

**TOWN OF NORTH BEACH**

**ORDINANCE NO. 23-03**

**AN ORDINANCE OF THE COUNCIL OF NORTH BEACH  
REPEALING AND REENACTING CHAPTER 112 “WATER AND SEWER  
POLICIES” OF THE CODE OF THE TOWN OF NORTH BEACH, TO REVISE  
THE TOWN’S SUBSTANTIVE POLICIES, RULES, AND REGULATIONS  
RELATING TO THE PROVISION OF WATER AND SEWER SERVICES  
AND PROVIDE FOR THE ADOPTION BY RESOLUTION OF WATER AND  
SEWER MANUAL CONTAINING POLICIES, RULES, AND REGULATIONS  
RELATING TO SUCH SERVICES AND TO PROVIDE FOR FINES AND  
PENALTIES RELATING TO NON-COMPLIANCE WITH THE TERMS  
THEREOF.**

**WHEREAS**, the Town of North Beach (the “Town”) is a municipal corporation of the State of Maryland, organized and operating in accordance with Article XI-E of the Constitution of Maryland and Md. Code Ann., Local Government Article, Title 4; and

**WHEREAS**, pursuant to Md. Code Ann., Local Gov’t Art. (“LG”), § 5-202, “General Authority of Municipalities”, the Town Council has the authority to pass such ordinances as it deems necessary to preserve peace and good order, to secure persons from danger and destruction and to protect the health, comfort, and convenience of the residents of the municipality; and

**WHEREAS**, Maryland Code Ann., Environment Art., Title 9, “Regulation by Municipalities and Political Subdivisions”, Part II, “Regulation by Municipalities”, § 9-704 et seq., and in particular §§ 9-716 and 9-722, authorize municipalities to adopt rules and regulations to provide for the maintenance and operation of any water supply and sewerage system under its control and to establish reasonable charges for connection to such water supply or sewerage system; and

**WHEREAS**, on June 13, 1991, by Ordinance No. 5-91, the Town Council adopted Chapter 112, “Water and Sewer Policies”, prescribing standards, rules, and regulations relating to the administration of sanitary sewer and water facilities, including regulations, restrictions, and rules for the use of said facilities and user charges directly related to the construction, operation, and maintenance of said facilities; and

**WHEREAS**, the Town’s water and sewer policies and regulations have not been comprehensively reviewed and revised in a number of years; and

**WHEREAS**, due consideration being given to compliance with applicable federal and state regulations pertaining to the user charge system, standards and procedures for new connections, design and construction of water and sewer facilities and appurtenances, and for the regulation of the flow of industrial wastes and harmful substances into the Town’s water and sewer facilities, the Town Council deems certain clarifications, amendments and revisions to the Town’s water and sewer policies to be necessary for the continued efficient operation and administration of the Town’s facilities and the connection of users thereto; and

**WHEREAS**, the Town Council deems the public interest best served by revising Chapter 112, “Water and Sewer Policies,” to revise and transfer the Town’s substantive regulations relating to the provision of water and sewer services to the Town’s residents and businesses to a separately adopted Water and Sewer Manual, and to provide for fines and penalties relating to noncompliance with the terms thereof.

Section 1. **NOW THEREFORE BE IT ORDAINED AND ENACTED** that Chapter 112, “Water and Sewer Policies,” is repealed in its entirety.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** that Chapter 112, “Water and Sewer Policies” is adopted as follows:

**SEC. 112-1. WATER AND SEWER MANUAL ADOPTED.**

**THE TOWN COUNCIL SHALL ADOPT BY RESOLUTION, AND MAY FROM TIME TO TIME AMEND, A WATER AND SEWER MANUAL, WHICH SHALL BE SET FORTH IN ATTACHMENT 112C TO THIS CHAPTER.**

**SEC. 112-2. FINES AND PENALTIES.**

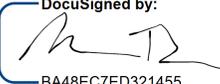
**A VIOLATION OF THIS CHAPTER IS A MUNICIPAL INFRACTION, PUNISHABLE BY A FINE OF \$50.00 FOR A FIRST OFFENSE, \$75.00 FOR A SECOND OFFENSE WITHIN A YEAR, AND \$250.00 FOR A THIRD AND SUBSEQUENT OFFENSE WITHIN TWO YEARS.**

Section 3. **BE IT FURTHER ORDAINED** by the Council of the Town of North Beach, that this Ordinance shall become effective twenty (20) days after approval by the Mayor or passage by the Council over the Mayor’s veto, provided that a fair summary shall be posted in the Town Hall and the Town's webpage and sent out via the Town's listserve, and a message shall be sent by text message to residents subscribing to the Town's text message alert system, if any, that the ordinance is available for review on the Town's webpage.

**AND BE IT FURTHER ORDAINED** that this Ordinance shall become effective on the 31<sup>st</sup> day of May, 2023 after having been read at two successive Town Council meetings pursuant to 19-311 of the Town Charter.

Read and adopted this day 11<sup>th</sup> day of May 2023

By order of the Mayor and Council

DocuSigned by:  
  
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Mike Benton, Mayor

ATTEST:

DocuSigned by:



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Stacy Milor, Town Clerk