

# CITY COUNCIL

## READ FILE COVER SHEET

Subject: **Ordinance 1160 concerning Amending Chapter 198**  
**Water & Sewer**

(Public Hearing)

Date: **8/6/2024**

**Notice:** Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
  - Read and Comment as Needed**
  - Action Required by August 19, 2024**
  - In Confidential File Drawer

Approve:

Johnny Boker  Yes  No  No Comment  
Comment: \_\_\_\_\_

Casi Boyer  Yes  No  No Comment  
Comment: \_\_\_\_\_

Vicki Jones  Yes  No  No Comment  
Comment: \_\_\_\_\_

Jim Ringsaker  Yes  No  No Comment  
Comment: \_\_\_\_\_

Jason Robertson  Yes  No  No Comment  
Comment: \_\_\_\_\_

Tammy Lynn Schneegas  Yes  No  No Comment  
Comment: \_\_\_\_\_

Note: N/A

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1160

Introduced by \_\_\_\_\_ Council Member Boker

**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, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE CHAPTER 198 WATER & SEWER**

On: August 5, 2024

at: 7:00 p.m.

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

**PUBLIC HEARING**

A Public Hearing is scheduled for August 19, 2024 at 7:00 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.

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31 **WHEREAS**, Maryland Code, Environment, §9-202 allows a political subdivision, a sanitary  
32 commission, or an authority providing services to develop and implement service affordability  
33 programs to assist homeowners having difficulty making payments for water and sewer services,  
34 including payment plans; and

35  
36 **WHEREAS**, the Mayor and City Council want to implement an affordability program to ease the  
37 burden on water and sewer customers in the City of Havre de Grace who receive unexpectedly  
38 high water and sewer bills due to certain circumstances beyond their control such as breakages,  
39 damaged service lines, continually running toilets, or other occasional plumbing problems; and

40  
41 **WHEREAS**, qualified water and sewer customers who have a history of timely payment and are  
42 otherwise in good standing with the City of Havre de Grace should be able to create a payment  
43 agreement that allows them to continue to pay their quarterly bill on time and also pay an additional  
44 amount toward the balance of their abnormally high water and sewer service bill; and

45  
46 **WHEREAS**, customers should have the ability to make an application to the Director of Finance  
47 for a payment plan under a program approved by the City Council to determine eligibility and  
48 additional payments until the customer has paid the cost incurred.

49  
50 **NOW THEREFORE**, the Mayor and City Council hereby amends City Code, Chapter 198, Water  
51 and Sewers as follows:

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53 §198-4. Payment of water and sewer accounts

- 54  
55 A. Bills shall become delinquent 30 calendar days from the date of mailing or electronic  
56 notice.  
57  
58 B. Unless payment plan is approved, within five calendar days after the thirty-day calendar  
59 period has expired, the Director of Finance shall send out past due notices giving the  
60 customer 10 calendar days from the mailing date to settle **[his]** their account or enter into  
61 a City of Havre de Grace Payment Plan.  
62  
63 C. If the account is not settled in the time outlined in Subsections A and B above, the Director  
64 shall turn off water service unless **[otherwise directed by the Mayor and City Council**  
65 **of Havre de Grace]** a payment plan has been approved by the Director of Finance based  
66 on an abnormally and unexpectedly high water and sewer bill compared with past use. No  
67 payment plans will be approved solely on the basis of financial hardship. To be eligible for  
68 a payment plan, the citizen has the burden to prove the water and sewer bill subject to the  
69 payment plan is abnormally and unexpectedly higher than the average of the last three  
70 billing cycles, due to factors that are not solely attributable to higher water and sewer rates  
71 and fees approved by City Council. In order to qualify for payment plan, the account holder  
72 must be current in payments, must have completed any previously approved payment plan,  
73 and the alleged higher billing from which relief is sought must be two (2) times the average  
74 of the last three (3) quarterly statements.  
75  
76 D. Citizens who enter into a payment plan must pay their regularly billed amount going  
77 forward along with the additional amount agreed to in the payment plan. If the account  
78 (including the payment plan amount) is not fully paid by the next quarterly invoice date,

79 the citizen shall apply for special consideration for an extended payment plan. The  
80 extended payment plan must be approved by the Director of Finance but final payment  
81 under the Payment Plan shall not extend beyond one calendar year from the original due  
82 date.

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84 E. It is the responsibility of the homeowner, or the tenant with the express written consent of  
85 the homeowner, to formally apply in writing to the Director of Finance for a payment plan.  
86 The application should include: a summary of the facts explaining why the higher water  
87 and sewer usage was abnormally and unexpectedly higher than normal and that the higher  
88 bill is causing a financial burden on the citizen. Factors to be considered to support a  
89 payment plan include, but are not limited to, the cost to repair or replace broken lines or  
90 fixtures, efforts made by the homeowner or tenant to mitigate the cause of the abnormally  
91 and unexpectedly higher water and sewer usage, estimated ability to make future periodic  
92 payments, and any additional germane facts or circumstances that the City should consider.

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94 §198-5. Prorated usage bills  
95 **[The Director of Finance may prepare a prorated usage bill for a period of less than one**  
96 **quarter upon the request of the property owner or his agent. The minimum quarterly**  
97 **usage charge shall be applied to all prorated usage bills.]** The Director of Finance shall  
98 prepare, manage, and track the payments made under the payment plan based on total overage  
99 and expected payment date, and the minimum quarterly usage charge shall be applied pro rata  
100 to the quarterly billing cycle over a maximum 12-month period.

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102  
103 **NOW THEREFORE**, it is determined, decided, and ordained by the City Council that the  
104 foregoing amendments to the City Code are hereby approved.

105  
106 ADOPTED by the City Council of Havre de Grace, Maryland this \_\_\_\_ day of \_\_\_\_, 2024.

107  
108 SIGNED by the Mayor and attested by the Director of Administration this \_\_\_\_ day of \_\_\_\_, 2024.

109  
110 ATTEST: MAYOR AND CITY COUNCIL  
111 OF HAVRE DE GRACE

112  
113  
114 \_\_\_\_\_  
115 Christopher Ricci  
116 Director of Administration

117 \_\_\_\_\_  
118 William T. Martin  
119 Mayor

120 Introduced/First Reading: 8/5/2024  
121 Public Hearing:  
122 Second Reading/Adopted:

123 Effective Date: