

**A RESOLUTION FOR THE PURPOSE OF
COUNTY-MAINTAINED GRINDER PUMP FEE**

WHEREAS, pursuant to the authority contained in Title 9, Subtitle 5 of the *Environment Article* of the Maryland Annotated Code, the Board of County Commissioners of Calvert County, Maryland (hereinafter, the "Board") has the general powers to adopt and amend a County plan addressing water supply systems and sewerage systems and has heretofore adopted the Calvert County Comprehensive Water and Sewerage Plan, 2011 Update;

WHEREAS, the Board of County Commissioners of Calvert County is authorized by Title 9, Section 723(a) of the *Environment Article* of the Maryland Annotated Code to establish reasonable rates for water services, and reasonable charges for sewer upkeep and sewer service to provide funds for: (1) maintenance, repair and operation of any water or sewerage system;

WHEREAS, the Board of County Commissioners of Calvert County is authorized by Title 9, Section 725 of the *Environmental Article* of the Maryland Annotated Code to charge for the upkeep on sewers shall be: (1) collected annually; and (2) a first lien on any property connected to any sewer pipe the political subdivision owns or supervises;

WHEREAS, the Board of County Commissioners of Calvert County is authorized by Title 9, Section 726.1 of the *Environmental Article* of the Maryland Annotated Code to disconnect water service if a bill for sewerage service is unpaid for 45 days after being sent; and

WHEREAS, the Water & Sewer Division informed the Board of County Commissioners that it has been maintaining 182 privately-owned grinder pumps identified in Exhibit A hereto and incorporated herein by reference, which negatively impacts the sewerage rates;

WHEREAS, the Board of County Commissioners has directed staff to inform these customers, which are detailed on Exhibit A, to elect either to continue County grinder pump maintenance and pay a One Hundred Eighty Dollars (\$180.00) per annum maintenance fee; or to maintain their privately-owned grinder pumps and bear no maintenance fee;

WHEREAS, the Water & Sewerage Division holds the right to determine the scope and type of repairs or replacements needed on all grinder pumps for customers who elect to have the County maintain their grinder pump;

WHEREAS, the customer who elect to maintain their privately-owned grinder pumps do not hold the Board of County Commissioners, the Department of Public Works, the Water & Sewerage Division or any other County agency responsible for grinder pump maintenance or repair, or liable for malfunction or failure;

WHEREAS, after due notice was published, the Board of County Commissioners conducted a public hearing on October 17, 2017, at which time the proposed fees were discussed, staff's recommendations were considered, and public comment was solicited; and

WHEREAS, after considering the evidence which had been presented at the public hearing regarding the proposed fee, and in furtherance of the public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland determined it is in the best interest of the citizens of the County to surrender operation, control and maintenance of sewage ejector pumps identified in Appendix A hereto to the owner of the property upon which the pump is located effective July 1, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Calvert County, Maryland, that the County surrender operation, control and maintenance of sewage ejector pumps identified in Appendix A hereto, and incorporated herein by reference, to the owner of the property upon which the pump is located beginning July 1, 2018;

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall otherwise remain in full force and effect;

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of the Resolution is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provisions, and that the remainder of the Resolution shall be enforceable and valid; and

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that this enactment shall be effective upon adoption and publication of a fair summary.

DONE, this 31st day of October, 2017, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 3

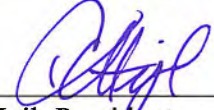
Nay: 2 - Hart and Weems

Absent/Abstain: Ø

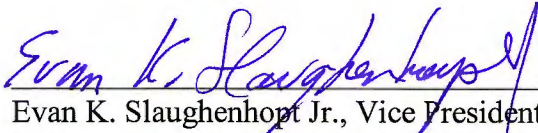
ATTEST:

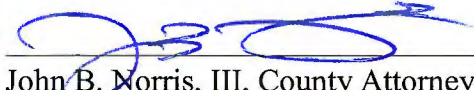
**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**

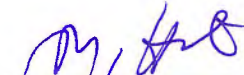

Maureen L. Frederick, Clerk


Tom Hejl, President


Approved for form and legal
sufficiency by:


Evan K. Slaughenropt Jr., Vice President


John B. Norris, III, County Attorney


Mike Hart

Received for Record.....11/14....., 2017
at.....10:22.....o'clock.....A.M. Same day
recorded in Liber KPS No. 52
Folio...520.....COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.


Pat Nutter

Steven R. Weems



