

Ordinance 2023-01

## CHAPTER FOURTEEN

## ORDINANCE AMENDING CHAPTER 14, SECTIONS 4, 5 AND 7

RECITAL

The Town of Keedysville is a municipal corporation existing under and by virtue of the laws of the State of Maryland. The Mayor and Council as the duly constituted legislative body of the Town of Keedysville are empowered pursuant to the provisions of the *Annotated Code of Maryland* and the *Charter of the Town of Keedysville* to regulate and provide for water service, water rates, connection fees and charges, and in general to construct, maintain and operate a water system.

Chapter 14 of the Code of Ordinances of the Town of Keedysville regulates water and usage rates and establishes debt service charges as part of its operation of its public water system. In order to clarify and further define certain aspects of said Ordinance, the Mayor and Council believe that it is necessary and in the best interests of the citizenry of the Town of Keedysville to amend Chapter 14 in accordance with Exhibit "A" which is attached hereto and made a part hereof by reference.

**RESOLUTION TO AMEND CHAPTER 14, CODE OF ORDINANCES OF THE TOWN OF KEEDYSVILLE**

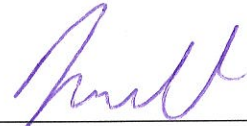
NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED that *The Code of Ordinances of the Town of Keedysville*, Chapter 14, Section 4. Applicability; Section 5 Water User Rates; and Section 7. Definition of EDU and Calculations are hereby revised, modified and amended in accordance with Exhibit "A" which is attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED, ENACTED and ORDAINED that the remainder of the Ordinance (Chapter 14) together with all amendments not changed or modified by this Ordinance shall and do remain in full force and effect.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

TOWN OF KEEDYSVILLE

  
\_\_\_\_\_  
Lisa Riner, Town Administrator

  
\_\_\_\_\_  
Ken Lord, Mayor

Date of Introduction: April 5, 2023

Date of Passage: May 3, 2023

Effective Date: May 23, 2023

Ord.Chap.14.Sec.4.5.7.04.05.2023

**EXHIBIT "A"**

**4. Applicability**

The provisions of this Ordinance, including but not limited to, the debt service charge and fixed rate fee established herein shall apply to all property, improved or unimproved that abuts on any street, road, lane, alley, or right of way or any area wherein a water main or service is adjacent to or crosses same.

The rates and charges set forth herein are chargeable against all property that is connected to any water service that Keedysville owns, participates in, or supervises.

**5. Water User Rates**

**(a) WATER RATES**

**CALENDAR YEAR      FIXED RATE                      TIERED RATES**

<b>2022</b>	<b>\$33.00 per EDU</b>	<b>&lt;15,000 Gals.</b>	<b>\$9.19 /1,000 Gals.</b>
		<b>&gt;15,000 Gals.</b>	<b>\$11.82 /1,000 Gals.</b>
<b>2023</b>	<b>\$33.00 per EDU</b>	<b>&lt;15,000 Gals.</b>	<b>\$9.93 /1,000 Gals.</b>
		<b>&gt;15,000 Gals.</b>	<b>\$12.77 /1,000 Gals.</b>
<b>2024</b>	<b>\$33.00 per EDU</b>	<b>&lt;15,000 Gals</b>	<b>\$10.72 /1,000 Gals.</b>
		<b>&gt;15,000 Gals.</b>	<b>\$13.79 /1,000 Gals.</b>
<b>2025</b>	<b>\$33.00 per EDU</b>	<b>&lt;15,000 Gals.</b>	<b>\$11.58 /1,000 Gals.</b>
		<b>&gt;15,000 Gals.</b>	<b>\$14.89 /1,000 Gals.</b>

**Liber 13 Folio 1095**  
Acts, Ordinances, Resolutions- Town  
Clerk of the Circuit Clerk  
Washington County

<b>2026</b>	<b>\$33.00 per EDU</b>	<b>&lt;15,000 Gals.</b>	<b>\$12.51 /1,000 Gals.</b>
		<b>&gt;15,000 Gals.</b>	<b>\$16.08 /1,000 Gals.</b>

**(b) CONNECTION RATES**

**CONNECTION FEES**

<b>Water - \$12,000.00</b>
<b>Connection Fees must be paid before hook-up</b>

**7. Definition of EDU and Calculations**

The following calculations and method will be utilized for the purpose of determining an EDU;

- (a) An EDU shall be defined as usage averaging 250 gallons per day.
- (b) Residential accounts shall be assessed one (1) EDU for each residential dwelling unit served by the account;
- (c) Non-residential accounts will be assessed one (1) EDU for each 250 GPD usage averaged over a calendar year with minimum assessment of one (1) EDU;
- (d) EDU calculations shall employ "half rounding." For example, 374 GPD would be assessed one (1) EDU and 375 GPD would be assessed 2 EDUs.
- (e) EDUs for non-residential 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.

Send Certification to:

Ms. Lisa Riner, Town Administrator  
**Town of Keedysville**  
Town Hall  
P. O. Box 359  
Keedysville, MD 21756

MAY 25 2023

MAY 25

MAY 25

**Liber 13 Folio 1097**  
Acts, Ordinances, Resolutions- Town  
Clerk of the Circuit Clerk  
Washington County

LR - Government  
Instrument 0.00  
Agency Name: town of  
keedysville  
Instrument List: Other  
Describe Other:  
Ref:

=====  
Total: 0.00  
05/24/2023 12:45  
CC21-RD  
#17277995 CC0403 -  
Washington  
County/CC04.03.01 -  
Register 01

This page not to be counted in calculating Recording Fee

---

**Clerk of Circuit Court**  
**Washington County, Maryland**  
Kevin R. Tucker, Clerk  
24 Summit Avenue  
Hagerstown, MD 21740  
301-790-7991

**For Clerks Use Only**

Improvement Fee \_\_\_\_\_  
Recording Fee \_\_\_\_\_  
County Transfer Tax \_\_\_\_\_  
Recordation Tax \_\_\_\_\_  
State Transfer Tax \_\_\_\_\_  
Non-Resident Tax \_\_\_\_\_  
**TOTAL** \_\_\_\_\_

# LOCALiQ

PO Box 630519 Cincinnati, OH 45263-0519

## The Herald-Mail

### **PROOF OF PUBLICATION**

Lisa Riner  
Town Of Keedysville  
PO BOX 359  
KEEDYSVILLE MD 21756

STATE OF MARYLAND, COUNTY OF WASHINGTON

The Herald-Mail is a daily newspaper of general circulation, printed in the English language and published in the City of Hagerstown in said County and State, and that annexed hereto is a copy of a certain order taken from said newspaper in which the order was published.

Published in the issue dated:  
05/27/2023

Sworn to and subscribed before on 05/27/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$103.44

Order No: 8867491

# of Copies:

Customer No: 564335

1

PO #: Notice of Passage

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

### **Notice**

Notice is hereby given by the Mayor and Council of the Town of Keedysville, Maryland, a municipal corporation, existing under and by virtue of the laws of the State of Maryland, that pursuant to the powers granted to it by the *Annotated Code of Maryland*, and the *Charter of the Town of Keedysville*, that on April 5, 2023, an Ordinance 2023-03 entitled CHAPTER 14 / Ordinance Amending Chapter 14, §§ 4,5 & 7 of the Code of Ordinances of the Town of Keedysville was introduced. Said Ordinance was passed on May 3, 2023, with an effective date of May 23, 2023.

The entire text of the Ordinance is on file with the Town clerk, Town Hall, Keedysville, Maryland, and is incorporated herein and made a part hereof by reference.

MAYOR AND COUNCIL  
THE TOWN OF  
KEEDYSVILLE,  
MARYLAND

Edward L. Kuczynski  
Kuczynski & Kuczynski, P.A.  
Town Attorney

8867491 5/27/23

NICOLE JACOBS  
Notary Public  
State of Wisconsin



12/21/98

**AN ORDINANCE REGULATING WATER RATES AND USAGE  
AND ESTABLISHING DEBT SERVICE CHARGES FOR  
THE MAYOR AND COUNCIL OF KEEDYSVILLE**

**RECITAL**

**THE MAYOR AND COUNCIL OF KEEDYSVILLE** is a municipal corporation existing under and by virtue of the Laws of the State of Maryland ("Keedysville"). The Mayor and Council ("Council") as the duly constituted legislative body of Keedysville are empowered, pursuant to the Annotated Code of Maryland, Title 9, Environment, the Charter of Keedysville, and the general laws and Annotated Code of the State of Maryland, to regulate and provide for water service, water rates, billing procedures, and debt service charges.

At the present time, the Mayor and Council of Boonsboro, a municipal corporation, existing under and by virtue of the Laws of Maryland, and Keedysville participate in certain agreements in reference to furnishing water service to residents of both municipalities. Pursuant to said agreement entered into on October 6, 1958, and amended May 15, 1998, certain upgrades in the facilities have been mandated and are required by the State of Maryland. Boonsboro and Keedysville have entered into certain arrangements in said agreements to provide for financing and improving the system.

The passage of this Ordinance is a condition precedent to obtaining funding for same from the Maryland Water Quality Financing Administration to finance a \$1,400,000.00 loan for the construction of the Boonsboro/Keedysville Water Filtration Project.

The Council has determined that it is desirable to establish certain rates for water usage, billing procedures, and debt service and have determined that it is in the best interest of the community in general and the citizenry in general.

Each and every paragraph of this Recital is incorporated in the remainder of this Ordinance and constitutes a part thereof. Each and every paragraph of the remainder of this Ordinance is included in this Recital and made a part thereof.

**NOW, THEREFORE,** be it **RESOLVED, ENACTED** and **ORDAINED** by the Council of Keedysville, as its duly constituted legislative body as follows:

Dec 23, 1998 11:30 am

**1. Purpose.**

Keedysville, by virtue of participating in the operation of a water system servicing the municipality, has been mandated by the State of Maryland and various agencies to upgrade same in conjunction with Boonsboro. The Council is desirous, as the duly constituted legislative body of Keedysville, to establish certain rates for water usage, billing procedures, and providing for debt

service charges pursuant to the authority aforementioned.

## 2. Water Bills.

The Town of Keedysville shall send bills for water service quarterly to the owner of the property served except as otherwise provided herein. The owner shall be responsible for the payment of said quarterly bills.

The bills are payable at Town Hall, Keedysville, Maryland, or where designated by the Board of Water Commissioners of Keedysville, Maryland (Board) pursuant to the provisions of the Charter.

If any bill remains unpaid after 30 days from the date the bill is sent, the Town shall:

- (i) Notify the owner of the property served, in writing, that the bill is in arrears and that water service will be disconnected;
- (ii) Leave the notice on the owner's property or mail the notice to the last known address of the owner; and
- (iii) Discontinue water service to the property until the owner pays the bill and a reconnect charge reasonably related to the cost of reconnection, as established by ordinance of the governing body of the county or municipal corporation in which the water service is provided.

If any bill remains unpaid after 60 days from the date of sending the notice:

- (i) The bill and the penalty imposed under paragraph (3) (iii) of this subsection shall be collectible from the property owner in the same manner and subject to the same interest as taxes are collectible in the county in which the water system lies; and
- (ii) The water service charges and all penalties shall be a first lien on the property.

The billing procedure set forth herein is not in derogation of any Charter, statutory, Keedysville regulation or Board regulation previously promulgated other power provided by the Annotated Code of Maryland but is only to be considered in addition thereto or in conjunction therewith.

## 3. Administration/Enforcement.

The Council shall, and does retain, all regulatory powers pertaining to the water system pursuant to the provisions of the Charter. The Board of Water Commissioners of Keedysville, Maryland (Board) have charge of the management and operation of the water system in accordance with the provisions of the Charter of Keedysville.



**4. Applicability.**

The provisions of this Ordinance, including but not limited to, the debt service charge established herein shall apply to all property, improved or unimproved that abuts on any street, road, lane, alley, or right of way or any area wherein a water main or service is adjacent to or crosses same.

The rates and charges set forth herein are chargeable against all property that is connected to any water service that Keedysville owns, participates in, or supervises.

**5. Water User Rates.**

The rates to be charged for water usage by the municipality are as follows:

**WATER RATES**

<b><u>USAGE RANGE</u></b>	<b><u>RATE PER 1,000 GALLONS</u></b>	<b><u>FIXED/MINIMUM CHARGES</u></b>
0 - 6,000 gal	\$ 0.00	\$20.00
> - 6,000 gal	\$ 2.15 per each 1,000 in addition to minimum charge	

**CONNECTION FEES**

Water - \$1,500.00
Connection Fees must be paid before hook-up.

**6. Debt Service Charge Established.**

A quarterly debt service charge is hereby established. Same shall be applicable and chargeable to all users of the Town water supply system. Said charge shall be billed and collected at a quarterly rate of \$19.00 per equivalent dwelling unit (EDU). The revenues generated by said charge shall be dedicated and restricted solely for the purpose of payment of all obligations under a loan agreement to be entered into by and between The Mayor and Council of Boonsboro, a Municipal Corporation, and the Maryland Water Quality Financing Administration in order to finance a \$1,400,000.00 loan for the construction of the Boonsboro/Keedysville Water Filtration Project.

**7. Definition of EDU and Calculations.**

The following calculations and method will be utilized for the purpose of determining an EDU;

- (a) An EDU shall be defined as usage averaging 200 gallons per day.
- (b) Residential accounts shall be assessed one (1) EDU for each residential dwelling unit served by the account;
- (c) Non-residential accounts will be assessed one (1) EDU for each 200 GPD usage averaged over a calendar year with minimum assessment of one (1) EDU;
- (d) EDU calculations shall employ "half rounding". For example, 299 GPD would be assessed one (1) EDU and 300 GPD would be assessed 2 EDU's.
- (e) EDU's for non-residential accounts shall be reviewed and reassessed annually, prior to each July 1 through June 30, and shall be based on the prior calendar years's usage for each account.

**8. Conflicts.**

If there is any conflict between the language and provisions of this Ordinance with any other Ordinance or regulation of the Mayor and Council of Keedysville, or any of its agencies, then this Ordinance shall prevail.


**9. Severability.**

Severability is intended throughout and within the provisions of this Ordinance. If any provision, including any exception, part, phrase, or term, or the application thereof to any person or circumstances is held invalid, the application to other persons or circumstances shall not be affected thereby and the validity of the Ordinance in any and all other respects shall not be affected thereby.


**10. Effective Date.**

The rates and charges set fort herein shall become applicable for the quarterly billing period due on April 1, 1999. The effective date of this Ordinance is December 21, 1998.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

  
Amy Simmons, Clerk

MAYOR AND COUNCIL OF  
KEEDYSVILLE

  
K. Lee Brandenburg, II, Mayor

Date Introduced: December 21, 1998  
Date of Passage: December 21, 1998  
Effective Date: December 21, 1998

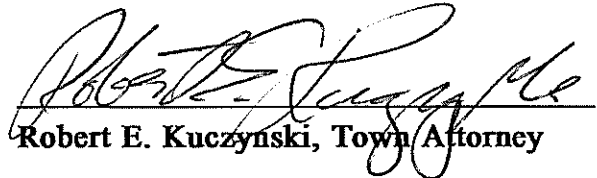
00007 0646

CLERK OF THE CIRCUIT COURT  
WASHINGTON COUNTY

Record and return to:

Ms. Amy Simmons, Clerk  
Town of Keedysville  
P. O. Box 359  
Keedysville, MD 21756

**I HEREBY CERTIFY THAT THE AFOREGOING ORDINANCE IS A TRUE AND  
ACCURATE COPY OF THE ORDINANCE PASSED BY THE MAYOR AND COUNCIL  
OF KEEDYSVILLE, MARYLAND, ON DECEMBER 21, 1998.**

  
Robert E. Kuczynski, Town Attorney