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**MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE**  
**Ordinance No. 2020-10**

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**Introduced By: Mayor Ashby**

**Date Introduced: September 1, 2020**

**Amendments Adopted: N/A**

**Date Adopted: September 15, 2020**

**Date Effective: October 5, 2020**

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**AN ORDINANCE** concerning

**WATER AND SEWER SYSTEMS**

**FOR** the purpose of altering the method of imposing certain water and sewer usage and connection charges upon owners of properties and others; imposing and clarifying certain obligations of owners of properties and others to connect to the Town’s water and sewer systems; redefining and reallocating among Town staff certain duties and responsibilities relating to the Town water and sewer systems; altering certain Town water systems fees and charges; and generally relating to the water and sewer systems of the Town of Perryville.

**BY** repealing and reenacting, with amendments  
Chapter 82, Water and Sewer  
Article 1, Transitional Provisions; Charges; Disposition of Revenue  
Sections 82-1 and 82-2, inclusive  
Code of the Town of Perryville

**BY** repealing and reenacting, with amendments  
Chapter 82, Water and Sewer  
Article II, Rules and Regulations  
Sections 82-4, 82-5, 82-6.H., I., J., and K., and 82-7  
Code of the Town of Perryville

<p><b>EXPLANATION:</b>          CAPITALS INDICATE MATTER ADDED TO EXISTING LAW          ((Double Parenthesis)) indicate matter deleted from existing law.  <u>Underlining</u> indicates amendments to bill.  <del>Strike-Out</del> indicates matter stricken from bill by amendment or deleted from the law by amendment.          * * * indicates existing unmodified text omitted from Ordinance</p>
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**SECTION 1. BE IT ENACTED, BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE** that Sections 82-1 and 82-2, Article 1, Transitional Provisions; Charges; Disposition of Revenue, Chapter 82, Water and Sewer, in the Code of the Town of Perryville, are repealed and reenacted, with amendments, to read as follows:

**Chapter 82, Water and Sewer**

**ARTICLE I**

**Transitional Provisions; Charges; Disposition of Revenue**

**§ 82-1. Transitional provisions.**

The water AND SEWER connection and service charges heretofore imposed shall be superseded by ((the schedule)) SCHEDULES of water AND SEWER connection and usage charges ((set forth in § 82-2 hereof)) ESTABLISHED BY THE MAYOR AND COMMISSIONERS. ((The sewer connection, sewer upkeep and sewer service charges, including the classification and subclassification of consumers, heretofore imposed and collected by the Town pursuant to Section 8 of an ordinance dated June 4, 1963, are hereby superseded by the corresponding sewer connection and usage charges imposed by § 82-2 hereof.)) The new rates and charges shall begin and be payable for all connection, all available facilities and all usage of said water and sewer systems during the first full quarter-annual period AFTER NEW RATES BECOME EFFECTIVE((, following the quarter-annual period in which this chapter shall be declared to be effective and shall be payable for and at the end of each quarter-annual period thereafter. Sewer service charges at preexisting rates which would normally be billed at the beginning of said quarter-annual period shall be discontinued.)) Nothing herein contained shall be construed to relieve any person or property owner from liability for water and sewer service billed to consumers at the rates prevailing in the billing periods to the billing period in which the rates hereby adopted shall become effective, and nothing herein contained shall be construed to modify or impair the power of the Town to collect and enforce the payment of water and sewer service bills which are or may become delinquent as of or after the said effective date.

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**§ 82-2. Imposition of charges; collection.**

For the benefit derived from and the use of the water and sewer systems of the Town, the following connection and service charges are hereby imposed. In computing the aforesaid charges, a separate charge shall be assessed to each separately owned commercial((,)) OR industrial((, or residential)) unit, regardless of how many physical connections to the Town system(s) are made; as well as to separate commercial((,)) OR industrial ((or residential)) unit with a ((5/8 inch)) water meter connection regardless of how owned. FOR PURPOSES OF ((In applying this language to)) residential units, each apartment ((when appropriate)) BUILDING OR COMPLEX SHALL BE CHARGED AT A RATE BASED UPON CUMULATIVE USAGE BY ALL DWELLING UNITS IN THE BUILDING OR COMPLEX, and each condominium SHALL BE CHARGED ((shall be considered a separate unit)) A BASE MINIMUM USAGE RATE PER DWELLING UNIT COMPUTED FOR THE TOTAL NUMBER OF DWELLING UNITS IN THE CONDOMINIUM BUILDING OR COMPLEX, PLUS ADDITIONAL USAGE CHARGES FOR THE NUMBER OF GALLONS OF WATER OR SEWER USAGE IN EXCESS OF THE MINIMUM. In applying this language to a multibusiness commercial or industrial property when appropriate, the number of businesses operating under separate names shall be used in determining the number of units to be billed. If a property contains both residential and business uses, each separate residential unit and each separate business shall be billed separately.

A. Connections charges.

- (1) A water connection charge and a sewer connection charge are hereby imposed with respect to each property hereafter connected to the water and sewer systems of the Town((, said charges to be in lieu of any charge to defray the cost of house connection to the property line for water service, water meter installation and the construction of suitable taps to the sewer line.)) THE PURPOSE OF WATER AND SEWER CONNECTION CHARGES IS TO PAY THE PROPERTY'S EQUITABLE SHARE OF THE COST OF THE INSTALLING AND EXPANDING THE TOWN'S WATER AND SEWER SYSTEMS, INCLUDING DEBT SERVICE INCURRED TO CONSTRUCT THE NECESSARY GENERAL FACILITIES OF THE SYSTEMS. The ((Supervisor)) TOWN ENGINEER shall determine the size of water meter to be installed AT THE PROPERTY, and the water and sewer connection charges for each such property shall thereupon be imposed in accordance with the following schedule. When establishing said water and sewer connection charges, the Board of Commissioners may consider anticipated funds needed so as to provide adequate funding for expansion of the water and/or sewer systems necessitated by the growth in the number of users to the system. All such water and sewer connection charges shall be paid prior to the issuance of any building

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permit, zoning certificate and/or zoning occupancy permit, unless the Mayor and Commissioners direct otherwise.

- (2) With respect to any property heretofore connected to the water system for which no water meter has been installed, the ((Supervisor)) TOWN ENGINEER shall cause a meter of appropriate size((, in accordance with the following schedule,)) to be installed and shall fix and determine the water connection charge ESTABLISHED in accordance with ((said schedule)) SUBSECTION A.(5) BELOW((, subject to a credit of one hundred twenty dollars (\$120.) for connection charges previously paid)).
- (3) With respect to any property heretofore connected to one (1) of said systems, but not to the other, a connection charge shall be paid in accordance with the ((following)) schedule for the system to which connection is made.
- (4) It shall be the duty of the owner of every improved property in the Town which is not connected to both the water and sewer systems, or to one (1) of them, to apply to the Town for the appropriate connection within ninety (90) days of the passage of this chapter as to existing facilities and within ninety (90) days of issuance of notice from the Town, in writing or by publication, that such service or facility is available, and such property owner shall pay to the Town the appropriate connection charge at the time a permit based on such application is issued.
- (5) ((There is hereby adopted the following schedule of water and sewer connection charges:

**Connection Charge Schedule\***  
**(one-time)**

<b>Size of Water Meter (inches)</b>	<b>Water Connection Charge</b>	<b>Sewer Connection Charge</b>
<b>5/8</b>	<b>\$ 5,000.00</b>	<b>\$ 5,000.00</b>
<b>3/4</b>	<b>6,750.00</b>	<b>6,750.00</b>
<b>1</b>	<b>11,250.00</b>	<b>11,250.00</b>
<b>1-1/2</b>	<b>22,500.00</b>	<b>22,500.00</b>
<b>2</b>	<b>36,000.00</b>	<b>36,000.00</b>

160 \*The connection fees listed above are considered to be the minimum. Connection fees shall  
161 be determined based on the actual amount of water used as specified by the Town Engineer.))  
162

163 WATER AND SEWER CONNECTION CHARGES SHALL BE  
164 BASED UPON THE NUMBER OF EQUIVALENT DWELLING  
165 UNITS (EDU'S) OF WATER ESTIMATED TO BE CONSUMED BY  
166 THE USE THAT IS PROPOSED TO BE CONNECTED TO THE  
167 TOWN'S WATER AND SEWER SYSTEMS. EACH EDU SHALL  
168 BE 250 GALLONS PER DAY OF ESTIMATED WATER USAGE.  
169 FOR A SINGLE FAMILY DWELLING THE AMOUNT OF  
170 ESTIMATED WATER USAGE SHALL BE ONE EDU. THE  
171 NUMBER OF EDU'S FOR ALL OTHER PROPOSED USES SHALL  
172 BE DETERMINED BY THE TOWN ENGINEER BASED UPON  
173 THE ESTIMATED DAILY WATER CONSUMPTION FOR THAT  
174 USE. THE AMOUNT OF THE WATER CONNECTION FEE  
175 SHALL BE \$5,000 PER EDU, AND THE AMOUNT OF THE  
176 SEWER CONNECTION FEE SHALL BE \$5,000 PER EDU.  
177

178 (6) With respect to each property, the ((Supervisor)) TOWN ENGINEER  
179 shall determine the size of meter required in accordance with guides and  
180 standards furnished him by the consulting engineers of the Town. If, in  
181 any instance, he is uncertain as to the size of meter required, he shall  
182 obtain a written recommendation from the consulting engineers before  
183 making his decision. ((If, in any case, it is determined that a meter larger  
184 than a two-inch meter is required, the connection charges for both the  
185 water and the sewer systems shall be determined by resolution of the  
186 Town, after receipt of a recommendation from the Supervisor. At the  
187 same time, the minimum usage rate for any such property shall be  
188 similarly determined.))  
189

190 (7) ((In the event the Supervisor determines that the size of the water meter  
191 required in accordance with guides and standards for sufficient water  
192 supply to a residence with an automatic fire sprinkler system is larger  
193 than would have been necessary solely because of the installation of an  
194 automatic fire sprinkler system in accordance with the Interior Automatic  
195 Fire Sprinkler Ordinance, the connection charge and water and sewer  
196 usage rate schedule for such property shall be calculated on the size of  
197 the water meter necessary absent the automatic fire sprinkler system.  
198

199 (8)) In addition to the Sewer Connection Charge ((set forth)) in subsection  
200 A(5) above, prior to connecting to the Town of Perryville sewer  
201 collection and treatment system, the property owner or applicant for  
202 connection shall also pay to the Town a Sewer Facilities Fee ((as set by  
203 Resolution of the Mayor and Commissioners of the Town of Perryville,

204 which fee((, initially,)) shall be One Thousand Dollars (\$1,000.) per  
205 EQUIVALENT dwelling unit (EDU). EACH EDU SHALL BE 250  
206 GALLONS PER DAY OF ESTIMATED WATER USAGE. (((or per  
207 building if not a building comprised of one or more dwelling units))), but  
208 which fee may increase or decrease in the future pursuant to Resolution  
209 of the Mayor and Commissioners of the Town of Perryville.))  
210

211 B. Usage charges. For the service of the water and sewer system of the Town, there are  
212 hereby fixed quarterly water and sewer usage charges calculated on the basis of the  
213 volume of water consumed by each connected property in each quarter annual period.  
214 With respect to each property for which a meter is not installed, the fixed charges shall be  
215 the charges for flat rate service shown on ((the following)) A RATE schedule ADOPTED  
216 BY THE MAYOR AND COMMISSIONERS BY ORDINANCE. With respect to each  
217 property for which a meter is provided, there is hereby fixed a minimum charge based on  
218 the size of the meter and additional charges based on consumption of water in excess of a  
219 fixed number of gallons. The ((Supervisor)) TOWN shall cause each meter to be read at  
220 the end of each quarterannual period, and the quarterly charges for each metered property  
221 shall thereupon be determined in accordance with ((the following)) A RATE schedule  
222 ADOPTED BY THE MAYOR AND COMMISSIONERS BY ORDINANCE. In the  
223 event any meter shall become defective or inoperable during any such period, so that the  
224 volume of consumption cannot be accurately determined, the water and sewer usage  
225 charges for such quarter shall be fixed by averaging the charges for the property to which  
226 such meter is connected for the four (4) preceding quarterly periods. With respect to each  
227 property which shall be connected to the sewer system of the Town but not to the water  
228 system of the Town, the flat rate sewer charge in the ((following)) ADOPTED RATE  
229 schedule shall apply. The resulting figure shall be the quarterly usage charge for any such  
230 property. ((There is hereby adopted the following water and sewer usage rate schedule for  
231 determining the quarterly water and sewer bills payable for each property connected to  
232 said systems:))  
233

234 The usage rates charged to the Perry Point Veterans Administration Medical Center shall  
235 be as separately negotiated between the Town and the Veterans Administration. ((The  
236 Mayor and Commissioners may amend the Water and Sewer Usage Rate Schedule by  
237 resolution.))

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241 C. Extension ((beyond service area)) WHERE SERVICE NOT AVAILABLE.  
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243 (1) ((In the event the)) THE owner or owners of one (1) or more properties in the  
244 Town((, so)) located SO that water and sewer service is not available, ((shall))  
245 MAY petition or request the Town to extend service to such property or  
246 properties. FOR PURPOSES OF THIS PARAGRAPH, WATER OR SEWER  
247 SERVICE IS NOT AVAILABLE TO A PROPERTY IF THE PROPERTY TO

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BE SERVED DOES NOT ABUT AN EXISTING WATER MAIN OR AN EXISTING SEWER MAIN, OTHER THAN A FORCE MAIN, THAT LIES IN A PUBLIC ROAD ADJACENT TO THAT PROPERTY. IF THE TOWN ENGINEER DETERMINES ((The Town Commissioners, if they find)) the requested extensions to be feasible, THE TOWN SHALL AUTHORIZE AND DIRECT THE OWNER OR OWNERS TO PROCEED WITH THE EXTENSION OR EXTENSIONS, AT THEIR EXPENSE. THE EXTENSIONS SHALL BE UNDERTAKEN UNDER THE SUPERVISION OF THE TOWN ENGINEER, PURSUANT TO PLANS PREPARED IN ACCORDANCE WITH TOWN SPECIFICATIONS AND APPROVED BY THE TOWN ENGINEER. ((shall instruct the consulting engineers promptly to furnish an estimate of the cost of constructing any such extensions, including the cost of any easements required and a separate estimate of the cost of preparing plans, specifications and drawings therefore. The Supervisor shall inform said owner or owners of said cost estimates. Upon payment to the Town by any such property owner or owners of the amount necessary to defray the estimated cost of said improvements, the Town Commissioners shall instruct the consulting engineers to proceed therewith. Upon completion of any extensions, the property owner(s) shall be charged or credited the difference between the estimated cost and actual cost.)) Service shall be provided upon payment by the owner or owners of the properties to be served of the connection charges prescribed in SECTION 82-2.A.(5)((Subsection B)), above. Thereafter each such property served shall be liable for the usage charges prescribed in Subsection B, above. If additional connections to said extensions are made by property owners who did not contribute to the cost thereof, said property owners requesting connection to the extension shall be assessed a proportional amount of the cost of the said extension. Said assessed amount shall be credited to the property owner or owners who originally contributed to said extension until said contributions have been fully received by property owner or owners, without interest, or for a period not exceeding five (5) years, whichever is less.

- (2) In the event the applicant for any such extensions shall be a person proposing to subdivide property and construct improvements thereon for resale, the procedure hereinabove set forth governing the construction of such extensions shall apply, except as follows:
  - (a) ((Said person shall have the option to construct said extensions at his own expense in accordance with plans and specifications prepared by or under the supervision of the consulting engineers, or he may elect to have said extensions constructed by the Town, as above provided, upon depositing with the Town, first, the cost of plans and specifications and, thereafter, the full amount of the estimated construction cost or the construction cost determined after receipt of bids.

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(b))) The improvements constructed on each lot shall be connected to said extensions upon payment by said person or his vendee of the connection charges prescribed in Subsection A, above. Notwithstanding any other language to the contrary, no building permit, zoning certificate or zoning occupancy permit shall be issued by the Town before all applicable water and sewer connection charges have been paid to the Town, unless the Mayor and Commissioners direct otherwise.

((((c))) (B) Upon the sale or other transfer of each said improved parcel, the purchaser shall become liable for the usage charges prescribed in Subsection B, above.

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**SECTION 2. AND BE IT FURTHER ENACTED** that Sections 82-4, 82-5, 82-6.H., I., J., and K., and 82-7, Article II, Rules and Regulations, Chapter 82, Water and Sewer, in the Code of the Town of Perryville, are repealed and reenacted, with amendments, to read as follows:

ARTICLE II Rules and Regulations

§ 82-4. Compliance required; enforcement.

The following separate rules and regulations are hereby adopted for the administration of the water and sewer systems of the Town. Such rules and regulations shall have the force of law, shall be binding on the owner or occupant of each property connected or to be connected to said systems and shall be enforceable by the ((Supervisor)) TOWN ENGINEER. Any violation of any of said rules and regulations by any such owner or occupant shall constitute a misdemeanor, punishable as hereinabove provided. In addition, the Town shall have the right to compel compliance with said rules and regulations by any such owner or occupant in a civil proceeding in any court of law having jurisdiction, but no such civil proceeding shall constitute a waiver by the Town of its right of criminal prosecution for the same violation. Any person using or proposing to use said water and sewer systems, who is dissatisfied with any decision of the ((Supervisor)) TOWN ENGINEER under said rules and regulations, shall have the right to a hearing before the Town Commissioners, and the decision of the Town Commissioners at said hearing shall be final.

§ 82-5. Definitions.

For the purposes of this Article the following words shall have the meanings indicated:



335 CONSUMER – The owner and the occupant of any property using or proposing to use  
336 either or both of said systems.

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338 SUPERINTENDANT – THE SUPERINTENDENT OF THE WATER PLANT AND  
339 SEWER PLANT.

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341 SUPERVISOR – ((The Commissioner of Water and Sewer or his designee.)) THE  
342 DIRECTOR OF PUBLIC WORKS.

343

344 TOWN – ((The Supervisor and any)) ANY agent or employee of the town responsible  
345 for administrating the water and sewer systems of the Town.

346

347 TOWN ENGINEER – A PROFESSIONAL ENGINEER (P.E.) EMPLOYED BY  
348 THE TOWN OR A CONSULTING ENGINEER UNDER CONTRACT WITH THE TOWN.

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350 § 82-6. Water system.

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352 The following rules and regulations shall govern the use of the water system:

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356 H. Service connections.

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358 (1) The Town shall ((provide)) DESIGNATE THE LOCATION FOR a service  
359 connection for each improved property at a point along the frontage of such  
360 property abutting the street, lane or alley in which a water main lies. The size of  
361 the street service or house connection shall be determined by the ((Supervisor))  
362 TOWN ENGINEER on the basis of the estimated volume of water to be used by  
363 each consumer on the property for which the connection is provided. THE  
364 OWNER OF THE PROPERTY TO BE SERVED SHALL BE RESPONSIBLE  
365 TO MAKE THE CONNECTION IN ACCORDANCE WITH TOWN  
366 SPECIFICATIONS AND PLANS PREPARED BY AND AT THE EXPENSE  
367 OF THE OWNER AND APPROVED BY THE TOWN ENGINEER, AND  
368 UNDER THE SUPERVISION OF THE TOWN ENGINEER.

369

370 (2) After construction of a service connection, any change in the location thereof  
371 or in the size thereof shall be made by the Town at the expense of the consumer.  
372 Maintenance of all service connections to the property line shall be the  
373 responsibility of the Town which shall bear the full cost of such maintenance.

374

375 (3) Consumers shall be responsible for paying the cost of THE SERVICE  
376 CONNECTION AND all service pipes AND LATERAL LINES from the service  
377 connection to and in the improvement on each property to be served. The  
378 ((Supervisor)) TOWN ENGINEER shall determine the quality of pipes to be used

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so that the same will withstand anticipated water pressures. Such service pipes shall be laid on the property of each consumer at such depth and in such location as to connect with the service connection ((provided by the Town)).

\* \* \*

I. Private fire service connections.

- (1) Before any property owner shall install any private fire protection or sprinkler system in any building, which system is to be connected to the water system of the Town, he shall submit his proposal to the ((Supervisor)) TOWN ENGINEER who is hereby empowered to require compliance with reasonable guides and standards as to the installation of said system and the connection thereof with the water system of the Town. Each such system may be separately connected and metered and the property owner shall bear the cost thereof.
- (2) Approval of a connection for a private fire protection system shall not be deemed to constitute a guaranty by the Town that requisite water pressure will be maintained by the Town at all times or that the water main to which said system is connected will be of sufficient capacity at all times to meet the demands of said system. However, the ((Supervisor)) TOWN ENGINEER may, in his discretion, refuse to permit any such connection if, in his judgment, the water system of the Town at the location in question is inadequate to meet the requirements of any such system.

J. Water meters.

\* \* \*

- (3) The size of each meter shall be determined by the ((Supervisor)) TOWN ENGINEER, based on stated flow requirements of each consumer.
- (4) All meters shall be furnished((,)) AND installed((, maintained and removed) by the Town at ((its)) THE COST AND expense OF THE CONSUMER, and shall remain ((its)) THE TOWN'S property at all times. ALL METERS SHALL BE MAINTAINED AND REMOVED BY THE TOWN AT ITS COST AND EXPENSE, EXCEPT THAT ((However,)) each consumer shall be responsible for the cost of change in location or size of the meter requested by such consumer. EACH CONSUMER ALSO SHALL BE RESPONSIBLE TO PAY THE TOWN A METER ADMINISTRATIVE FEE IN THE AMOUNT OF \$100 WHEN A NEW OR REPLACEMENT METER IS INSTALLED, EXCEPT THAT IF A METER IS FOUND TO BE DEFECTIVE THE TOWN SHALL REFUND THE ADMINISTRATIVE FEE TO THE CONSUMER.

423 K. Fire hydrants. Fire hydrants may be installed by the Town and connected to the  
424 water system at such locations as shall be determined by the ((Supervisor))  
425 TOWN ENGINEER, in his discretion. No consumer shall have the right to  
426 demand the installation of a fire hydrant at any location.  
427

428 § 82-7. Sewer system.  
429

430 The following rules and regulations shall govern the use of the sewer system:  
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434 B. Connection required.  
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436 (1) The owner or owners of every property in the Town improved with a structure  
437 used or usable for human habitation or occupancy shall connect said structure to  
438 the sewer system of the Town, if there shall exist a public sewer main, OTHER  
439 THAN A FORCE MAIN, in a street, lane or alley abutting said property or if  
440 such a main shall at any time hereafter be so constructed. Prior to the time each  
441 new connection is made, said owner or owners shall pay to the Town the  
442 appropriate sewer connection charge specified in § 82-2 of this chapter. The  
443 owner or owners of every such improved property which is not connected to an  
444 existing sewer in a street, lane or alley abutting said property and the owner or  
445 owners of every such improved property abutting a street, lane or alley in which a  
446 public sewer is hereafter laid shall make such connection at his or their own  
447 expense at the point and in the manner specified by the ((Supervisor)) TOWN  
448 ENGINEER IN ACCORDANCE WITH TOWN SPECIFICATIONS. Every  
449 such connection to an existing sewer shall be made within ninety (90) days of the  
450 date of passage of this chapter, unless extended by the ((Supervisor)) TOWN  
451 ENGINEER for good cause shown, and every such connection to a new sewer  
452 shall be made within ninety (90) days of the issuance of notice by the  
453 ((Supervisor)) TOWN ENGINEER to said owner or owners advising that said  
454 sewer is available for service. Any existing toilet or other facilities installed in a  
455 structure to be connected to the sewer system of the Town, any such facilities to  
456 be installed at the time of such connection and any such facilities installed after  
457 connection, including all vents, traps and related fixtures, shall be of a type and  
458 construction approved by the ((Supervisor)) TOWN ENGINEER. After such  
459 connection, every such facility shall discharge only into said sewer system and,  
460 unless special approval is granted by the ((Supervisor)) TOWN ENGINEER with  
461 respect to particular types of waste material, no private or separate system of  
462 disposal of sewage and wastes shall be maintained for any such facilities.  
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466 (3) Prior to requiring any such connection, the Town will REQUIRE THE OWNER  
OF PROPERTY TO provide AT THE OWNER'S EXPENSE, at the lowest

467 elevation along the property line of ((each)) THE OWNER'S abutting property, a  
468 separate pipe emptying into the sewer main, to which the building sewer shall be  
469 connected. The dimensions of said pipes may vary, in the judgment of the  
470 ((Supervisor)) TOWN ENGINEER, depending on the volume of sewage to be  
471 discharged from each property. SUCH PIPES SHALL BE INSTALLED IN  
472 ACCORDANCE WITH TOWN SPECIFICATIONS AND UNDER THE  
473 SUPERVISION OF THE TOWN ENGINEER.  
474

475 C. Private facilities.

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477 (1) No privy or similar contrivance for the surface reception of sewage or human  
478 excretion shall be constructed or maintained in the Town, whether or not a public  
479 sewer main is available for appropriate connection. However, the ((Supervisor))  
480 TOWN ENGINEER may grant approval for the temporary use of portable toilets  
481 equipped with self-contained waste holding tanks on construction sites or at  
482 places of large public gatherings where existing sanitary facilities are inadequate,  
483 provided that the method of emptying said holding tanks shall be as specified by  
484 the ((Supervisor)) TOWN ENGINEER in advance of such use.  
485

486 (2) A private sewage disposal system may be continued or hereafter constructed on  
487 any property in the Town if a public sewer is not located in a street, lane or alley  
488 on which said property abuts. Every existing private system shall be subject to  
489 inspection by the Supervisor and, upon receipt of notice from the Supervisor  
490 specifying the failure of any such system to conform to the requirements of the  
491 Health Officer of Cecil County or the applicable regulations of the State  
492 Department of Health of Maryland, the property owner or owners notified shall  
493 promptly make such repairs, alterations or additions as shall bring such system  
494 into compliance. Before construction of any new private disposal system, the  
495 plans therefore shall be submitted to the ((Supervisor)) TOWN ENGINEER for  
496 his examination and no such construction shall be undertaken until said plans  
497 have been approved by the ((Supervisor)) TOWN ENGINEER, as submitted or  
498 as modified pursuant to his demand. In each instance, the ((Supervisor)) TOWN  
499 ENGINEER shall make his decision within thirty (30) days of such submission.  
500 If the ((Supervisor)) TOWN ENGINEER shall disapprove any such plans, his  
501 decision shall be subject to review by the Town Commissioners on petition of the  
502 affected property owner or owners filed within thirty (30) days of such decision.  
503 Failure of the ((Supervisor)) TOWN ENGINEER to act within the time herein  
504 specified shall be deemed a disapproval of the plans submitted. However, the  
505 ((Supervisor)) TOWN ENGINEER may withhold his approval of construction of  
506 any private sewage disposal system if he shall find that the sewer system of the  
507 Town will be extended to provide service to the property affected within not more  
508 than six (6) months from such date of submission and, in such case, he may  
509 authorize such temporary facilities as may be necessary. Such finding shall not  
510 be subject to review.

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(3) No private sewage disposal system, whether now or hereafter constructed, shall be deemed to confer on the owner or owners thereof any vested right to the continuance thereof and every such system shall be promptly abandoned as required by Subsection B, above, when service by the sewer system of the Town becomes available.

D. Building sewers.

(1) No building sewer or sewer line extension connecting a building drain on a property with the sewer system of the Town shall be constructed by the owner or owners of any such property, or by any other person, without the prior written approval of the ((Supervisor)) TOWN ENGINEER. Without such approval, no person shall make any connection to, opening in or use of the sewer system of the Town.

(2) The ((Supervisor)) TOWN ENGINEER shall determine the size of each building sewer to be installed, depending on the volume and type of sewage to be carried thereby. In addition, both before and during construction, the ((Supervisor)) TOWN ENGINEER shall be satisfied that the slope, alignment and construction materials, as well as the method of excavating, placing of pipe, jointing, testing and trench backfilling all comply with applicable plumbing codes of Cecil County and with appropriate specifications and manuals of the American Society for Testing and Materials and the Federal Water Quality Administration. He shall see that all connections are made gastight and watertight and that no drains or downspouts carrying surface runoff or groundwater are connected to the building sewer.

(3) Wherever possible, the ((Supervisor)) TOWN ENGINEER shall require that a building sewer be brought to a building at an elevation below the basement floor so as to permit gravity flow, but where this shall not be possible, he shall require that sewage carried by the building drain be lifted by an approved means for discharge into the building sewer.

(4) A final inspection of each building sewer shall be made by the ((Supervisor)) TOWN ENGINEER before trench backfilling, and, upon such inspection, he may require such additional work as may be necessary to meet the foregoing requirements.

(5) The ((Supervisor)) TOWN ENGINEER shall require that all excavations for a building sewer be adequately guarded and illuminated during the construction period and that all damage to a sidewalk or public way or to a public sewer main be fully repaired and restored AT THE COST AND EXPENSE OF THE PROPERTY OWNER. Existing building sewers meeting the requirements of

555 this subsection may, with the approval of the ((Supervisor)) TOWN ENGINEER,  
556 be used for a new structure replacing the structure connected to said sewer. The  
557 ((Supervisor)) TOWN ENGINEER may permit a single building sewer to serve  
558 two (2) adjacent structures where he shall find that construction of a separate  
559 building sewer for each structure is not possible or feasible. In such case,  
560 however, a separate connection and sewer usage charge shall be imposed for each  
561 structure.

562  
563 (6) Each building sewer shall be constructed, as aforesaid, and thereafter maintained,  
564 at the sole cost and expense of the owner or owners of the property connected.  
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566 E. Limitations on use of sewer system.

567  
568 (1) No person shall discharge or cause to be discharged any stormwater, surface  
569 water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling  
570 water or unpolluted industrial process waters to any public sewer. Stormwater  
571 and all other unpolluted drainage, including industrial cooling water or unpolluted  
572 process waters, shall be discharged to natural outlets approved by the  
573 ((Supervisor))SUPERINTENDENT OR TOWN ENGINEER.  
574

575 \* \* \*

576  
577 (3) No person shall discharge or cause to be discharged into the sewer system the  
578 following described substances, materials, waters or wastes unless the  
579 ((Supervisor)) SUPERINTENDENT finds that because of the quantities of  
580 subject wastes in relation to flows and velocities in the sewers, materials of  
581 construction of the sewers, nature of the sewage treatment process, capacity of the  
582 sewage treatment plant, degree of treatability of wastes in the sewage treatment  
583 plant and other pertinent factors, such wastes will not harm either the sewers,  
584 sewage treatment process or equipment, have an adverse effect on the receiving  
585 watercourse or can otherwise endanger life, limb, public property or constitute a  
586 nuisance. The substances prohibited are:

587 \* \* \*

588  
589 F. Special powers of municipal ((supervisor)) SUPERINTENDENT.

590  
591 (1) If any waters or wastes are discharged or are proposed to be discharged to the sewer  
592 system, which waters contain the substances or possess the characteristics  
593 enumerated in Subsection E, above, MUST HAVE PRIOR APPROVAL OF THE  
594 SUPERINTENDENT, AND, the ((Supervisor)) SUPERINTENDENT may:

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597 (2) If the ((Supervisor)) SUPERINTENDENT permits the pretreatment of  
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equalization of waste flows, the design and installation of the plants and equipment shall be subject to his review and approval in accordance with the requirements of all applicable laws. Such pretreatment plants and equipment shall be continuously maintained in satisfactory operating condition by the consumer.

(3) Grease, oil and sand interceptors shall be provided when required by the ((Supervisor)) SUPERINTENDENT OR TOWN ENGINEER for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for dwelling units. All interceptors shall be of a type and capacity approved by the ((City)) SUPERINTENDENT OR TOWN Engineer and shall be so located as to be readily and easily accessible for cleaning and inspection.

(4) When required by the ((Supervisor)) SUPERINTENDENT, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the ((Supervisor)) TOWN ENGINEER. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all time.

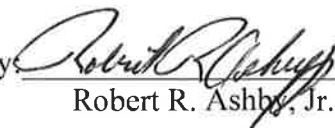
\* \* \*

**SECTION 3. AND BE IT FURTHER ENACTED** that this Ordinance shall take effect twenty (20) days following approval by the Mayor and Commissioners.

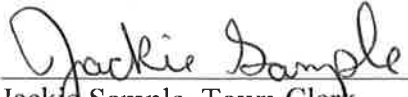
**ADOPTED** this 15<sup>th</sup> day of September, 2020, by a vote of 5 yeas, 0 nays, and 0 abstentions.

**SEAL:**

**MAYOR AND COMMISSIONERS OF  
THE TOWN OF PERRYVILLE**

By:   
Robert R. Ashby, Jr., Mayor

**ATTEST:**

  
Jackie Sample, Town Clerk

643 Date: 9/15/2020