

HOUSE BILL 228

M3

7lr1629
CF 7lr2572

By: **Delegates M. Washington, Anderson, Clippinger, Conaway, Ebersole, Fennell, Glass, Glenn, Hayes, Kelly, Lam, Lierman, McCray, McIntosh, Morales, Pena–Melnyk, Platt, Queen, Robinson, Sydnor, Tarlau, Valentino–Smith, and A. Washington**

Introduced and read first time: January 20, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Water Service – Shutoff Notice Disclosures and Vulnerable**
3 **Population Protection**

4 FOR the purpose of authorizing a provider of water or sewerage system service to
5 temporarily shut off service for certain reasons; requiring a provider to mail a certain
6 notice when temporarily shutting off service; prohibiting a provider from shutting
7 off service unless the provider provides certain notices to certain individuals within
8 certain time periods; requiring a provider to keep records of certain notices; requiring
9 the notices to contain certain information; requiring a provider to leave a certain
10 notice at a premises when service is shut off; requiring the notice to contain certain
11 information; prohibiting a provider from shutting off service for certain reasons;
12 allowing a provider to shut off service if a customer or occupant provides certain
13 information; allowing a provider to shut off service for nonpayment of undisputed
14 charges; prohibiting a provider from shutting off service upon receipt of certain
15 information; requiring a provider to restore service when the cause of the shutoff has
16 been cured or payment arrangements have been made; requiring restoration of
17 service to be conducted in a certain manner; requiring a provider of water or
18 wastewater service to report certain information annually to the General Assembly,
19 and to make the report available to its customers in a certain manner; defining
20 certain terms; and generally relating to providing water service shutoff protections.

21 BY adding to

22 Article – Environment

23 Section 9–2A–01 through 9–2A–05 to be under the new subtitle “Subtitle 2A. Water
24 Shutoff Protection”

25 Annotated Code of Maryland

26 (2014 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,
2 Article – Environment
3 Section 9–658(g)(1) and 9–663
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2016 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Environment
8 Section 9–658(g)(2), 9–662, 9–724, 9–939, and 9–951
9 Annotated Code of Maryland
10 (2014 Replacement Volume and 2016 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Environment**

14 **SUBTITLE 2A. WATER SHUTOFF PROTECTION.**

15 **9–2A–01.**

16 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (B) “CUSTOMER” MEANS A PERSON WHO IS THE HOLDER OF A PROVIDER
19 ACCOUNT FOR WATER OR SANITARY WASTEWATER SERVICE.

20 (C) “OCCUPANT” MEANS A PERSON RESIDING AT A PREMISES WHO UTILIZES
21 WATER OR SANITARY WASTEWATER SERVICE AND IS NOT THE HOLDER OF A
22 PROVIDER ACCOUNT FOR THE WATER OR SANITARY WASTEWATER SERVICE.

23 (D) “PROVIDER” MEANS ANY WATER OR SEWERAGE SYSTEM THAT
24 PROVIDES WATER OR SEWERAGE SERVICE IN THE STATE IN ACCORDANCE WITH THIS
25 TITLE.

26 **9–2A–02.**

27 (A) (1) A PROVIDER MAY SHUT OFF SERVICE TEMPORARILY FOR
28 REASONS OF HEALTH OR SAFETY OR IN A STATE OR NATIONAL EMERGENCY.

29 (2) WHEN A PROVIDER SHUTS OFF SERVICE IN ACCORDANCE WITH
30 PARAGRAPH (1) OF THIS SUBSECTION, THE PROVIDER SHALL MAIL A NOTICE TO THE
31 PREMISES.

1 **(B) (1) SUBJECT TO § 9-2A-03 OF THIS SUBTITLE, AND EXCEPT AS**
2 **PROVIDED IN SUBSECTION (A) OF THIS SECTION, A PROVIDER MAY NOT SHUT OFF**
3 **SERVICE FOR NONPAYMENT OF OVERDUE WATER CHARGES UNLESS THE PROVIDER:**

4 **(I) MAILS A DELINQUENCY NOTICE TO THE CUSTOMER AND**
5 **ANY OCCUPANT:**

6 **1. NOT LESS THAN 30 DAYS AND NOT MORE THAN 45**
7 **DAYS BEFORE THE DATE OF A PROPOSED SHUTOFF; AND**

8 **2. THAT NOTIFIES THE CUSTOMER AND ANY OCCUPANT**
9 **OF THE PROPERTY OF A DELINQUENCY IN PAYMENTS; AND**

10 **(II) POSTS A NOTICE ON THE DOOR OF THE PREMISES TO BE**
11 **SHUT OFF NOT LESS THAN 10 DAYS BEFORE THE DATE OF THE PROPOSED SHUTOFF.**

12 **(2) A PROVIDER SHALL MAINTAIN A RECORD OF THE DATE ON WHICH**
13 **IT POSTS A NOTICE IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.**

14 **(C) A NOTICE OF SHUTOFF POSTED IN ACCORDANCE WITH SUBSECTION (B)**
15 **OF THIS SECTION SHALL CONTAIN:**

16 **(1) THE NAME AND ADDRESS OF THE CUSTOMER;**

17 **(2) A CLEAR AND CONCISE STATEMENT OF THE REASON FOR THE**
18 **PROPOSED SHUTOFF OF SERVICE, INCLUDING THE TOTAL AMOUNT REQUIRED TO BE**
19 **PAID TO AVOID THE SHUTOFF OF SERVICE AND THE DATE BY WHICH THE PAYMENT**
20 **MUST BE MADE;**

21 **(3) THE DATE ON OR AFTER WHICH THE PROVIDER MAY SHUT OFF**
22 **SERVICE IF THE CUSTOMER DOES NOT TAKE ACTION;**

23 **(4) A DESCRIPTION OF THE ACTIONS THE CUSTOMER MUST TAKE TO**
24 **AVOID A SHUTOFF OF SERVICE;**

25 **(5) THE TELEPHONE NUMBER AND ADDRESS OF THE PROVIDER**
26 **WHERE THE CUSTOMER MAY MAKE INQUIRY, ENTER INTO A PAYMENT PLAN,**
27 **QUALIFY FOR AN EXEMPTION, OR FILE A COMPLAINT;**

28 **(6) A DESCRIPTION OF ANY AFFORDABILITY PROGRAMS,**
29 **INSTALLMENT PLANS, OR OTHER FINANCIAL ASSISTANCE THAT THE PROVIDER**
30 **OFFERS ITS CUSTOMERS;**

1 **(7) A DESCRIPTION OF THE PROCEDURES TO REGISTER A WRITTEN**
2 **CLAIM ABOUT THE CUSTOMER'S ACCOUNT AND TO HAVE THE CLAIM CONSIDERED**
3 **BEFORE SERVICE IS SHUT OFF;**

4 **(8) A SUMMARY OF THE EXCEPTIONS SET FORTH IN § 9-2A-03 OF**
5 **THIS SUBTITLE; AND**

6 **(9) A NOTICE THAT THE PROVIDER WILL POSTPONE THE SHUTOFF OF**
7 **SERVICE IF THE CUSTOMER OR AN OCCUPANT PROVIDES REQUIRED**
8 **DOCUMENTATION IN ACCORDANCE WITH § 9-2A-03 OF THIS SUBTITLE TO THE**
9 **PROVIDER WITHIN 30 DAYS AFTER RECEIVING A NOTICE UNDER SUBSECTION (B) OF**
10 **THIS SECTION.**

11 **(D) WHEN A PROVIDER SHUTS OFF SERVICE, THE PROVIDER SHALL LEAVE**
12 **A NOTICE AT THE PREMISES THAT STATES THAT SERVICE HAS BEEN SHUT OFF AND**
13 **CONTAINS:**

14 **(1) A DESCRIPTION OF THE PROCESS FOR SERVICE RESTORATION;**
15 **AND**

16 **(2) THE ADDRESS AND TELEPHONE NUMBER OF THE PROVIDER**
17 **WHERE THE CUSTOMER MAY ARRANGE TO HAVE SERVICE RESTORED.**

18 **9-2A-03.**

19 **(A) A PROVIDER MAY NOT SHUT OFF WATER SERVICE FOR NONPAYMENT OF**
20 **OVERDUE BILLS WHEN THE CUSTOMER OR AN OCCUPANT, OR AN AUTHORIZED**
21 **REPRESENTATIVE OF THE CUSTOMER OR AN OCCUPANT, INFORMS THE PROVIDER**
22 **THAT:**

23 **(1) THE CUSTOMER OR AN OCCUPANT HAS A SIGNIFICANT MEDICAL**
24 **CONDITION AS CERTIFIED IN WRITING BY A LICENSED MEDICAL DOCTOR OR A LOCAL**
25 **DEPARTMENT OF HEALTH STATING THAT THE ABSENCE OF WATER SERVICE AT THE**
26 **PREMISES WILL AGGRAVATE THE MEDICAL CONDITION;**

27 **(2) THE CUSTOMER OR AN OCCUPANT:**

28 **(I) IS 62 YEARS OF AGE OR OLDER; AND**

29 **(II) HAS A HOUSEHOLD INCOME AT OR BELOW 200% OF THE**
30 **FEDERAL POVERTY GUIDELINES, AS DEMONSTRATED BY DOCUMENTATION;**

31 **(3) AN OCCUPANT IS 6 YEARS OF AGE OR YOUNGER;**

1 **(4) THE CUSTOMER OR AN OCCUPANT, AS CERTIFIED IN WRITING BY**
2 **A LICENSED MEDICAL DOCTOR OR A LOCAL DEPARTMENT OF HEALTH, HAS:**

3 **(I) CENTRAL VISION ACUITY OF 20/200 OR LESS IN THE BETTER**
4 **EYE WITH THE USE OF A CORRECTING LENS; OR**

5 **(II) AT LEAST ONE EYE WITH A LIMITATION IN THE FIELD OF**
6 **VISION SUCH THAT THE WIDEST DIAMETER OF THE VISUAL FIELD SUBTENDS AN**
7 **ANGLE NO GREATER THAN 20 DEGREES;**

8 **(5) THE CUSTOMER OR AN OCCUPANT HAS A PHYSICAL, COGNITIVE,**
9 **OR MEDICAL IMPAIRMENT RESULTING FROM ANATOMICAL, PHYSIOLOGICAL, OR**
10 **NEUROLOGICAL CONDITIONS, AS CERTIFIED IN WRITING BY A LICENSED MEDICAL**
11 **DOCTOR OR A LOCAL DEPARTMENT OF HEALTH, WHICH PREVENTS:**

12 **(I) THE EXERCISE OF A NORMAL BODILY FUNCTION;**

13 **(II) THE CUSTOMER'S OR OCCUPANT'S ABILITY TO MANAGE THE**
14 **CUSTOMER'S OR OCCUPANT'S RESOURCES; OR**

15 **(III) THE CUSTOMER'S OR OCCUPANT'S ABILITY TO PROTECT**
16 **THEMSELVES FROM NEGLECT OR HAZARDOUS SITUATIONS WITHOUT THE**
17 **ASSISTANCE OF OTHERS;**

18 **(6) THE PROPERTY WHERE SERVICE WILL BE SHUT OFF IS IN**
19 **BANKRUPTCY PROCEEDINGS; OR**

20 **(7) A CERTIFICATE OF SALE HAS BEEN ISSUED FOR THE PROPERTY IN**
21 **ACCORDANCE WITH TITLE 14, SUBTITLE 8 OF THE TAX – PROPERTY ARTICLE.**

22 **(B) (1) A PROVIDER MAY NOT SHUT OFF SERVICE FOR ANY OF THE**
23 **FOLLOWING REASONS:**

24 **(I) A CUSTOMER HAS NOT PAID FOR SERVICE RECEIVED AT A**
25 **SEPARATE METERING POINT, RESIDENCE, OR LOCATION; OR**

26 **(II) A CUSTOMER HAS NOT PAID FOR SERVICE AT A PREMISES**
27 **OCCUPIED BY MORE THAN ONE HOUSEHOLD WITH A SINGLE METERING POINT.**

28 **(2) AFTER GIVING A CUSTOMER NOTICE, A PROVIDER MAY SHUT OFF**
29 **SERVICE:**

1 (I) IF THE CUSTOMER SUPPLIES A WRITTEN, NOTARIZED
2 STATEMENT THAT THE PREMISES ARE UNOCCUPIED; OR

3 (II) IF THE PREMISES ARE OCCUPIED AND THE OCCUPANT
4 AGREES IN WRITING TO SHUT OFF SERVICE.

5 (C) (1) A PROVIDER MAY NOT SHUT OFF SERVICE FOR NONPAYMENT OF
6 OVERDUE CHARGES IF, BEFORE THE TIME THAT THE SHUTOFF IS TO TAKE PLACE:

7 (I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
8 SUBSECTION, THE CUSTOMER FILES A WRITTEN CLAIM WITH THE PROVIDER WITH
9 RESPECT TO THE OVERDUE CHARGES AND THE CLAIM OR APPEAL OF THE CLAIM
10 REMAINS UNDER CONSIDERATION BY THE PROVIDER;

11 (II) THE CUSTOMER PRODUCES A WRITTEN RECORD OF
12 PAYMENT SHOWING THAT PAYMENT IN FULL OF ALL OVERDUE CHARGES HAS BEEN
13 MADE;

14 (III) THE CUSTOMER IMMEDIATELY MAKES A PAYMENT FOR THE
15 FULL AMOUNT THAT IS OVERDUE; OR

16 (IV) THE CUSTOMER ENTERS INTO AN INSTALLMENT PLAN WITH
17 THE PROVIDER TO PAY THE OVERDUE CHARGES.

18 (2) A PROVIDER IS NOT PROHIBITED UNDER THIS SUBSECTION FROM
19 SHUTTING OFF SERVICE FOR NONPAYMENT OF UNDISPUTED CHARGES.

20 9-2A-04.

21 (A) A PROVIDER WHO HAS SHUT OFF SERVICE AT A PREMISES SHALL
22 RESTORE SERVICE ON THE CUSTOMER'S OR OCCUPANT'S REQUEST WHEN THE
23 CAUSE OF THE SHUTOFF HAS BEEN CURED OR PAYMENT ARRANGEMENTS HAVE
24 BEEN MADE.

25 (B) (1) WHEN THE RESTORATION OF SERVICE REQUIRES THE PROVIDER
26 TO MANUALLY RESTORE SERVICE AT THE CUSTOMER'S METER, THE PROVIDER
27 SHALL MAKE REASONABLE EFFORTS TO RESTORE SERVICE ON THE DAY THE
28 CUSTOMER OR OCCUPANT REQUESTS RESTORATION.

29 (2) EXCEPT FOR REASONS BEYOND A PROVIDER'S CONTROL, THE
30 PROVIDER SHALL RESTORE SERVICE NOT LATER THAN THE FIRST WORKING DAY
31 AFTER THE CUSTOMER'S OR OCCUPANT'S REQUEST FOR RESTORATION OF SERVICE.

1 **(C) IF A PROVIDER USES METER TECHNOLOGY THAT ALLOWS FOR REMOTE**
2 **SHUTOFF AND RESTORATION OF SERVICE, SERVICE SHALL BE RESTORED WITHIN 24**
3 **HOURS AFTER THE CUSTOMER OR OCCUPANT REQUESTS RESTORATION, EXCEPT IN**
4 **THE CASE OF DOCUMENTED EQUIPMENT FAILURE.**

5 **9-2A-05.**

6 **(A) BY AUGUST 1 EACH YEAR, A PROVIDER SHALL FILE WITH THE GENERAL**
7 **ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,**
8 **AN ANNUAL REPORT THAT INCLUDES THE FOLLOWING INFORMATION FOR THE**
9 **PREVIOUS CALENDAR YEAR:**

10 **(1) THE TOTAL NUMBER OF SHUTOFFS OF WATER AND WASTEWATER**
11 **SERVICE THAT OCCURRED;**

12 **(2) THE TOTAL NUMBER OF SHUTOFFS OF WATER AND WASTEWATER**
13 **SERVICE THAT OCCURRED BY CENSUS TRACT AND ZIP CODE;**

14 **(3) THE NUMBER OF SHUTOFFS OF WATER AND WASTEWATER**
15 **SERVICE THAT OCCURRED FOR RESIDENTIAL CUSTOMERS;**

16 **(4) THE NUMBER OF SHUTOFFS OF WATER AND WASTEWATER**
17 **SERVICE THAT OCCURRED FOR COMMERCIAL CUSTOMERS; AND**

18 **(5) THE PROVIDER'S POLICIES AND PROCEDURES REGARDING**
19 **SHUTOFFS OF WATER AND WASTEWATER SERVICE.**

20 **(B) A PROVIDER SHALL MAKE THE REPORT UNDER SUBSECTION (A) OF THIS**
21 **SECTION AVAILABLE TO CUSTOMERS ON THE PROVIDER'S WEB SITE AND MAKE**
22 **AVAILABLE FOR REVIEW, WITHOUT COST, A PRINTED COPY IN THE PROVIDER'S**
23 **OFFICES.**

24 **9-658.**

25 **(g) (1) To enforce the collection of unpaid benefit assessments or other charges**
26 **that are at least 60 days overdue, the sanitary commission, at any time, may:**

27 **(i) Sue any person who was an owner of record of the parcel at any**
28 **time since the benefit assessment was last paid; or**

29 **(ii) File a bill in equity to enforce a lien through a decree of sale of**
30 **property against any person who was an owner of record of the parcel at any time since the**
31 **benefit assessment was last paid.**

1 (2) In addition to the actions that the sanitary commission may take under
2 paragraph (1) of this subsection, in Allegany County, Dorchester County, Garrett County,
3 and Somerset County, the sanitary commission may disconnect the service IN
4 **ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE.**

5 9–662.

6 (a) For each project that it operates, a district may charge the owners of parcels
7 serviced by or connected to the project:

8 (1) A minimum charge; and

9 (2) A usage charge that is based on the use of the project by the owner of
10 the parcel.

11 (b) The district shall use funds received from charges made under this section:

12 (1) To operate, maintain, and repair the project;

13 (2) To maintain proper depreciation allowances;

14 (3) To pay operation expenses of the district;

15 (4) To repay advances made by member counties under § 9–628 of this
16 subtitle; and

17 (5) To pay the principal and interest on bonds issued under this subtitle.

18 (c) For water service, the sanitary commission:

19 (1) Shall make a minimum charge:

20 (i) That is based on the size of the meter serving the property and
21 is uniform throughout the service area for each size of meter; and

22 (ii) That, for properties to which no meter is connected, is reasonable
23 and uniform throughout the service area; and

24 (2) Subject to the meter size and uniformity requirements of this
25 subsection, may change the minimum charge as necessary.

26 (d) For sewerage service, the sanitary commission shall:

27 (1) Make a minimum charge that is reasonable and uniform throughout
28 the service area; and

1 (2) Collect, each year, the minimum charge in the same manner as the
2 sanitary commission collects benefit assessments.

3 (e) If a minimum charge for sewerage service is unpaid, the minimum charge has
4 the same status as an unpaid benefit assessment.

5 (f) For solid waste disposal systems, the sanitary commission shall make a
6 minimum charge that is reasonable and uniform throughout the service area.

7 (g) If the sanitary commission uses a water meter, the sanitary commission shall
8 connect the water meter at the sanitary commission's expense.

9 (h) For water usage, the sanitary commission shall make a charge that:

10 (1) Is based on meter readings; or

11 (2) If no water meter is connected to the property, is:

12 (i) Based on the estimated water usage; and

13 (ii) Uniform among unmetered properties in the service area.

14 (i) For sewerage systems and solid waste disposal systems, the sanitary
15 commission shall make a reasonable usage charge.

16 (j) Except for bills for minimum charges for sewerage services, the sanitary
17 commission:

18 (1) Shall send to each property owner:

19 (i) For water service, a bill for minimum charges and usage charges
20 for water once each 3 or 6 months; and

21 (ii) For other charges, a bill once each 3, 6, or 12 months; and

22 (2) May stagger the frequency and dates of bills sent under this section.

23 (k) The property owner promptly shall pay any bill sent under this section.

24 (l) If a water bill is unpaid for 30 days after being sent, [and after written notice
25 is left on the premises or mailed to the last known address of the owner,] the sanitary
26 commission may, **IN ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE:**

27 (1) Disconnect water service to the property; and

28 (2) Require, before reconnecting water service, payment of the entire water
29 bill plus a reconnection charge reasonably related to the cost of reconnection, as established

1 by ordinance of the governing body of the county or municipal corporation in which the
2 water service is provided.

3 (m) (1) If a charge for which a bill sent under this section is in default 60 days
4 after the bill is sent, the charge is in default.

5 (2) When a charge is in default, it is a lien on the property and the sanitary
6 commission may collect the charge in the same manner as benefit assessments.

7 (n) (1) This subsection applies only in Dorchester County and Somerset
8 County.

9 (2) Notwithstanding any other provisions of law:

10 (i) A district may charge an owner of a parcel serviced by or
11 connected to a project that the district operates a late fee for any unpaid usage charge that
12 is based on the use of the project by the owner of the parcel;

13 (ii) A sanitary commission may require, before reconnecting water
14 service, payment of any applicable late fees in addition to any other charge authorized by
15 this section; and

16 (iii) A charge that is in default shall accrue interest from the date of
17 default at a rate set by the sanitary commission.

18 (o) In Garrett County, notwithstanding any other provisions of law:

19 (1) The district may charge an owner of a parcel serviced by or connected
20 to a project that the district operates a late fee for any unpaid usage charge that is based
21 on the use of the project by the owner of the parcel;

22 (2) The County Commissioners of Garrett County may require, before
23 reconnecting water service, payment of any applicable late fees in addition to any other
24 charge authorized by this section; and

25 (3) A charge that is in default shall accrue interest from the date of default
26 at a rate set by the County Commissioners.

27 (p) (1) This subsection applies only to property subject to a condominium
28 regime established under Title 11 of the Real Property Article.

29 (2) Notwithstanding any other law, if the sanitary commission directly bills
30 the governing body of a condominium or a person designated by the governing body of a
31 condominium for water or sewer usage charges for all or a portion of the units in a
32 condominium property, and a charge is in default for at least 60 days, the sanitary
33 commission shall post notice conspicuously at or near the entry to the common area of the
34 condominium.

1 (3) The sanitary commission may enter onto the common area of a
2 condominium property at a reasonable time to post the notice required under this
3 subsection.

4 9-663.

5 (a) A sanitary commission:

6 (1) Shall control the use of water in its district; and

7 (2) Has jurisdiction over each fire hydrant connected to a system operated
8 by the district.

9 (b) If a sanitary commission determines that there is a shortage of water or that
10 the supply of water should be conserved, the sanitary commission may:

11 (1) Issue an order that requires the conservation of water; and

12 (2) Include in the order specific requirements for conserving water use.

13 (c) The sanitary commission shall publish the order in a newspaper published in
14 each member county covered by the order.

15 (d) Each water user shall obey the order of the sanitary commission, effective with
16 the earlier of:

17 (1) The first publication of the order; or

18 (2) Receipt of the order from the sanitary commission.

19 (e) Without notice, the sanitary commission may disconnect the water supply of
20 any person who violates the order.

21 (f) (1) To prevent waste of water, a representative of a sanitary commission at
22 any reasonable time may enter any property connected to a system operated by the district
23 and inspect the plumbing system on the property.

24 (2) On entering any property, the representative of the sanitary
25 commission shall present appropriate credentials to the owner, operator, or agent in charge.

26 (3) After the inspection, the representative of the sanitary commission may
27 order necessary changes to the plumbing system:

28 (i) To eliminate leaks;

29 (ii) To prevent water loss; and

1 (iii) To prevent unnecessary or improper use of sewers.

2 9-724.

3 (a) The rates for water service shall:

4 (1) Be based on estimates of the amount of water used by the types of users
5 specified in the rates; and

6 (2) Consist of:

7 (i) A minimum charge based on the size of the meter on the water
8 connection leading to the property; and

9 (ii) A charge for water used, based on the amount of water passing
10 through the meter during the period between the last 2 readings.

11 (b) (1) At its own expense, the political subdivision shall place a meter on each
12 water connection.

13 (2) If the political subdivision does not have meters available to install in
14 all property that is connected to the system in a locality, the political subdivision shall
15 charge a flat rate to all property in which meters are not installed.

16 (c) (1) The political subdivision shall send bills for water service to the
17 property, the property owner, or the property owner's designee for each property served on
18 a monthly, every other month, quarterly, or semiannual basis.

19 (2) The bills are payable at the office of the political subdivision on receipt.

20 (3) If any bill remains unpaid after 30 days from the date the bill is sent,
21 the political subdivision shall:

22 (i) Notify the owner of the property served, in writing, that the bill
23 is in arrears and that water service will be discontinued;

24 (ii) Leave the notice on the owner's property or mail the notice to the
25 last known address of the owner; and

26 (iii) **[Discontinue] IN ACCORDANCE WITH SUBTITLE 2A OF THIS**
27 **TITLE, DISCONTINUE** water service to the property until the owner pays the bill and a
28 reconnection charge reasonably related to the cost of reconnection, as established by
29 ordinance of the governing body of the county or municipal corporation in which the water
30 service is provided.

1 (4) If any bill remains unpaid after 60 days from the date of sending the
2 notice:

3 (i) The bill and the penalty imposed under paragraph (3)(iii) of this
4 subsection shall be collectible from the property owner in the same manner and subject to
5 the same interest as taxes are collectible in the county in which the water or sewerage
6 system lies; and

7 (ii) The water service charges and all penalties shall be a first lien
8 on the property.

9 (d) (1) This subsection applies only to property subject to a condominium
10 regime established under Title 11 of the Real Property Article.

11 (2) Notwithstanding any other law, if the political subdivision directly bills
12 the governing body of a condominium or a person designated by the governing body of a
13 condominium for water or sewer usage charges for all or a portion of the units in a
14 condominium property, and a charge is in default for at least 60 days, the political
15 subdivision shall post notice conspicuously at or near the entry to the common area of the
16 condominium.

17 (3) The political subdivision may enter onto the common area of a
18 condominium property at a reasonable time to post the notice required under this
19 subsection.

20 9-939.

21 (a) A resolution or trust agreement that provides for the issuance of or secures
22 bonds under this subtitle may:

23 (1) Include any of the provisions in subsections (c) through (f) of this
24 section; and

25 (2) Require the authority to adopt resolutions or take any other lawful
26 action that is necessary to enforce those provisions.

27 (b) If a resolution or trust agreement includes any of the provisions of subsections
28 (c) through (f) of this section, the authority may adopt resolutions and take any other lawful
29 action that is necessary to enforce those provisions.

30 (c) If the owner, tenant, or occupant of a parcel of land is obligated to pay rates,
31 fees, or charges for the use of or services furnished by any project of an authority, the
32 authority may require the owner, tenant, or occupant to deposit with the authority, before
33 the use is made or the services are furnished, a reasonable amount:

34 (1) To insure payment of the rates, fees, or charges; and

1 (2) To be applied to payment of any delinquent rates, fees, or charges.

2 (d) If the owner, tenant, or occupant of a parcel of land does not pay any rate, fee,
3 or charge for the use of or services furnished by any project of an authority within 30 days
4 after the rate, fee, or charge becomes due and payable, the authority, at the end of the
5 30-day period, may:

6 (1) **[Disconnect] IN ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE,**
7 **DISCONNECT** the parcel of land from the water system or sewerage system of the authority
8 or otherwise suspend services; and

9 (2) Recover the amount of the rate, fee, or charge that is delinquent, plus
10 interest:

11 (i) In a civil action; or

12 (ii) By foreclosure of the lien for the rate, fee, or charge.

13 (e) If any rate, fee, or charge for the use of or services furnished to a lot or parcel
14 of land by a sewerage system that is owned, constructed, or operated by an authority under
15 this subtitle is not paid within 30 days after the rate, fee, or charge becomes due and
16 payable, the owner, tenant, or occupant of the parcel of land shall stop disposing of sewage
17 or industrial wastes from the parcel of land directly or indirectly into the sewerage system
18 until the rate, fee, or charge, plus interest, is paid.

19 (f) (1) If the owner, tenant, or occupant of a parcel of land does not stop
20 disposing of sewage or industrial wastes as required by subsection (e) of this section, any
21 political subdivision or person who supplies or sells water for use on the parcel of land shall
22 stop supplying or selling the water within 5 days after receiving notice of the delinquency
23 from the authority.

24 (2) If a political subdivision or person does not stop supplying or selling
25 water for use on a parcel of land as required by paragraph (1) of this subsection, the
26 authority may shut off the supply of water to the parcel of land **IN ACCORDANCE WITH**
27 **SUBTITLE 2A OF THIS TITLE.**

28 9-951.

29 (a) A political subdivision that owns or operates a water system may contract with
30 an authority as provided in subsection (b) of this section to shut off the supply of water to
31 any premises that are connected with any sewerage system of the authority.

32 (b) If the owner, tenant, or occupant of any premises described in subsection (a)
33 of this section fails, within the time stated in the contract, to pay any rate, fee, or charge
34 for the use or services of the sewerage system of an authority, the authority may shut off
35 the supply of water to the premises **IN ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2017.