

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1076

Introduced by _____ Council Member Robertson

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, ANNOTATED CODE OF MARYLAND TAX-PROPERTY ARTICLE TITLE 6, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO FIX THE TAX RATE FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSABLE REAL PROPERTY, PERSONAL PROPERTY; AND PROVIDING AN ADDITIONAL SPECIAL TAX LEVIED WITHIN THE CRITICAL AREA SPECIAL TAXING DISTRICT AND SETTING THE SERVICE CHARGE FOR THE SEMI-ANNUAL PROPERTY TAX PAYMENT OPTION

On: May 2, 2022

at 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for May 9, 2022 at 6:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

33 **WHEREAS**, The Mayor and City Council of Havre de Grace are authorized by the Local
34 Government Article of the Annotated Code of Maryland and the Tax-Property Article Title 6 of
35 the Annotated Code of Maryland to fix tax rates on all taxable property within City limits, and
36

37 **WHEREAS**, the Mayor and City Council have determined to set the real property tax rate
38 at Fifty-Six and One-Half Cents (\$0.565) on each One Hundred Dollars (\$100.00) of assessable
39 real property on the assessment books of the City of Havre de Grace, Maryland, and
40

41 **WHEREAS**, the Mayor and City Council have determined to set the personal property tax
42 rate at One Dollar Seventy and One-Half Cents (\$1.705) on each One Hundred Dollars (\$100.00)
43 of assessable personal property on the assessment books of the City of Havre de Grace, Maryland,
44 and to grant a one year tax credit of one thousand dollars (\$1,000.00) for personal property tax
45 payers, and
46

47 **WHEREAS**, the Mayor and City Council have determined to set the real property tax rate
48 at an additional Four and Four-Tenths Cents (\$0.044) on each One Hundred Dollars (\$100.00) of
49 assessable real property (but not personal property) on the assessment books of the City of Havre
50 de Grace, located within the Critical Area Taxing District, and
51

52 **WHEREAS**, the Mayor and City Council have determined to set the service charge
53 applicable to the semi-annual property tax payment option at Fifty One Hundredth Percent (0.50%)
54 of the amount of tax due at the second installment.
55

56 **NOW, THEREFORE, BE IT ENACTED**, in accordance with the authority vested in the
57 Mayor and City Council of Havre de Grace, by law and the Charter of the City of Havre de Grace,
58 that the terms and conditions of this Ordinance be and the same is hereby adopted for the purpose
59 of establishing the following tax rates for the City of Havre de Grace for the fiscal year July 1,
60 2022 through June 30, 2023.
61

62 Section 1. **BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY**
63 **COUNCIL OF HAVRE DE GRACE** that the tax rate generally applicable throughout the City of
64 Havre de Grace for the fiscal year beginning July 1, 2022 and ending June 30, 2023 be and is
65 hereby fixed at Fifty-Six and One-Half Cents (\$0.565) on each One Hundred Dollars (\$100.00) of
66 assessable real property on the assessment books of the City of Havre de Grace, Maryland.
67

68 Section 2. **BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY**
69 **COUNCIL OF HAVRE DE GRACE**, that the tax rate generally applicable throughout the City of
70 Havre de Grace for the fiscal year beginning July 1, 2022 and ending June 30, 2023 be and is
71 hereby fixed at One Dollar Seventy and One-Half Cents (\$1.705) on each One Hundred Dollars
72 (\$100.00) of assessable personal property on the assessment books of the City of Havre de Grace,
73 Maryland and to grant a one-time tax credit of one thousand dollars (\$1,000.00) for personal
74 property tax payers for this tax year.
75

76 Section 3. **BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND**
77 **CITY COUNCIL OF HAVRE DE GRACE**, that the tax rate generally applicable throughout the
78 City of Havre de Grace for the fiscal year beginning July 1, 2022 and ending June 30, 2023 be and

79 is hereby fixed to be an additional Four and Four-Tenths Cents (\$0.044) on each One Hundred
80 Dollars (\$100.00) of assessable real property (but not personal property) on the assessment books
81 of the City of Havre de Grace, located within the Critical Area Taxing District.
82

83 Section 4. BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND
84 CITY COUNCIL OF HAVRE DE GRACE, that the service charge applicable to the semi-annual
85 property tax payment option shall be Fifty One Hundredth Percent (0.50%) of the amount of tax
86 due at the second installment.
87

88 Section 5. AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall
89 take effect as of July 1, 2022 and the Director of Finance be and is hereby authorized to enforce
90 payment of the aforesaid taxes in accordance with applicable law.
91

92 **NOW THEREFORE**, it is determined, decided, and ordained by the City Council that the
93 foregoing amendments to the City Code are hereby approved.
94

95 ADOPTED by the City Council of Havre de Grace, Maryland this ____ day of ____, 2022.
96

97 SIGNED by the Mayor and attested by the Director of Administration this ____ day of ____,
98 2022.
99

100 ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

101 _____
102 Stephen J. Gamatoria
103 Director of Administration

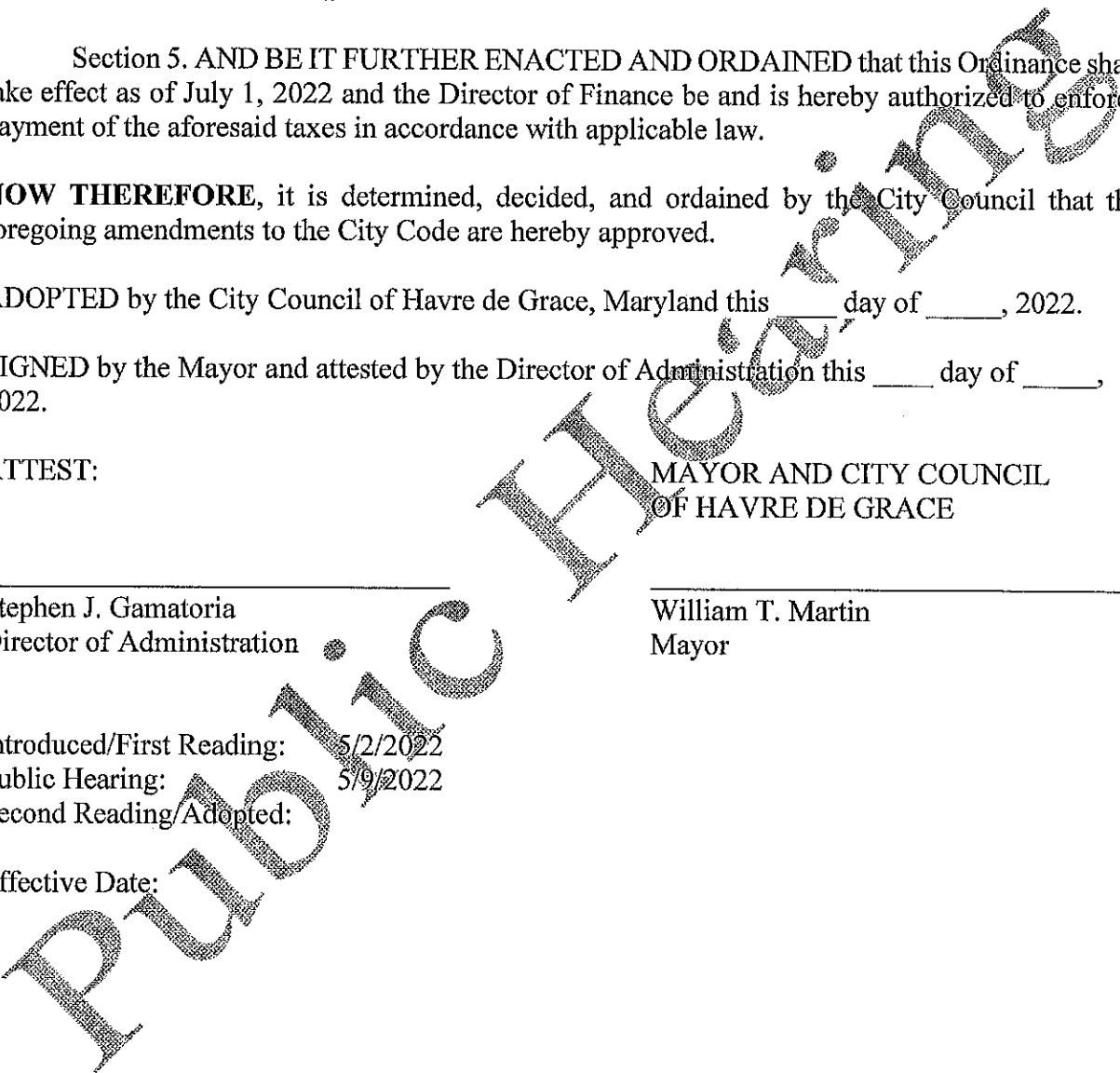
104 _____
105 William T. Martin
106 Mayor

107
108 Introduced/First Reading: 5/2/2022

109 Public Hearing: 5/9/2022

110 Second Reading/Adopted:

111
112 Effective Date:
113



33 WHEREAS, the Mayor and City Council of Havre de Grace has purchased, constructed
34 and maintained a water production and distribution system and a sewage collection and treatment
35 system in the City of Havre de Grace and surrounding areas, and has established the applicability,
36 rates, and procedures relating thereto pursuant to the authority granted by law and the Charter of
37 the City of Havre de Grace; and
38

39 WHEREAS, Section 37A of the Charter of the Mayor and City Council of Havre de Grace
40 requires that, on or before the first City Council Meeting in June of each year, the City Council
41 shall set the City water and sewer rates by ordinance; and
42

43 WHEREAS, the Water/Sewer Commission, on February 22, 2022 delivered to the Mayor
44 and City Council its recommendations on changes to be made to the rate and charge structure;
45

46 NOW, THEREFORE, BE IT ENACTED, in accordance with the authority vested in the
47 Mayor and City Council of Havre de Grace, by law and the Charter of the City of Havre de Grace,
48 that the terms and conditions of this Ordinance be and the same is hereby adopted for the purpose
49 of establishing the City water and sewer rates for the fiscal years July 1, 2022 to June 30, 2023,
50 July 1, 2023 to June 30, 2024, and July 1, 2024 to June 30, 2025 as follows:
51

52 1. The terms and provisions of City Code Chapter 196 and its Exhibit A, which contains
53 a schedule listing all of the rates, charges or fees that the Mayor and City Council
54 authorizes and imposes in connection with the City Water and Sewer System, are
55 hereby reenacted and incorporated herein by reference without change, except for the
56 following:

57 2. In Section 196-1 entitled "Cost Schedule" delete the language in its entirety and replace
58 it with the following:

59 A. The attached Exhibit A to Chapter 196 of the Code, entitled "Havre de Grace
60 Water and Sewer Cost Schedule," is a schedule listing all of the rates, charges
61 and fees that the Mayor and City Council of Havre de Grace authorize and
62 impose in connection with the City water and sewer system for the period
63 beginning July 1, 2022, and ending June 30, 2023, the basic metered water and
64 sewer charges for the period beginning July 1, 2023, and July 1, 2024, and the
65 basic metered water and sewer charges for the period beginning July 1, 2024,
66 and July 1, 2025, together with certain procedures as to the applicability and
67 collection of the water and sewer rates, capital cost recovery charges, fees and
68 service participation fees, which Exhibit A is hereby amended and shall be
69 enacted to read as set forth below.

70 B. In Exhibit A Section One entitled "Water Service Within the City," delete the
71 language in its entirety and replace it with the following:

72 Beginning July 1, 2022, the basic rate for City water service shall be \$ 6.20
73 per 1,000 gallons delivered. Beginning July 1, 2023, the basic rate for City
74 water service shall be \$6.20 per 1,000 gallons delivered. Beginning July 1,
75 2024, the basic rate for City water service shall be \$ 6.20 per 1,000 gallons
76 delivered. Such users shall pay the basic rates in effect when billed. User
77 charges shall be payable quarterly upon receipt of bill.

78 C. In Exhibit A Section Three entitled "City Sewer Charges Within the City,"
79 delete the language and replace it with the following:

80 Beginning July 1, 2022, the basic rate for City sewer service shall be \$9.30
81 per 1,000 gallons of water delivered. Beginning July 1, 2023, the basic rate
82 for City sewer service shall be \$9.30 per 1,000 gallons delivered. Beginning
83 July 1, 2024, the basic rate for City sewer service shall be \$9.30 per 1,000
84 gallons delivered. Such users shall pay the basic rate in effect when billed.
85

86 D. In Exhibit A Section Five entitled "Capital Cost Recovery Charges," delete the
87 language in its entirety and replace it with the following:

88 Capital Cost Recovery Charges are applicable to any new connections to
89 the system that increase the demand on the water and sewer system. This
90 includes changes in the use of an existing structure which increase the
91 demand on the system as determined by fixture unit calculations.

92 Capital Cost Recovery Charges are not applicable to the replacement of a
93 residence or the redevelopment of a property, provided such replacement or
94 redevelopment occurs within three years from the disconnection from the
95 water and/or sewer system prior to the issuance of a use and occupancy
96 permit, and the replacement or redevelopment of the property does not
97 increase the demand on the system as determined by fixture unit
98 calculations.

99 The charges are as follows:

100 Residential Units:

- 101 1. Water - \$5,300, July 1, 2022 to June 30, 2023 per unit
- 102 2. Sewer - \$13,200, July 1, 2022 to June 30, 2023 per unit

103 Commercial/Industrial Units:

- 104 1. Charge determined by calculation of water use and type of sewer
105 production above and beyond one residential capital cost recovery
106 charge which is the minimum fee.
- 107 2. Charge for fire suppression use: Any commercial sprinkler system,
108 stand pipe system, or combination thereof, will be assessed a capital
109 cost recovery charge for water only. Charges will be based upon
110 units of flow and charged at the residential rate per unit. One unit
111 will be equal to a flow rate of 220 gallons per minute (220 gpm)
112 (i.e., 1 to 220 gpm will equal 1 unit; 221 to 440 gpm will equal 2
113 units; 441 to 660 gpm will equal 3 units; 661 to 880 gpm will equal
114 4 units; and so on). A unit will be calculated using a factor of 10%
115 of the total peak flow of the entire sprinkler system, stand pipe
116 system or a total combination of both systems. All commercial
117 sprinkler systems and stand pipe systems will be supplied by a
118 dedicated line from the street main and shall be equipped with the
119 proper back flow preventers and a meter. Upon installation, the
120 customer will be responsible for all charges associated with the
121 connection to the City water system. Each installed system will have

122 the meter read quarterly and will be billed for the base service
 123 charge, as hereinafter defined in Paragraph 10, and any gallons used.

124 E. In Exhibit A Section Ten entitled “Base Service Charge and Infrastructure
 125 Reinvestment Program Charge.” Delete the language in its entirety and replace
 126 it with the following:

127 A. A base service charge will be included on each quarterly water and/or sewer
 128 bill. The amount of the charge will be based upon the size of the water meter
 129 connected to the City water system and the rates in effect beginning July 1,
 130 2022, are as follows:

Meter Size (inches)	Quarterly Base Service Charge
5/8	\$20.00
3/4	\$20.00
1	\$20.00
1 1/2	\$85.00
2	\$130.00
3	\$210.00
4	\$350.00
6	\$550.00
8	\$885.00

142 B. Any water meter connected to the City water system that is used solely for
 143 the purpose of supplying a fire suppression system, regardless of the meter
 144 size, shall be charged the base service charge as a one-inch meter.

145
 146 C. An Infrastructure Reinvestment Program service charge will be included on
 147 each quarterly water and/or sewer bill. The amount of the charge will be
 148 based upon the size of the water meter connected to the City water system
 149 and the rates in effect beginning July 1, 2022, are as follows:

Meter Size (inches)	Quarterly IRP Service Charge
5/8	\$30.00
3/4	\$30.00
1	\$30.00
1 1/2	\$100.00
2	\$200.00
3	\$300.00
4	\$400.00
6	\$1,000.00
8	\$1,000.00

161

D. Any water meter connected to the City water system that is used solely for the purpose of supplying a fire suppression system, regardless of the meter size, shall not be charged the Infrastructure Reinvestment Program service charge.

BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect on July 1, 2022.

NOW THEREFORE, it is determined, decided, and ordained by the City Council that the foregoing amendments to the City Code are hereby approved.

ADOPTED by the City Council of Havre de Grace, Maryland this ____ day of ____, 2022.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of ____, 2022.

ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

Stephen J. Gamatoria
Director of Administration

William P. Martin
Mayor

Introduced/First Reading: 5/2/2022
Public Hearing: 5/9/2022
Second Reading/Adopted:

Effective Date:

Legislative History:

- Ordinance No. 805, Adopted February 1, 1999
- Ordinance No. 809, As Amended, Adopted June 21, 1999
- Ordinance No. 809, As Amended, Adopted March 20, 2000
- Ordinance No. 809, As Amended, Adopted October 1, 2001
- Ordinance No. 841, Adopted June 2, 2003
- Ordinance No. 859, Adopted June 7, 2004
- Ordinance No. 865, Adopted June 6, 2005
- Ordinance No. 879, Adopted June 5, 2006
- Ordinance No. 883, Adopted December 4, 2006
- Ordinance No. 887, Adopted April 16, 2007
- Ordinance No. 890, Adopted June 4, 2007
- Ordinance No. 894, Adopted May 5, 2008
- Ordinance No. 905, Adopted May 18, 2009
- Ordinance No. 916, As Amended, Adopted May 17, 2010
- Ordinance No. 931, As Amended, Adopted June 6, 2011
- Ordinance No. 939, As Amended, Adopted May 21, 2012
- Ordinance No. 947, As Amended, Adopted May 20, 2013
- Ordinance No. 955, As Amended, Adopted June 2, 2014

- 210 Ordinance No. 969, As Amended, Adopted June 1, 2015
- 211 Ordinance No. 981, As Amended, Adopted May 16, 2016
- 212 Ordinance No. 989, As Amended, Adopted May 15, 2017
- 213 Ordinance No. 1003, Adopted, May 21, 2018
- 214 Ordinance No. 1017, Adopted, May 20, 2019
- 215 Ordinance No. 1034, Adopted, May 18, 2020
- 216 Ordinance No. 1053, Adopted, May 17, 2021

Public Hearing