

ORDINANCE NO. 3871

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED “AN ORDINANCE TO REPEAL AND REENACT, WITH AMENDMENTS, SECTION 24-86 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION), PROVIDING FOR A SCHEDULE OF WATER RATES.”

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, That Section 24-86 of the Code of the City of Cumberland (1991 Edition) be and hereby repealed and reenacted, with amendments, to read as follows:

Section 24-86 Schedule

Effective July 1, 2020, the rates and charges for the use of water supplied by the Water Department shall be as follows, and no abatement or release therefrom is permitted:

(a) EQUIVALENT DWELLING UNIT (EDU). The minimum meter charges shall be determined by the Equivalent Dwelling Unit (EDU), which shall be determined by the size of the meter servicing the customer. The following table sets forth the EDU multiplier for each meter size:

| Meter size (inches) | EDU |
|---------------------|-----|
| ¾ and below         | 1   |
| 1                   | 2.5 |
| 1-1/2               | 5   |
| 2                   | 8   |
| 3                   | 16  |
| 4                   | 25  |
| 6                   | 50  |
| 8                   | 80  |

(b) MINIMUM METER CHARGE FOR INSIDE CITY. The minimum charge for residential and industrial meter customers within the City shall be Five Dollars and Thirteen Cents (\$ 5.13) per month per EDU, for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section.

(c) MINIMUM METER CHARGE FOR OUTSIDE CITY. The minimum charge for residential and industrial meter customers outside the City shall be Seven Dollars and Seventy-One Cents (\$ 7.71) per month per EDU for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any quarter, such excess shall be charged for in accordance with the schedule of rates as set forth in subsection (f) of this section.



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(d) **MINIMUM METER CHARGE FOR WATER COMPANIES.** The minimum charge for water companies shall be Thirty-Five Dollars and Thirty Cents (\$ 35.30) per month per EDU for single Water Company accounts such water company has with the City for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds the consumption in excess of capacity fee, in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section, as appropriate.

(e) **Flat rates.** There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section. All water customers outside the City shall be meter customers, and it shall be unlawful for the Water Department to furnish customers outside the City on a flat rate basis.

(f) **CONSUMPTION RATES.** The rates per month for residential and industrial water customers shall be as follows:

| Class  | Consumption                               | Rates within City Limits |           | Rates Outside City Limits |           |
|--------|---|--------------------------|-----------|---------------------------|-----------|
|        |   | Current                  | New       | Current                   | New       |
| Tier 1 | First 100 cubic feet, per EDU             | \$ 4.8900                | \$ 5.1300 | \$ 7.3400                 | \$ 7.7100 |
| Tier 2 | Next 900 cubic feet, per cubic foot       | \$ 0.0446                | \$ 0.0468 | \$ 0.0669                 | \$ 0.0702 |
| Tier 3 | Next 199,000 cubic feet, per cubic foot   | \$ 0.0357                | \$ 0.0375 | \$ 0.0499                 | \$ 0.0524 |
| Tier 4 | Next 1,134,000 cubic feet, per cubic foot | \$ 0.0282                | \$ 0.0296 | \$ 0.0424                 | \$ 0.0445 |
| Tier 5 | Next 1,166,000 cubic feet, per cubic foot | \$ 0.0128                | \$ 0.0134 | \$ 0.0128                 | \$ 0.0134 |
| Tier 6 | Over 2,500,000 cubic feet, per cubic foot | \$ 0.0032                | \$ 0.0034 | \$ 0.0032                 | \$ 0.0034 |

(g) **WATER COMPANIES.** Companies purchasing in excess of 140,000 cubic feet of water from the City on a monthly basis and reselling that water shall pay the following monthly rates for each account such water company has with the City.

(1) **Water Company.** Any wholesale water company purchasing water from the City in excess of 140,000 cubic feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.

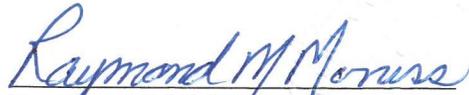
(2) **Capacity Fee.** Each water company shall pay a fixed capacity fee based on the number of EDU's calculated multiplied times the per month per EDU charge. The EDU amount is calculated annually determined by a percentage (70%) of its highest month's usage in the previous fiscal year calculated as follows:

$$\frac{\text{PEAK MONTHLY USE} \times 0.7}{33.42}$$

(3) Consumption in Excess of Capacity Fee. Consumption in excess of the capacity fee shall be billed at the rate for customers located outside the City.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect July 1, 2020.

Passed this 16th day of June, 2020.

  
Raymond M. Morriss, Mayor

ATTEST:

  
\_\_\_\_\_  
Marjorie A. Woodring  
City Clerk

**1st reading: June 2, 2020**  
**2nd reading: June 16, 2020**  
**3rd reading: June 16, 2020**  
**Passed 4-0**

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SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, That Section 24-86 of the Code of the City of Cumberland (1991 Edition) be and hereby repealed and reenacted, with amendments, to read as follows:

Section 24-86 Schedule

Effective July 1, 201920, the rates and charges for the use of water supplied by the Water Department shall be as follows, and no abatement or release therefrom is permitted:

(a) EQUIVALENT DWELLING UNIT (EDU). The minimum meter charges shall be determined by the Equivalent Dwelling Unit (EDU), which shall be determined by the size of the meter servicing the customer. The following table sets forth the EDU multiplier for each meter size:

| Meter size (inches) | EDU |
|---------------------|-----|
| ¾ and below         | 1   |
| 1                   | 2.5 |
| 1-1/2               | 5   |
| 2                   | 8   |
| 3                   | 16  |
| 4                   | 25  |
| 6                   | 50  |
| 8                   | 80  |

(b) MINIMUM METER CHARGE FOR INSIDE CITY. The minimum charge for residential and industrial meter customers within the City shall be ~~Four~~Five Dollars and ~~Eighty-Nine~~Thirteen Cents (\$ ~~4.89~~5.13) per month per EDU, for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section.

(c) MINIMUM METER CHARGE FOR OUTSIDE CITY. The minimum charge for residential and industrial meter customers outside the City shall be Seven Dollars and ~~Thirty-Four~~Seventy-One Cents (\$ ~~7.34~~7.1) per month per EDU for which sum, water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any quarter, such excess shall be

charged for in accordance with the schedule of rates as set forth in subsection (f) of this section.

(d) MINIMUM METER CHARGE FOR WATER COMPANIES. The minimum charge for water companies shall be Thirty-~~Three~~Five Dollars and ~~Sixty-Two~~Thirty Cents (\$ ~~33.62~~35.30) per month per EDU for single Water Company accounts such water company has with the City for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds the consumption in excess of capacity fee, in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section, as appropriate.

(e) Flat rates. There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section. All water customers outside the City shall be meter customers, and it shall be unlawful for the Water Department to furnish customers outside the City on a flat rate basis.

(f) CONSUMPTION RATES. The rates per month for residential and industrial water customers shall be as follows:

| Class | Consumption                                   | Rates WITHIN CITY LIMITS | RATES OUTSIDE CITY LIMITS |
|-------|---|--------------------------|---------------------------|
| 1     | First 100 cubic feet                          | \$ 4.89                  | 7.34 per EDU              |
| 2     | Next 900 cubic feet, per cubic foot           | -0.0446                  | -0.0669                   |
| 3     | Next 199,000 cubic feet, per cubic foot       | -0.0357                  | -0.0499                   |
| 4     | Next 1,134,000 cubic feet, per cubic foot     | -0.0282                  | -0.0424                   |
| 5     | Next 1,166,000 cubic feet, per cubic foot     | -0.0128                  | -0.0128                   |
| 6     | All over 2,500,000 cubic feet, per cubic foot | -0.0032                  | -0.0032                   |

| Class  | Consumption                               | Rates within City Limits |          | Rates Outside City Limits |          |
|--------|---|--------------------------|----------|---------------------------|----------|
|        |   | Current                  | New      | Current                   | New      |
| Tier 1 | First 100 cubic feet, per EDU             | \$4.8900                 | \$5.1300 | \$7.3400                  | \$7.7100 |
| Tier 2 | Next 900 cubic feet, per cubic foot       | \$0.0446                 | \$0.0468 | \$0.0669                  | \$0.0702 |
| Tier 3 | Next 199,000 cubic feet, per cubic foot   | \$0.0357                 | \$0.0375 | \$0.0499                  | \$0.0524 |
| Tier 4 | Next 1,134,000 cubic feet, per cubic foot | \$0.0282                 | \$0.0296 | \$0.0424                  | \$0.0445 |
| Tier 5 | Next 1,166,000 cubic feet, per cubic foot | \$0.0128                 | \$0.0134 | \$0.0128                  | \$0.0134 |
| Tier 6 | Over 2,500,000 cubic feet, per cubic foot | \$0.0032                 | \$0.0034 | \$0.0032                  | \$0.0034 |

(g) WATER COMPANIES. Companies purchasing in excess of 140,000 cubic feet of water from the City on a monthly basis and reselling that water shall pay the following monthly rates for each account such water company has with the City.

(1) Water Company. Any wholesale water company purchasing water from the City in excess of 140,000 cubic

feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.

(2) Capacity Fee. Each water company shall pay a fixed capacity fee based on the number of EDU's calculated multiplied times the per month per EDU charge. The EDU amount is calculated annually determined by a percentage (70%) of its highest months usage in the previous fiscal year calculated as follows:

$$\frac{\text{PEAK MONTHLY USE} \times 0.7}{30} / 33.42$$

(3) Consumption in Excess of Capacity Fee.

Consumption in excess of the capacity fee shall be billed at the rate for customers located outside the City.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect July 1, 2018~~20~~.

Passed this 4th day of June, 2018~~20~~.

Raymond M. Morriss, Mayor

ATTEST:

Marjorie A. Woodring, City Clerk