CONTRACT~~ ENTER INTO A GRANT AGREEMENT WITH A PRIVATE  
13 ENTITY TO ADMINISTER THE HELP TO OTHERS (H2O) ROUND-UP PROGRAM ~~AND~~  
14 FUND.
- 15 ~~(E) A CUSTOMER WHO CHOOSES TO ROUND UP OR MAKE A ONE-TIME CONTRIBUTION~~  
16 ~~BUT WHO FAILS TO PAY THE ROUNDED AMOUNT OR CONTRIBUTION SHALL NOT BE~~  
17 ~~SUBJECT TO ANY LATE FEE OR PENALTY.~~
- 18 (E) IF A CUSTOMER FAILS TO PAY THE ROUNDED AMOUNT OR ONE-TIME CONTRIBUTION,  
19 THE UNPAID ROUNDED AMOUNT OR CONTRIBUTION MAY NOT SERVE AS THE BASIS  
20 FOR A LATE FEE OR PENALTY.
- 21 (F) IF A CUSTOMER FAILS TO PAY THE ROUNDED AMOUNT OR ONE-TIME CONTRIBUTION,  
22 THE UNPAID ROUNDED AMOUNT OR CONTRIBUTION MAY NOT SERVE AS THE BASIS  
23 FOR A LIEN OR CHARGE AGAINST THE REAL ESTATE SERVED OR BENEFITED BY THE  
24 UTILITIES.

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.***



Amendment 1 to Council Bill No. 50-2014

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 11  
Date: October 6, 2014

Amendment No. 1

(This amendment:

- (1) Corrects terminology;
- (2) Clarifies that the County will enter a grant agreement with the private entity administering the program; and
- (3) Clarifies that failure to pay the rounded amount will not serve as the basis for a late fee or penalty.)

1 On page 4, in line 9, strike "A".

2  
3 On page 4, in line 10, strike "FUND" and substitute "AN ACCOUNT HELD BY THE COUNTY".

4  
5 On page 4, in line 12, strike "CONTRACT" and substitute "ENTER INTO A GRANT AGREEMENT".

6  
7 On page 4, in line 13, strike "AND FUND".

8  
9 On page 4, strike lines 14 through 16, inclusive and in their entirety, and substitute:

10 "(E) IF A CUSTOMER FAILS TO PAY THE ROUNDED AMOUNT OR ONE-TIME CONTRIBUTION, THE  
11 UNPAID ROUNDED AMOUNT OR CONTRIBUTION MAY NOT SERVE AS THE BASIS FOR A LATE  
12 FEE OR PENALTY.".

ADOPTED 10/06/2014  
FAILED  
SIGNATURE Shirley J. Talley



- 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.*



BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on October 15, 2014.

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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
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 \_\_\_\_\_, 2014.

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

