

ORDINANCE NO. 10-01-01

AN ORDINANCE TO AMEND TITLE 13, CHAPTER 13.12, SECTION 13.12.060 OF THE MIDDLETOWN MUNICIPAL CODE FOR THE PURPOSE OF IMPOSING A CAPITAL IMPROVEMENT FEE ON ALL EXISTING WATER AND SEWER CUSTOMERS IN THE AMOUNT OF \$25.00 PER QUARTER FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS TO THE WATER AND SEWER SYSTEMS OF THE TOWN OF MIDDLETOWN; TO PROVIDE AN EXEMPTION UNTIL JANUARY 1, 2020 FROM THE CAPITAL IMPROVEMENT FEES FOR THOSE WHO PAY THE DEBT SERVICE CHARGE PURSUANT TO SECTION 13.20.010 OF THE TOWN MUNICIPAL CODE,

WHEREAS, the Town of Middletown is authorized to establish rates and charges for water and sewer service pursuant to Annotated Code of Maryland, Environment Article, Section 9-720 *et seq.* and Chapter 13.12 of the Middletown Municipal Code; and

WHEREAS, the Burgess and Commissioners of the Town of Middletown find that it is necessary to have a source of funding and revenue to pay for capital improvements to the water and sewers systems operated by the Town for the use and benefits of its citizens and to make payments on debt incurred by the Town to improve and maintain those systems; and

WHEREAS, the Burgess and Commissioners find that the imposition of a Capital Improvement fee of \$25.00 to be paid quarter-annually by water and sewer customers of the Town's water and sewer systems is necessary and reasonable; and

WHEREAS, notice of a public hearing on said Capital Improvement Fee was duly publicized in a newspaper of general circulation in the Town of Middletown; and

WHEREAS, after a public hearing was held on said Capital Improvement Fee, the Burgess and Commissioners deem it to be in the best interest of the Town of Middletown and its citizens to impose that Capital Improvement Fee in accordance herewith.

SECTION I. BE IT RESOLVED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 13, Chapter 13.12, Section 13.12.060 of the Middletown Municipal Code be amended as follows. New language is designated by being in **BOLD CAPITAL LETTERS**:

13.12.060 Rate and fee schedules - Residential and non-residential users.

A. *{Unchanged}*

B. *{Unchanged}*

C. **UNLESS OTHERWISE EXEMPTED AS HEREINAFTER PROVIDED, EACH RESIDENTIAL AND NON-RESIDENTIAL USER OF WATER AND SEWER SERVICES SHALL PAY A CAPITAL IMPROVEMENT FEE OF TWENTY-FIVE DOLLARS (\$25.00) PER QUARTER. THE CAPITAL IMPROVEMENT FEE SHALL BE IN ADDITION TO THE FEES CHARGED PURSUANT TO SUB-SECTIONS A. AND B. OF THIS SECTION, AND SHALL BE BILLED AND INCLUDED IN THE QUARTER-ANNUAL BILLS FOR EACH USER. EACH USER, CUSTOMER OR ACCOUNT WHICH IS SUBJECT TO AND IS OBLIGATED TO PAY THE DEBT SERVICE CHARGE REQUIRED BY SECTION 13.20.010 OF THE MIDDLETOWN MUNICIPAL CODE IS AND SHALL BE EXEMPT FROM THE OBLIGATION TO PAY THE CAPITAL IMPROVEMENT FEE UNTIL JANUARY 1, 2020.**

SECTION II: This Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE 14th DAY OF December, 2009.

PASSED ON THE 11th DAY OF January, 2010.

EFFECTIVE DATE: January 31, 2010.

ATTES T:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen, Town Administrator

By: _____
John Miller, Burgess