

**RESOLUTION NO. 14 - B**

**FINANCING OF EQUITY CONTRIBUTIONS FOR EXISTING  
DEVELOPED PROPERTIES CONNECTING TO  
PUBLIC WATER AND SEWER SERVICES IN SANITARY SERVICE AREAS**

WHEREAS, the County Commissioners of Worcester County, Maryland amended the Worcester County Comprehensive Water and Sewerage Plan on January 20, 2004, by Resolution No. 04-3, which added the Existing Ratepayers Financial Protection Policy to protect existing ratepayers within a sanitary service area from the costs associated with new development wishing to be served by the public water and/or sewer facilities of the service area; and

WHEREAS, in accordance with the Existing Ratepayers Financial Protection Policy, a portion of the connection charge for new development includes an Equity Contribution to compensate existing ratepayers for an equitable share of the existing system's value at the time of connection; and

WHEREAS, the County Commissioners wish to encourage connection to public water and/or sewer services for existing developed properties which are currently served by private well and/or septic systems within sanitary service areas where treatment and disposal capacity is available and has been allocated for connection of such properties; and

WHEREAS, the County Commissioners have determined that it is desirable and serves an important public purpose to enable financing of the Equity Contribution portion of the Connection Charge for such existing developed properties wishing to connect to public water and/or sewer services within sanitary service areas, subject to this policy.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following regulations are hereby established regarding financing of the Equity Contribution portion of the Connection Charge for existing developed properties which are currently served by private well and/or septic systems and which are subsequently connected to public water and/or sewer services within an existing sanitary service area:

**PURPOSE**

The purpose of this Resolution is to permit the financing of the Equity Contribution portion of the Connection Charge for existing developed properties which are currently served by private well and/or septic systems and which are converted to public water and/or sewer services within an existing County-owned and operated sanitary service area and to establish required procedures therefore.

**PERMITTED**

Financing of the Equity Contribution portion of the Connection Charge for existing developed properties which are currently served by private well and/or septic systems and which are converted to public water and/or sewer services within an existing County-owned and operated sanitary service area is hereby permitted.

**CONDITIONS**

Where there is an existing developed property within a sanitary service area currently served by a private well and/or septic system whereby the property owner desires or is required to connect to the public water and/or sewer facilities of that service area and requests financial terms to be extended by the

County for the Equity Contribution portion of the Connection Charge, the following conditions shall apply:

1. The property owner may elect to pay the Equity Contribution in one lump sum payment at the time of connection.
2. The property owner may elect to pay the Equity Contribution over a period of up to fifteen (15) years with annual interest accrued at the rate established by the County Commissioners as part of the annual Sanitary Service Area Budgets, Assessments and Charges, with the condition that the remaining balance of the Equity Contribution shall be paid in full upon transfer of the property.
3. The property owner is responsible for all costs related to the physical connection of their property to the existing public water and/or sewer infrastructure and for proper capping and closure or removal of their previous well and/or septic system . Only the Equity Contribution portion of the Connection Charge is eligible for financing. When using a Public Works Agreement (PWA), a property owner pursuing construction of water or sewer lines or facilities must pay actual construction inspection fees and charges. Furthermore, Future Capital Improvement (FCI) charges must be paid at the time of connection. The approved terms for financing of the Equity Contribution portion of the Connection Charge shall be added to the final Public Works Agreement.
4. Financing of the Equity Contribution portion of the Connection Charge is only eligible for existing developed properties served by private well and/or septic systems and is not eligible for new development.

#### **PROCEDURE**

Property owners desiring financing of the Equity Contribution portion of the Connection Charge shall apply to the department designated by the County Commissioners for such applications upon forms approved by the department, which shall be signed by the legal owner(s) of the property to be served, and provide such other documentation as required by the department.

The department shall coordinate review of the application by appropriate County agencies and if it is found favorable and is in accordance with the conditions of this policy, financing shall be approved. If the application is not in accordance with the conditions of this policy, it shall not be approved.

#### **RECORD KEEPING AND DOCUMENTATION**

The department shall maintain a registry of all applications for financing of the Equity Contribution portion of the Connection Charge and all decisions made on each application.

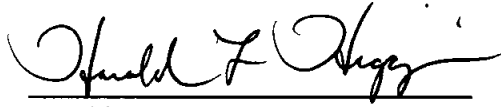
#### **REVIEW OF DENIAL**

Any applicant whose application is denied by the department, may in writing, within thirty (30) days of denial, request a review of the application by the County Commissioners. The County Commissioners shall have the authority to direct the department to approve the application or may let the denial stand. There shall be no appeal to any court and there shall be no right to review or appeal by any person other than the applicant.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

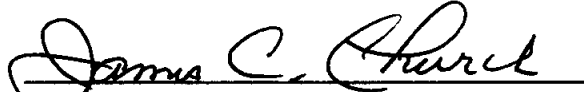

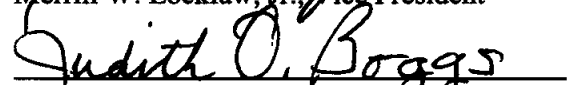
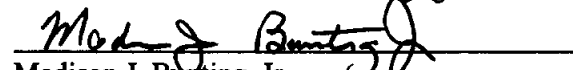
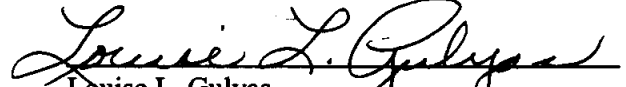
PASSED AND ADOPTED this 18<sup>th</sup> day of March, 2014.

ATTEST:



Harold L. Higgins  
Chief Administrative Officer

WORCESTER COUNTY COMMISSIONERS

  
James C. Church, President  
Merrill W. Lockfaw, Jr., Vice President  
Judith O. Boggs  
Madison J. Bunting, Jr.  
Louise L. Gulyas

**Absent**

James L. Purnell, Jr.

  
Virgil L. Shockley