

ORDINANCE NO. 3754

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND ENTITLED "AN ORDINANCE TO REPEAL AND REENACT WITH AMENDMENTS SECTION 24-87 OF THE CODE OF THE CITY OF CUMBERLAND, TITLED 'PAYMENT AND COLLECTION; DELINQUENT PAYMENTS', PERTAINING TO BILLING FOR WATER SERVICE, FOR THE PURPOSE OF PROVIDING FOR MONTHLY BILLING AND AMENDING PROVISIONS PERTAINING TO THE DUE DATE FOR AND COLLECTION OF SUCH BILLINGS."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND that Section 24-87 of the Code of the City of Cumberland be and is hereby repealed and reenacted with amendments, to read as follows [NOTE: a text-edited version of Section 24-87 is attached hereto]:

Sec. 24-87. - Payment and collection; delinquent payments.

- (a) All rents for the use of water from the city shall be due and payable monthly. Each consumer shall be billed monthly as of the day after the last day of the previous monthly billing, ending with the date of the previous meter reading. Such rents shall be chargeable against the owner of the property for which the water service has been afforded, and shall constitute a lien upon such property and be collectible at the expiration of twenty-one (21) days from the date of the rendition of the bill therefore in the same manner as unpaid taxes on real property as provided for under the Tax Property Article of the Annotated Code of Maryland or by an action at law, together with such legal costs as may be incurred in connection therewith. The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and it shall be superior to all other liens, except for state, county and city taxes, with which it shall be on a parity.
- (b) All water bills shall be due and payable not later than twenty-one (21) days after the bills have been rendered. If any such account is not paid within twenty-one (21) days after the bill has been rendered, a penalty equal to two (2) percent per month, or for each fraction of a month, shall be added thereto.
- (c) If any account is not paid within forty-five (45) days from the day the bill was rendered, it shall be the duty of the collector to immediately furnish the name of such delinquent account to the director of utilities, who shall, without further notice and without application to the city council, discontinue the service by shutting off the water. The service shall not be restored until all water rent which is due and owing, together with the penalties prescribed, shall have been paid, and in addition thereto, a charge in the amount established by order of the mayor and city council shall be made to cover the cost of turning on the water.

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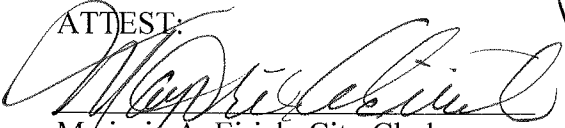
SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 13th day of August, 2013.



Brian K. Grim, Mayor

ATTEST:



Marjorie A. Eirich, City Clerk

1st reading: July 30, 2013
2nd reading: August 13, 2013
3rd reading: August 13, 2013
Passed: 5-0

TEXT-EDITED VERSION

[NOTE: Newly added text is underlined. Deleted text is stricken through]

Sec. 24-87. - Payment and collection; delinquent payments.

- (a) All rents for the use of water from the city shall be due and payable monthly ~~quarterly~~. Each consumer shall be billed monthly ~~quarterly~~ as of the day after the ~~last~~ first day of the previous monthly billing ~~quarter~~, ending with the date of the previous meter reading. Such rents shall be chargeable against the owner of the property for which the water service has been afforded, and shall constitute a lien upon such property and be collectible at the expiration of twenty-one (21) days from the date of the rendition of the bill therefore in the same manner as unpaid taxes on real property as provided for under the Tax Property Article of the Annotated Code of Maryland or by an action at law, together with such legal costs as may be incurred in connection therewith. The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and it shall be superior to all other liens, except for state, county and city taxes, with which it shall be on a parity.
- (b) All water bills shall be due and payable not later than twenty-one (21) ~~thirty (30)~~ days after the bills have been rendered. If any such account is not paid within twenty-one (21) ~~thirty (30)~~ days after the bill has been rendered, a penalty equal to two (2) percent per month, or for each fraction of a month, shall be added thereto.
- (c) If any account is not paid within forty-five (45) days from the day the bill was rendered, it shall be the duty of the collector to immediately furnish the name of such delinquent account to the director of utilities, who shall, without further notice and without application to the city council, discontinue the service by shutting off the water. The service shall not be restored until all water rent which is due and owing, together with the penalties prescribed, shall have been paid, and in addition thereto, a charge in the amount established by order of the mayor and city council shall be made to cover the cost of turning on the water.