



AGENDA FOR THE WATER & SEWER COMMITTEE MEETING

July 24, 2019

7:00 p.m.

- **Review of Amendments to Chapter 13 – Public Services**
- Review of Billing Software Rate Codes
- Update on In-Progress Projects
 - **Main Street Waterline**
 - **Ground Storage Tank/Reservoir**

Title 13 - PUBLIC SERVICES

Chapters:

Chapter 13.04 - WATER SERVICE SYSTEM

Sections:

13.04.010 - Restrictions on water use.

- A. The burgess and commissioners may impose reasonable restrictions on the use of water from the municipal water system during periods of short supply, protracted drought, excessive demand or other scarcity of water. Such restrictions may include, but are not limited to, limitations on or prohibitions against the use of water from the municipal water system as determined by the burgess and commissioners. The town administrator may, with the approval of the burgess and commissioners, develop and establish a water conservation public alert system or other system of codes to announce to the public differing levels of water restrictions.
- B. Any water use restriction imposed pursuant to this section shall be determined and announced at a regular or special meeting of the burgess and commissioners and shall be published in a newspaper of general circulation in the town.
- C. The watering of lawns or grassy areas of property is prohibited at any time between the hours of 9:00 a.m. and 6:00 p.m. during the least restrictive periods of water use under the water conservation public alert system (currently "Code Blue"), and upon written application to the town administrator, the watering of lawns or grassy areas during these hours shall be permitted for the purpose of watering newly seeded or sodded lawns for up to seven days after such seeding or after the installation of sod.
- D. Penalties for violating water restrictions:
 1. Any person detected connecting to a town fire hydrant for any nonemergency purpose will be subject to a one thousand dollar (\$1,000.00) fine for each offense.
 2. Any landlord, tenant, or other individual in possession of real property violating the terms and conditions of any water restriction shall be subject to the following:
 - a. Filling or topping off of pools or outdoor hot tubs during a water restriction period established pursuant to subsection A of this section will constitute a municipal infraction punishable by a fine of five hundred dollars (\$500.00) and disconnection of water service.
 - b. For all other violations of this section, a written warning and notification to refrain from any further violation will be issued for a first offense. Each subsequent offense will constitute a municipal infraction punishable by a fine of one hundred dollars (\$100.00) and disconnection of water service.
- E. Any landowner, tenant or individual in possession who has had service disconnected to his or her property pursuant to this section shall not have such service reconnected until the current reconnection fee established by the town is paid. Any further violation of the water restriction by that individual after reconnection of water service shall result in water service again being disconnected to such property, and service shall not be reconnected until the currently established reconnection fee is paid to the town.

(Ord. 06-04-01 § 1, 2006; Ord. 02-04-01 § 1, 2002; Ord. 97-09-02 § 2; prior code § 4-2203)

13.04.020 Water Meter Restrictions

- A. Each property within the service system shall be served with ~~ONE~~one (1) water meter regardless of the number of structures, tenants or users served on the property.
- a. For residential properties the ~~ONE~~one (1) water meter shall be sized in accordance with the current Water System Design Manual within the Middletown Design Manual.
- ~~a.~~b. For commercial properties the ~~ONE~~one (1) water meter shall be sized by the customer's design engineer with consideration for the total number of fixture units and fire flow. Separate services for fire flow are not permitted.
- B. The burgess and commissioners, at their discretion, may approve an exception to the ~~ONE~~one-water meter restriction for governmental properties.

Chapter 13.08 - SEWER SERVICE SYSTEM

Sections:

13.08.010 - Definitions.

As used in this chapter:

"Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees centigrade, expressed in milligrams per liter.

"Building drain" means that portion of the lowest horizontal piping of a drainage system which receives discharge from drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

"Building sewer" means the extension from the building drain to the public sewer or other place of disposal, also called house connection.

"Director of Public Works" means the town administrator or such duly authorized or designated person as the burgess and commissioners may deem appropriate.

"Easement" means an acquired legal right for the specific use of land owned by others.

"Floatable oil" means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

"Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

"Industrial wastes" means the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

"Natural outlet" means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, or other body of surface or ground water.

"pH" means the logarithm of the reciprocal of the hydrogen concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and hydrogen-ion concentration of 10^{-7} .

"Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow

conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

"Public sewer" means a common sewer controlled by a governmental agency or public utility.

"Sanitary sewer" means a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

"Sewage" means the spent water of a community. The preferred term is "wastewater."

"Sewer" means a pipe or conduit that carries wastewater or drainage water.

"Slug" means any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

"Storm drain" (sometimes termed "storm sewer") means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

"Suspended solids" means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

"Unpolluted water" means water of quality equal to or better than the effluent criteria in effect or water that could not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

"Wastewater" means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and storm water that may be present.

"Wastewater facilities" means the structures, equipment and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

"Wastewater treatment works" means an arrangement of devices and structures for treating wastewater, industrial water, and sludge, sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

"Watercourse" means a natural or artificial channel for the passage of water, either continuously or intermittently.

~~"Superintendent" means the town administrator or such duly authorized or designated person as the burgess and commissioners may deem appropriate.~~

(Ord. 99-09-04 § 2, 1999; prior code § 4-2101)

13.08.020 - Disposal of wastes.

It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the town, in any area under the jurisdiction of the town, any human or animal excrement, garbage, or objectionable waste.

(Prior code § 4-2201)

13.08.030 - Discharge of wastewater.

It shall be unlawful to discharge to any natural outlet within the town, or in any area under the town's jurisdiction, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this chapter.

(Prior code § 4-2202)

13.08.040 - Drainwater.

No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the superintendent or town administrator or such other person designated by the commissioners for purposes of disposal of polluted surface drainage.

(Prior code § 4-2204)

13.08.050 - Unpolluted water.

No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer.

(Prior code § 4-2205)

13.08.060 - Toxic waste.

No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable liquid or explosive liquid, solid or gas;
- B. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant;
- C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works;
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(Prior code § 4-2206)

13.08.070 - Discharge limitations.

The following described substances, materials, waters or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The ~~superintendent~~ director of

public works may set limitations lower than the limitations established in the regulations below if in his or her opinion such more severe limitations are necessary to meet the above objectives. In forming his or her opinion as to their acceptability, the superintendent-director of public works will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent-director of public works are as follows:

- A. Wastewater having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Celsius);
- B. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin;
- C. Wastewater from industrial plants containing floatable oils, fat or grease;
- D. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers;
- E. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits which may be established by the superintendent director of public works for such materials;
- F. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the superintendent director of public works;
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent director of public works in compliance with applicable state or federal regulations;
- H. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein;
- I. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
- J. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes;
- K. Any water or wastes having suspended solids or BOD in excess of three hundred (300) mg/p.

(Prior code § 4-2207)

13.08.080 - Municipal infractions.

Any violation of the provisions of Sections 13.08.020—13.08.070 shall be a general municipal infraction.

(Prior code § 4-2208)

13.08.090 - Cost of installation.

- A. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent/director of public works.
- B. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(Prior code § 4-2301)

13.08.100 - Separate sewers required.

- A. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the front building sewer may be extended to the rear building and the whole considered as one building sewer with the appropriate number of sewer taps, if approved by the planning commission/Department of Public Works. But the town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
- B. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent/director of public works, to meet all requirements of this chapter.

Commented [MC1]: Should this be "sewer connection" instead of taps.

(Prior code § 4-2302)

13.08.110 - Specifications.

- A. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations adopted by the town.
- B. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(Prior code § 4-2303)

13.08.120 - Connections.

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations adopted by the town. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed materials and procedures must be approved by the superintendent/director of public works before installation.

(Prior code § 4-2304)

13.08.130 - Inspection.

The applicant for the building sewer permit shall notify the [superintendent-director of public works](#) when the building sewer is ready for inspection, and connection and testing shall be made under the supervision of the [superintendent-director of public works](#) or his or her representative.

(Prior code § 4-2305)

13.08.140 - Excavation.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town.

(Prior code § 4-2306)

13.08.150 - Required connections.

At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within sixty (60) days in compliance with an order to connect; and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

(Prior code § 4-2307)

13.08.160 - Interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the [superintendent director of public works](#), they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection, in the maintaining of these interceptors the owner (s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by the owner(s)' personnel must be performed by currently licensed waste disposal firms.

(Prior code § 4-2308)

13.08.170 - Equalizing tanks.

Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his or her expense.

(Prior code § 4-2309)

13.08.180 - Administrative discretion.

A. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 13.08.070, and which in the judgment of the [superintendent-director of public works](#) may have a deleterious effect

upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the [superintendent director of public works](#) may:

1. Reject the wastes;
 2. Require pretreatment to an acceptable condition for discharge to the public sewers;
 3. Require control over the quantities and rates of discharge, and/or
 4. Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- B. If the [superintendent director of public works](#) permits the pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of the [superintendent director of public works](#).

(Prior code § 4-2401)

13.08.190 - Observation, sampling and measurement

When required by the [superintendent director of public works](#), the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the [Superintendent director of public works](#). The structure shall be installed by the owner at his or her expense and shall be maintained by the owner so as to be safe and accessible at all times.

(Prior code § 4-2402)

13.08.200 - Reporting requirements.

The [superintendent director of public works](#) may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

- A. Wastewater discharge at a peak rate and volume over a specified time period;
- B. Chemical analyses of wastewaters;
- C. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
- D. Information on raw materials, processes, and products affecting wastewater volume and quality;
- E. A plot plan of sewers of the user's property showing sewer and pretreatment facility location;
- F. Details of wastewater pretreatment facilities;
- G. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(Prior code § 4-2403)

13.08.210 - Standard criteria.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, or with such other reference as shall be maintained in the office of the town administrator. Sampling methods,

location, times, durations and frequencies are to be determined on an individual basis subject to approval and periodic review or revision by the [superintendent director of public works](#).

(Prior code § 4-2404)

13.08.220 - Special agreements.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment.

(Prior code § 4-2405)

13.08.230 - Entry of premises.

The [superintendent director of public works](#) and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system.

(Prior code § 4-2501)

13.08.240 - Technical information.

The [superintendent director of public works](#) or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. In order to refuse to provide such information, a company must establish that the revelation to the public of the information in question might result in an advantage to the competitors.

(Prior code § 4-2502)

13.08.250 - Safety rules.

While performing the necessary work on the premises of private companies, the [superintendent director of public works](#) or duly authorized employees of the town shall observe all safety rules established by the company, and the company shall be held harmless for injury or death to the town employees, and the town shall indemnify the company against loss or damage to its property by town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

(Prior code § 4-2503)

Chapter 13.12 - WATER AND SEWER FEES AND CHARGES

Sections:

13.12.010 - Authority to establish usage and tap fees.

- A. The burgess and town commissioners may set or modify by resolution a rate schedule for water and sewerage usage and for connection to the town water and sewer systems. Such rates shall be reasonable charges and shall be established to provide adequate funding for the:
1. Maintenance, repair and operation of the water and sewer systems;
 2. Necessary extensions of the water and sewer system to property lines and connections between the system and such properties;
 3. Payment of all or part of the principal and interest on any indebtedness incurred to finance the town water and sewer system;
 4. Generation of revenue for capital improvement projects to add capacity necessary for current and future town needs and to address current and future state and federal regulatory requirements for drinking water safety and purity and to meet nonpolluting standards set for sewer system discharge.
- B. Before setting a rate schedule for usage and tap fees, a notice of proposed rates shall be published once in a newspaper of general circulation in the town and a public hearing shall be conducted on the necessity or advisability of the proposed rates.

(Ord. 99-09-04 § 4, 1999; prior code § 4-2603)

13.12.020 - Delinquent accounts.

All water and sewer bills levied by the town shall be due and payable within thirty (30) days from the date of the bill. Any and all bills which are not paid within said thirty (30) days shall accrue interest, as per current rate schedule, each month on the total amount outstanding. If a water and sewer bill is not paid within three months of its date, then the town, at its option, may cut off water and sewer service to the property covered by the bill.

(Prior code § 4-2601)

13.12.030 - Water meter tampering.

The town shall have the right to disconnect the water service from the property of any person who tampers with, disconnects or intentionally damages any water meter or any appurtenance thereto and shall not reconnect the same until the cost to repair all damages has been paid by said customer together with a re-connect fee as per current rate schedule.

(Ord. 99-09-04 § 3, 1999; prior code § 4-2602)

13.12.040 - Billing policies and procedures.

- A. The provisions in this section are policy procedures only and constitute guidelines which do not create any requirements or standards which, upon non-compliance, will give rise to any claim, cause of action, or basis for non-payment for services rendered. The failure of the town to comply strictly with any of these policy procedures and guidelines is not a waiver or relinquishment of any of the rights of the town to seek payment for water and sewer services rendered nor does such failure create any defense to the obligation of the user to pay for water and sewer services rendered.
- B. Water and sewer bills are issued quarter-annually and mailed in January, April, July and October of each year for water and sewer usage during the preceding three months. All water and sewer accounts will be established in the name of the property owner where service is rendered. Bills are mailed in the name of the property owner to the property address. The town will, however, upon written request by the property owner, mail bills to the property owner to such other address as

designated by the property owner and will also mail bills in the name of the property owner but in the care of a designated property management company at that company's address. No accounts will be established and no bills will be mailed in the name of tenants. Late notices, disconnection notices and any other notices will be mailed in the name of the property owner to the property address or to such other address or to such property management company as has been designated by the property owner for the mailing of bills.

- C. Payments of water and sewer bills are due in full on or before thirty (30) days from the date of the bill. Partial payment of bills will not be accepted. All bills may be paid at any of the following locations or in the following manner:
1. Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland from 8:00 a.m. to 4:00 p.m. Monday through Friday;
 2. Middletown Valley Bank main and branch offices;
 3. BB&T Bank, Middletown branch office;
 4. By mailing payment to the Middletown Municipal Center, 31 W. Main Street, Middletown, MD 21769.
 5. By on-line banking, if such payment procedure is available through the customer's bank or other financial institution and is compatible with the procedures and billing systems of the town.
- D. Interest on Unpaid Bills. Interest at the rate of one and one-half percent per month shall be charged on and added to the amount of any bill which remains unpaid more than thirty (30) days after the date of the issuance of the bill. Additional interest of one and one-half percent of the amount of the unpaid portion of the bill shall continue to be charged for each month that the bill remains unpaid.
- E. Late Notices. A notice of late payment will be issued for any bill which remains unpaid for more than thirty (30) days after the date of the issuance of the bill. A second notice of late payment and a notice of disconnection of service will be issued for any bill which remains unpaid for more than sixty (60) days after the date of the issuance of the bill. The notice of disconnection of service will state the date by which payment of the water and sewer bill must be made in full in order to avoid the disconnection of service. No further notices will be provided prior to disconnection of service. Notices will be mailed to the property owner, or if applicable, the designated property management company, at the address to which bills are mailed pursuant to subsection B. The notice of disconnection of service will be mailed by certified mail, return receipt requested. A twenty dollar (\$20.00) administrative fee shall be added to any bill for which a notice of disconnection of service is mailed. An additional administrative fee of twenty dollars (\$20.00) shall be assessed against such bill for each subsequent quarter during which the bill remains unpaid and the water service remains disconnected.
- F. Disconnection and Reconnection Policy.
1. Payment in full of the water and sewer bill must be made prior to the disconnection date stated in the notice of disconnection of service. If payment is presented on the disconnection date stated in the notice of disconnection of service, payment must be paid in cash and/or money order in person at the Middletown Municipal Center by 9:30 a.m. of that date, and if such payment is not received by that time, the disconnection of water service will begin at 10:00 a.m. No service will be disconnected if the balance due on the bill is less than fifty dollars (\$50.00).
 2. For service to be reconnected after disconnection, a reconnection fee must be paid in the following amounts: For a first occurrence—Fifty dollars (\$50.00); for a second occurrence within any twelve (12) consecutive month period—One hundred dollars (\$100.00); for a third or more occurrence within any twelve (12) consecutive month period—One hundred fifty dollars (\$150.00). In order to have service reconnected, the unpaid balance of the bill and the reconnection fee must be paid, in full, by cash and/or money order in person at the Middletown Municipal Center.
- G. Returned Checks. A charge will be added to the water and sewer bill for any check which is returned as non-payable for any reason, including but not limited to, non-sufficient funds. The amount of the

added charge will be that amount which is charged to the town by the returning bank or financial institution. If a non-payable check submitted in payment of a bill is returned to and received by the town after the date on which the service was to be disconnected as stated in a notice of disconnection of service, then water service will be disconnected immediately without any further notice, including the notices provided for in subsection E.

- H. **Rental Properties.** Property owners are responsible for the payment of any overdue bills, interest charges or disconnection, reconnection and administrative fees, and the town will not seek payment of such expenses from tenants of the property owner.
- I. **Meter Reading.** When a meter cannot be easily and clearly read due to obstructions such as weeds, structures, excavations, animals or other impediments, an estimate of water usage will be made based upon prior usage at that location. In that event, the town will enclose a letter with the following bill requesting that the owner correct the problem prior to the next meter reading. If an obstruction problem remains present at the time of the next reading, an estimate of water usage will again be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) business days in which to correct the problem or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- J. **Broken Meters.** If at the time of reading the meter a meter is not operating and recording no usage, then an estimate of water usage will be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) working days to schedule an appointment for meter repair or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- K. **Replacement Meters.** If a customer contends that his or her water meter is defective and informs the town of this contention, the town's water and sewer personnel will examine and test the meter. If the meter is greater than ten (10) years old, it will be replaced at no cost to the customer. If the meter is ten (10) years old or less and determined by town personnel to be working properly, the meter will be replaced upon request of the customer, however the customer must pay one hundred dollars (\$100.00) for the cost and installation of the new meter if the manufacturer of the meter confirms that the meter was working properly. If the manufacturer determines that the meter was defective, there will be no cost to the customer.
- L. **Unusually Excessive Water Use.** In the event that a meter reading reflects an unusually high water usage which is due to a broken pipe or leak in the plumbing on the property, then the Town will allow, for a first such occurrence during a five-year period, a reduction in the amount of the water and sewer bill. In order to be granted the reduction, the property owner must submit a written request to the town for the reduction and state the nature of the cause of the high water usage and the action taken to correct and resolve the problem. The revised bill will be established as based upon two times the average of the water usage for the property for the four quarters immediately preceding the high water reading.

In the event that there is a second occurrence within five years of an unusually high meter reading for a same property, then the property owner shall be responsible for the entire water and sewer bill; provided, however, that if it can be demonstrated to the satisfaction of the town that the leaking water did not empty into the town's sanitary sewer system, and therefore did not require treatment at the wastewater treatment facility, then the town may, but is not required to, waive all or some of the sewer portion of the bill.

- M. The town will allow payment plans for financial hardship cases. The terms of the payment plan will be negotiated by the town administrator based upon the financial circumstances of the property owner requesting the payment plan.

(Ord. No. 13-03-02, § 1, 3-11-2013, eff. 3-31-2013; Ord. No. 12-08-01, § 1, 8-13-2012, eff. 9-2-2012; Ord. 07-02-01 § 1, 2007; Res. 99-13, 1999)

13.12.050 - Connection fees.

A. Any landowner, developer, or applicant applying for a connection to the town's water and sewer system shall pay to the town the following fees at the time of the application and before any connection may be made:

Water connection fee	\$ 7,000.00
Sewer connection fee	7,000.00
Improvement fee	6,000.00
Total	20,000.00

Commented [DB2]: Incorrect Fees. Tap Fees are Water \$9000; Sewer \$9000; Improvement Fee \$7000 for a total of \$25,000.

B. The rates established in subsection A of this section shall apply only to an application for a connection submitted to the town after the effective date of the ordinance codified in this section. Any application for a connection submitted prior to the effective date of the ordinance codified in this section shall be governed by the rates in effect on the date of the submission of the application to the town.

(Ord. 07-03-02 § 1, 2007; Res. 02-09, 2002; Res. 01-03, 2001)

13.12.060 - Rate and fee schedules—Residential and nonresidential users.

A. Residential users of water and sewer services and their accounts will be billed on a tiered system based upon the amount of quarter-annual usage of water and sewer service at the location at which service is provided. Water and sewer rates for such residential accounts shall be as follows:

For Quarter-Annual Usage of:	The Rate is:
0 to 3,000 gallons	\$54.94
3,001—25,000 gallons	\$8.07 per 1,000 gallons
25,001—30,000 gallons	\$12.10 per 1,000 gallons
30,001—35,000 gallons	\$16.14 per 1,000 gallons

35,001—40,000 gallons	\$24.20 per 1,000 gallons
40,001—45,000 gallons	\$28.23 per 1,000 gallons
45,001—50,000 gallons	\$32.27 per 1,000 gallons
50,001—55,000 gallons	\$48.39 per 1,000 gallons
55,001—60,000 gallons	\$60.50 per 1,000 gallons
60,001—65,000 gallons	\$72.59 per 1,000 gallons
65,001—70,000 gallons	\$84.68 per 1,000 gallons
70,001—75,000 gallons	\$96.79 per 1,000 gallons
75,001 gallons and above	\$108.87 per 1,000 gallons

Commented [DB3]: Incorrect, corrected numbers will be placed in section.

B. Nonresidential users of water and sewer services and their accounts will be billed based upon the size of the meter for the location at which service is provided. Water and sewer rates for such nonresidential accounts shall be as follows:

5/8 to ¾ inch meter	\$56.94 for 3,000 gallon base	\$8.07/1,000 gallons after base
1 inch meter	\$79.69 for 4,200 gallon base	\$8.07/1,000 gallons after base
1½ inch meter	\$102.47 for 5,400 gallon base	\$8.07/1,000 gallons after base
2 inch meter	\$165.10 for 8,700 gallon base	\$8.07/1,000 gallons after base
3 inch meter	\$626.24 for 33,000 gallon base	\$8.07/1,000 gallons after base
4 inch meter	\$797.02 for 42,000 gallon base	\$8.07/1,000 gallons after base
6 inch meter	\$1,195.54 for 63,000 gallon base	\$8.07/1,000 gallons after base

8 inch meter	\$1,650.98 for 87,000 gallon base	\$8.07/1,000 gallons after base
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Commented [DB4]: Incorrect, corrected numbers will be placed in section.

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 subsections 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.

Commented [DB5]: Incorrect, corrected numbers will be placed in section.

(Ord. No. 10-06, § 1, 6-14-2010; Ord. No. 10-01-01, § 1, 1-11-2010; Res. 09-03, § 1, 5-11-2009; Res. 08-02 § 1, 2008; Res. 06-04 § 1, 2007; Res. 05-01 § 1, 2005; Res. 02-08, 2002; Res. 01-07 § 1, 2001)

Chapter 13.16 - UTILITY LINES

Sections:

13.16.010 - Fees for utility lines markings.

The Burgess and Commissioners of Middletown establish the following fees for the marking of town water and sewer lines to be charged to the requesters of utility marking services:

- A. Initial Marking: Up to thirty-five dollars (\$35.00);
- B. Remarking: Up to fifteen dollars (\$15.00).

(Res. 99-15, 1999)

Chapter 13.17 - CROSS-CONNECTION CONTROL PROGRAM

Sections:

13.17.010 - Purpose.

- A. To protect the public potable water supply served by the Town of Middletown from the possibility of contamination of pollution by isolating, within its customers internal distribution system, such contaminants or pollutants which could backflow or back-siphon into the public water system.
- B. To promote the elimination or control of existing cross-connections, actual or potential between its customers in-plant potable water system, and non-potable systems.
- C. To provide for the maintenance of a continuing program of cross-connection control which will effectively prevent the contamination of all potable water systems by cross-connection.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.020 - Authority.

The Federal Safe Drinking Water Act of 1974 stipulates that the water purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.030 - Responsibility.

The Town of Middletown shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgement of the Town of Middletown, an approved backflow device is required at the town's water service connection to any customer's premises, the Town of Middletown, or their delegated agent, shall give notice in writing to said customer to install an approved backflow prevention device at each service connection to his or her premises. The customer shall, within ninety (90) days, install such approved device or devices, at his or her own expense, and failure or refusal, or inability on the part of the customer to install said device or devices within ninety (90) days, shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.040 - Definitions.

"Approved" means accepted by the Town of Middletown as meeting an applicable specification stated or cited in this chapter, or as suitable for the proposed use.

"Auxiliary water supply" means any water supply, on or available, to the premises other than the purveyor's approved public potable water supply.

"Backflow" means the flow of water or other liquids, mixtures or substances, under positive or reduce pressure in the distribution pipes of a potable water supply from any source other than its intended source.

"Backflow preventer" means a device or means designed to prevent backflow or back-siphonage. Most commonly categorized as air gap, reduced pressure principle device, double check valve assembly, pressure vacuum breaker, atmosphere vacuum breaker, hose bibb vacuum breaker, residential dual check, double check with intermediate atmospheric vent, and barometric loop.

1. **Air Gap.** A physical separation sufficient to prevent backflow between the free flowing discharge end of the potable water system and any other system. Physically defined as a distance equal to twice the diameter of the supply side pipe diameter but never less than one inch.
2. **Atmospheric Vacuum Breaker.** A device which prevents back-siphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in a water system.
3. **Barometric Loop.** A fabricated piping arrangement rising at least thirty-five (35) feet at its top most point above the highest fixture it supplies. It is utilized in water supply systems to protect against back-siphonage.
4. **Double Check Valve Assembly.** In assembly of two independently operating spring loaded check valves with tightly closing shut off valves on each side of the check valves, plus properly located test cocks for the testing of each valve.
5. **Double Check Valve with Intermediate Atmospheric Vent.** A device having two spring loaded cheek valves separated by an atmospheric vent chamber.

6. **Hose Bibb Vacuum Breaker.** A device which is permanently attached to a hose bibb and which acts as an atmospheric vacuum breaker.
7. **Pressure Vacuum Breaker.** A device containing one or two independently operated spring loaded check valves and an independently operated spring loaded air inlet valve located on the discharge side of the check or checks. Device includes tightly closing shut-off valves on each side of the check valves and properly located test cocks for the testing of the check valve(s).
8. **Reduced Pressure Principle Backflow Preventer.** An assembly consisting of two independently operating check valves with an automatically operating differential relief valve located between the two check valves, tightly closing shut-off valves on each side of the check valves plus properly located test cocks for the testing of the check valves and the relief valve.
9. **Residential Dual Check.** An assembly of two spring loaded, independently operating check valves without tightly closing shut-off valves and test cocks. Generally employed immediately downstream of the water meter to act as a containment device.

"Backpressure" means a condition in which the owner's system pressure is greater than the suppliers system pressure.

"Back-siphonage" means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

"MDE" means the state of Maryland Department of the Environment — Water Supply Program.

"Containment" means a method of backflow prevention which requires a backflow prevention preventer at the water service entrance.

"Contaminant" means a substance that will impair the quality of the water to a degree that it creates a serious health hazard to the public leading to poisoning or the spread of disease.

"Cross-connection" means any actual or potential connection between the public water supply and a source of contamination or pollution.

"Department" means the Town of Middletown water & sewer department.

"Director of Public Works" means the director of public works, or his delegated representative in charge of the Town of Middletown, is invested with the authority and responsibility for the implementation of a cross-connection control program and for the enforcement of the provisions of the chapter.

"Fixture isolation" means a method of backflow prevention in which a backflow preventer is located to correct a cross-connection at an in-plant location rather than at a water service entrance.

"Owner" means any person who has legal title to, or license to operate or habitat in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

"Person" means any individual, partnership, company, public or private corporation, political subdivision or agency of the State Department, agency or instrumentality or the United States or any other legal entity.

"Permit" means a document issued by the Town of Middletown which allow as the use of a backflow preventer.

"Pollutant" means a foreign substance, that if permitted to get into the public water system, will degrade its quality so as to constitute a moderate hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably effect such water for domestic use.

"Water service entrance" means that point in the owner's water system beyond the sanitary control of the district, generally considered to be the outlet end of the water meter and always before any unprotected branch.

~~"Superintendent" means the superintendent, or his delegated representative in charge of the Town of Middletown, is invested with the authority and responsibility for the implementation of a cross-connection control program and for the enforcement of the provisions of the chapter.~~

"Degree of hazard" means the degree of hazard is a determination of whether the substance in the non-potable system is toxic (health hazard) or non-toxic (non-health hazard).

"Toxic substance" means any liquid, solid or gas, which when introduced into the water supply creates, or may create a danger to the health and well being of the consumer.

"Non-toxic substance" means any substance that may create a non-health hazard, is a nuisance or is aesthetically objectionable.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.050 - Administration.

- A. The Town of Middletown will operate a cross-connection control program, to include the keeping of necessary records, which fulfills the requirements of the MDE Cross-Connection Regulations.
- B. The owner shall allow his/her property to be inspected for possible cross-connections and shall follow the provisions of the town's program and the MDE's Regulations if a cross-connection is permitted.
- C. If the Town of Middletown requires that the public supply be protected by containment, the owner shall be responsible for water quality beyond the outlet end of the containment device and should utilize fixture outlet protection for that purpose.

He/she may utilize public health officials, or personnel from the Town of Middletown or their delegated representatives, to assist him in the survey of his facilities and to assist him in the selection of proper fixture outlet devices, and the proper installation of these devices.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.060 - Requirements.

A. Town of Middletown.

1. On new installations, the Town of Middletown will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required, will issue permit, and perform inspection. In any case, a minimum of dual check valve will be required in any new construction. A licensed plumber shall submit a written report of the test performed on the device.
2. For premises existing prior to the start of this program, the Town of Middletown will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, ninety (90) days will be allowed, however, this time period may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.
3. The Town of Middletown will not allow any cross-connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be regularly tested to insure satisfactory operation.
4. The Town of Middletown shall inform the owner by letter, of any failure to comply by the time of the first re-inspection. The town will allow an additional fifteen (15) days for the correction. In the event the owner fails to comply with the necessary correction by the time of the second re-inspection, the town will inform the owner by letter, that the water service to the owner's

premises will be terminated within a period not to exceed five days. In the event that the owner informs the town of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the town but in no case will exceed an additional thirty (30) days.

5. If the Town of Middletown determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.
6. The Town of Middletown shall have on file, a list of private contractors who are certified backflow device testers. All charges for these tests will be paid by the owner of the building or property.
7. The Town of Middletown will begin initial premise inspections to determine the nature of existing or potential hazards, following the approval of the ordinance codified in this chapter by MDE, during the calendar year 2002. Initial focus will be on high hazard industries and commercial premises.

B. Owner.

1. The owner shall be responsible for the elimination or protection of all cross-connections on his premises.
2. The owner, after having been informed by a letter from the Town of Middletown, shall at his/her expense, install, maintain, and test, or have tested, any and all backflow preventers on his/her premises.
3. The owner shall correct any malfunction of the backflow preventer which is revealed by periodic testing.
4. The owner shall inform the Town of Middletown of any proposed or modified cross-connections and also any proposed or modified cross-connections and also any existing cross-connections of which the owner is aware but has not been found by the town.
5. The owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type of the bypass. Owners who cannot shut down operation for testing the device(s) must supply additional devices necessary to allow testing to take place.
6. The owner shall install backflow preventers in a manner approved by the Town of Middletown.
7. The owner shall install only backflow preventers approved by the Town of Middletown.
8. Any owner having a private well or other private water source, must have a permit if the well or source is cross-connected to the Town of Middletown system. The owner shall be required to install a backflow preventer at the service entrance if a private water source is maintained, even if it is not cross-connected to the town's system.
9. In the event the owner installs plumbing to provide potable water for domestic purposes which is on the Town of Middletown's side of the backflow preventer, such plumbing must have its own backflow preventer installed.
10. The owner shall be responsible for the payment of all fees for permits, annual or semiannual device testing, re-testing in the case that the device fails to operate correctly, and second re-inspections for non-compliance with Town of Middletown and MDE requirements.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.070 - Degree of hazard.

The Town of Middletown recognizes the threat to the public water system arising from cross-connections. All threats will be classified by degree of hazard and will require the installation of approved reduced pressure principle backflow prevention devices or double check valves.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.080 - Permits.

The Town of Middletown shall not permit a cross-connection within the public water supply system unless it is considered necessary and that it cannot be eliminated.

- A. Cross-connection permits that are required for each backflow prevention device are obtained from the Town of Middletown. A fee of twenty-five dollars (\$25.00) will be charged for the initial permit and fifteen dollars (\$15.00) for the renewal of each permit.
- B. Town of Middletown permits shall be renewed every two years and are non-transferable. Permits are subject to revocation and become immediately revoked if the owner should so change the type of cross-connection or degree of hazard associated with the service.
- C. A permit is not required when fixture isolation is achieved with the utilization of a non-testable backflow preventer.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.090 - Installation.

Backflow prevention devices shall not be installed in below grade vaults or in locations where the device could become submerged. See Fig. 33 thru 37 (which are attached to the ordinance codified in this chapter) for typical installation.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.100 - Existing in-use backflow prevention devices.

Any existing backflow preventer shall be allowed by the Town of Middletown to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present backflow preventer, or result in an unreasonable risk to the public health. Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow preventer must be upgraded to a reduced pressure principle device must be installed in the event that no backflow device was present.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.110 - Periodic testing.

- A. Reduced pressure principle backflow devices shall be tested and inspected at least semi-annually and shall coincide with permit renewal.
- B. Periodic testing shall be performed by a certified tester. This testing will be done at the owner's expense.
- C. Any backflow preventer which fails during a periodic test will be repaired or replaced. When repairs are necessary, upon completion of the repair the device will be re-tested at owner's expense to insure correct operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately. In other situations, a compliance date of not more than thirty (30) days after the test date will be established. The owner is responsible for spare parts, repair tools, or a replacement device. Parallel installation of two devices is an effective means of the owner insuring that uninterrupted water service during testing of repair of devices and is strongly recommended when the owner desires such continuity.

- D. Backflow prevention devices will be tested more frequently than specified in subsection A above, in cases where there is a history of test failures and the Town of Middletown feels that due to the degree of hazard involved, additional testing is warranted. Cost of the additional tests will be born by the owner.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.120 - Records and reports.

- A. Records. The Town of Middletown will initiate and maintain the following:
1. Master files on customers cross-connection test and/or inspections.
 2. Master files on cross-connection permits.
 3. Copies of permits and permit applications.
 4. Copies of the lists and summaries supplied to the MDE.
- B. Reports. The Town of Middletown will submit the following to the MDE:
1. Initial listing of low hazard cross-connections.
 2. Initial listing of high hazard cross-connections
 3. Annual update lists of items 1 and 2 above.
 4. Annual summary of cross-connection inspections.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.130 - Fees and charges.

- A. The Town of Middletown will publish a list of fees or charges for the following services or permits:
1. Testing fees.
 2. Fee for re-inspection.
 3. Inspection fees.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.140 - Residential dual check.

Effective the date of the acceptance of this cross-connection control program for Town of Middletown, all new residential buildings will be required to install a residential dual check device immediately downstream of the water meter. Installation of this residential dual check device on a retrofit basis on existing service lines will be instituted as a time and cost permit. This retrofit shall be completed by the Town of Middletown.

The owner must be aware that installation of a residential dual check valve results in a potential closed plumbing system within his residence. As such, provisions may have to be made by the owner to provide for thermal expansion within his closed loop system, i.e., the installation of thermal expansion devices and/or pressure relief valves.

(Ord. 02-02-01 § 2 (part), 2002)

13.17.150 - Strainers.

The Town of Middletown strongly recommends that all new retrofit installations of reduced pressure principle devices and double check valve backflow preventers include the installation of strainers located immediately upstream of the backflow device. The installation of strainers will preclude the fouling of backflow devices due to both foreseen and unforeseen circumstances occurring to the water supply system such as water main repairs, water main breaks, fires, periodic cleaning and flushing of mains, etc. These occurrences may "stir up" debris within the water main that will cause fouling of backflow devices installed without the benefit of strainers.

(Ord. 02-02-01 § 2 (part), 2002)

Chapter 13.20 - DEBT SERVICE CHARGE

Sections:

13.20.010 - Debt service charge—Established.

There is a quarterly debt service charge established on all new users of the town's sewer system. New users shall be defined as those users who apply for and receive sewer permits after the effective date of the resolution codified in this chapter. Said charge shall be billed and collected at a quarterly rate of fifty dollars (\$50.00) per equivalent dwelling unit (EDU). The revenues generated by said charge shall be used solely for the purpose of payment of all obligations under the loan agreement to be entered into by and between the burgess and commissioners and the MWQFA to finance a \$3.7 million dollar loan for the construction of the New East Middletown wastewater treatment plant and Cone Branch pump station improvement project.

- A. EDU Calculation. The following calculations will be used for purposes of determining an EDU:
1. An EDU shall be defined as usage averaging two hundred (200) gallons per day;
 2. Residential accounts shall be assessed one EDU for each residential dwelling unit served by the account;
 3. Nonresidential accounts will be assessed one EDU for each two hundred (200) G.P.D. usage averaged over a calendar year with minimum assessment of one EDU;
 4. EDU calculations shall employ "half rounding." For example, two hundred ninety-nine (299) G.P.D. would be assessed one EDU and three hundred (300) G.P.D. would be assessed two EDU's;
 5. EDU's for nonresidential accounts shall be reviewed and reassessed annually, prior to each July 1 through June 30, and shall be based on the prior calendar year's usage for each account.

(Res. 99-04 (part), 1999)

13.20.020 - Debt service reserve account—Established.

There is established a debt service reserve account in the amount of three hundred seventy-five thousand dollars (\$375,000.00). The DSRA shall be restricted and dedicated solely for the purpose of payment of all obligations under the loan agreement to be entered into by and between the burgess and commissioners and the MWQFA to finance a 3.7 million dollar loan for the construction of the New East Middletown wastewater treatment plant and Cone Branch pump station improvement project, should the burgess and commissioners' "Dedicated Revenues" (as defined in the loan agreement) not be sufficient to meet such payment obligations. Moreover, the DSRA shall be reflected as a distinct and verifiable line item in the town's independently audited financial statements and may be drawn upon only with the MWQFA's prior written consent. The balance of the DSRA shall be maintained at the level of three hundred seventy-five thousand dollars (\$375,000.00) until all of the town's enterprise funds and accounts

directly related to the revenues and expenses of the sewer operation achieve a possible cashflow after meeting all payment obligations under said loan for two consecutive years following completion of the project as evidence by an independently audited financial statement. Thereafter, the amount of the DSRA may be adjusted annually by the written mutual agreement of the MWQFA and the town. The DSRA may be maintained by the town and may be invested in a manner similar to the manner in which other similar accounts are invested. All income earned on the DSRA shall be to the benefit of the town.

(Res. 99-04 (part), 1999)

Commented [DB6]: This section of the Code will need to be remove in 2020.

PIPING SCHEDULE

- 1. TANK EFFLUENT MAIN - 12" CL. 80 DP
- 2. EXISTING SECTION MAIN INTERSECTION - 12" CL. 80 DP
- 3. COMBINED TANK DRAIN - 12" ANTI CORRO PVC
- 4. 12" ANTI CORRO PVC
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KEYED NOTES

- 1. 12" ANTI CORRO PVC
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- 100. 12" ANTI CORRO PVC

GENERAL NOTES

1. PROPERTY ZONE: OPEN SPACE (OS)
2. THE SUBJECT PROPERTY IS OWNED BY THE BUREAU AND IS LOCATED WITHIN THE BUREAU'S JURISDICTION. THE LOCATION OF THIS PROJECT IS SHOWN ON THE BUREAU'S MAPS AND RECORDS. THE BUREAU IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY ANY OTHER PARTY. THE BUREAU SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE BUREAU.
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LEGEND

- MINOR CONTOUR
- MAJOR CONTOUR
- CHANGING FENCE
- SHARPER LINE (DASH 1/2")
- SHARPER LINE (DASH 1/4")
- SHARPER LINE (DASH 1/8")
- SHARPER LINE (DASH 1/16")
- SHARPER LINE (DASH 1/32")
- SHARPER LINE (DASH 1/64")
- SHARPER LINE (DASH 1/128")
- SHARPER LINE (DASH 1/256")
- SHARPER LINE (DASH 1/512")
- SHARPER LINE (DASH 1/1024")
- SHARPER LINE (DASH 1/2048")
- SHARPER LINE (DASH 1/4096")
- SHARPER LINE (DASH 1/8192")
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- SHARPER LINE (DASH 1/67108864")
- SHARPER LINE (DASH 1/134217728")
- SHARPER LINE (DASH 1/268435456")
- SHARPER LINE (DASH 1/536870912")
- SHARPER LINE (DASH 1/1073741824")
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