

Chapter 183

(Senate Bill 709)

AN ACT concerning

Environment – Water and Sewer Service

FOR the purpose of declaring the intent of the General Assembly that homeowners have access to certain affordability programs for water and sewer services; authorizing a political subdivision, a sanitary commission, or an authority to develop and implement certain affordability programs; authorizing a sanitary commission, a political subdivision, and an authority to disconnect certain service to properties that meet certain criteria; requiring a sanitary commission, a political subdivision, and an authority to restore certain service to certain properties under certain circumstances; and generally relating to water and sewer services.

BY adding to

Article – Environment

Section 9–202, 9–670, and 9–728

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–951

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

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

Article – Environment

9–202.

(A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT HOMEOWNERS HAVE ACCESS TO PROGRAMS TO ASSIST THEM IN MEETING THEIR PAYMENT OBLIGATIONS FOR WATER AND SEWER SERVICES.

(B) A POLITICAL SUBDIVISION, A SANITARY COMMISSION, OR AN AUTHORITY PROVIDING SERVICES UNDER THIS TITLE MAY DEVELOP AND IMPLEMENT SERVICE AFFORDABILITY PROGRAMS TO ASSIST HOMEOWNERS HAVING DIFFICULTY MAKING PAYMENTS FOR WATER AND SEWER SERVICES, INCLUDING:

(1) PAYMENT PLANS; AND

(2) ROUND UP PROGRAMS IN WHICH RATEPAYERS MAY DONATE TO A FUND TO BE USED TO PROVIDE PAYMENT ASSISTANCE TO HOMEOWNERS.

9-670.

(A) A SANITARY COMMISSION MAY DISCONNECT SERVICE TO A PROPERTY ON A FINDING OR NOTIFICATION FROM THE GOVERNING BODY OF THE POLITICAL SUBDIVISION IN WHICH THE PROPERTY IS LOCATED THAT THE PROPERTY IS:

(1) A VACANT LOT; OR

(2) CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR BUILDING VIOLATION NOTICE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ON REQUEST BY THE OWNER OF THE PROPERTY, THE SANITARY COMMISSION SHALL RESTORE SERVICE TO A PROPERTY WHERE SERVICE WAS DISCONNECTED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.

(C) (1) A SANITARY COMMISSION MAY REQUIRE PROOF THAT ALL HOUSING AND BUILDING VIOLATION NOTICES FOR A PROPERTY HAVE BEEN RESOLVED PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS SECTION.

(2) PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS SECTION, A SANITARY COMMISSION MAY REQUIRE THE OWNER OF THE PROPERTY TO PAY:

(I) ALL UNPAID FEES, CHARGES, OR ASSESSMENTS FOR SERVICE AT THE PROPERTY; AND

(II) ANY RECONNECTION FEES FOR SERVICE AT THE PROPERTY.

9-728.

(A) A POLITICAL SUBDIVISION MAY DISCONNECT SERVICE TO A PROPERTY ON A FINDING OR NOTIFICATION FROM THE GOVERNING BODY OF THE POLITICAL SUBDIVISION IN WHICH THE PROPERTY IS LOCATED THAT THE PROPERTY IS:

(1) A VACANT LOT; OR

(2) CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR

BUILDING VIOLATION NOTICE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ON REQUEST BY THE OWNER OF THE PROPERTY, THE POLITICAL SUBDIVISION SHALL RESTORE SERVICE TO A PROPERTY WHERE SERVICE WAS DISCONNECTED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.

(C) (1) A POLITICAL SUBDIVISION MAY REQUIRE PROOF THAT ALL HOUSING AND BUILDING VIOLATION NOTICES ON A PROPERTY HAVE BEEN RESOLVED PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS SECTION.

(2) PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS SECTION, A POLITICAL SUBDIVISION MAY REQUIRE THE OWNER OF THE PROPERTY TO PAY:

(I) ALL UNPAID FEES, CHARGES, OR ASSESSMENTS FOR SERVICE AT THE PROPERTY; AND

(II) ANY RECONNECTION FEES FOR SERVICE AT THE PROPERTY.

9-951.

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

(b) If the owner, tenant, or occupant of any premises described in subsection (a) of this section fails, within the time stated in the contract, to pay any rate, fee, or charge for the use or services of the sewerage system of an authority, the authority may shut off the supply of water to the premises.

(C) (1) AN AUTHORITY MAY DISCONNECT SERVICE TO A PROPERTY ON A FINDING OR NOTIFICATION FROM THE GOVERNING BODY OF THE POLITICAL SUBDIVISION IN WHICH THE PROPERTY IS LOCATED THAT THE PROPERTY IS:

(I) A VACANT LOT; OR

(II) CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR BUILDING VIOLATION NOTICE.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, ON REQUEST BY THE OWNER OF THE PROPERTY, THE AUTHORITY SHALL RESTORE SERVICE TO A PROPERTY WHERE SERVICE WAS DISCONNECTED IN ACCORDANCE WITH

PARAGRAPH (1) OF THIS SUBSECTION.

(3) (I) AN AUTHORITY MAY REQUIRE PROOF THAT ALL HOUSING AND BUILDING VIOLATION NOTICES ON A PROPERTY HAVE BEEN RESOLVED PRIOR TO RESTORING SERVICE UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(II) PRIOR TO RESTORING SERVICE UNDER PARAGRAPH (2) OF THIS SUBSECTION, AN AUTHORITY MAY REQUIRE THE OWNER OF THE PROPERTY TO PAY:

1. ALL UNPAID RATES, FEES, CHARGES, OR ASSESSMENTS FOR SERVICE AT THE PROPERTY; AND

2. ANY RECONNECTION FEES FOR SERVICE AT THE PROPERTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, April 24, 2018.