

CHAPTER 36

AN ORDINANCE REGULATING PARKING, STOPPING AND STANDING WITHIN THE CORPORATE LIMITS OF THE TOWN OF HANCOCK, MARYLAND

SECTION 1.

A. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different meaning, the following terms shall, for the purposes of this Ordinance, have the meanings indicated in this Section.

1. Disabled: Shall mean incapable of moving under its own power.
2. Operator: Shall mean and include every individual who shall operate a vehicle as the owner or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle.
3. Park, Parking: Shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.
4. Parking Meter: Shall mean and include any mechanical device or meter not inconsistent with the Ordinance, placed or erected for the regulation of parking by authority of this Ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the Town and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.
5. Parking Meter Space: Shall mean any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.
6. Parking Meter Zone: Shall mean and include any restricted street upon which parking meters are installed and in operation.
7. Unlicensed: Shall mean not having the proper tag as required by the Laws of the State of Maryland.

8. Vehicle: Shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

9. Wrecked: Shall mean the vehicle is damaged to the extent that the cost of repairing the vehicle would be more than the market value of the vehicle in its damaged condition.

SECTION 2: PROHIBITED PARKING AND UNLAWFUL ACTS

The following parking is prohibited.

A. When signs prohibiting parking are erected on narrow streets, no person shall park a vehicle in any such designated place.

B. When signs are erected upon approach to hazardous or congested areas, no person shall park a vehicle in any such designated place.

C. No person shall park a vehicle within an alley or upon a street or highway in such manner or under such conditions as to block the free movement of vehicular traffic.

D. No person shall park a vehicle on any street, highway, or alley for a longer period than twenty-four (24) hours, other than in front of the immediate property owned or occupied or under the control of the owner of said vehicle.

E. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four thousand (4,000) pounds on any street, highway, or alley for a longer period than four (4) hours, unless the owner or person in charge thereof secures a permit in writing from the Town Clerk or administrative head of the Police Department to remain for a longer period of time.

F. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four (4,000) pounds for a longer period than one hour (1) on any street or highway in front of any property used or intended to be used exclusively for residence purposes; provided, however, that the provisions of the section shall not apply to commercial trucks which are parked for the purpose of or in connection with the performance of work or services for or on behalf of any person within a radius of one (1) block from such property used or intended to be used exclusively for residence purposes.

G. When signs are erected or posted for purposes of cleaning the streets, or repairing the streets, or for purposes of parades or for any other corporate reasons in each block giving such notice, no such person shall park any vehicle, either attended or unattended upon any street over which said sign shall be posted.

H. When a section of the curb along any street is colored red by the application of paint or other material and by proper authority, no person shall park a vehicle there at any time.

I. No person shall park a vehicle, other than a motorbus at any place established and designated as a motorbus stop or station.

J. No person shall park a vehicle, other than a taxicab, at any place established and designated as a taxicab stand.

K. No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within five (5) feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within twenty (20) feet of a driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance, except at locations not deemed necessary by the Mayor and Council, when properly sign-posted.
- (7) Alongside of or opposite any street excavation or obstruction when such parking would obstruct traffic.
- (8) At any place where official signs prohibit parking.

L. Coin Deposit: Violation. Except in a period of emergency determined by an officer of the Fire Department or Police Department, or in compliance with the directions of a police officer or traffic-control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the parking meter space, immediately deposit or cause to be deposited in the meter such proper coin of the United States in such amount as shall be set by the Mayor and Council or their lawfully designated agent, as is required for such parking and as is designated by the proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin and to set the timing mechanism in operation when so required, shall constitute a violation of this Ordinance. Upon the deposit of such coin and the setting of the timing mechanism in

operation, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which the parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If such vehicle shall remain parked in such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this Ordinance.

M. To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as described in this Ordinance, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

N. To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle is occupying such parking space has already been parked beyond the period prescribed or such parking space.

O. To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

P. To deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Ordinance.

Q. To deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.

R. Unattended Vehicles: No person shall stand or park a vehicle upon any roadway for the principal purpose of displaying it for sale or washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

S. Restricted Parking: No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, or when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

T. Time Limits: It shall be unlawful for the owner or person responsible for any vehicle to park or leave for more than twenty-four (24) hours or to permit an

individual or corporation to park or leave for more than twenty-four (24) hours, upon the public streets, alleys, ways, or any property of the Town of Hancock, any unlicensed, disabled, or wrecked vehicle.

SECTION 3. HOURS OF OPERATION

Parking meters shall be operated in the parking meter zones between the hours of 9:00 A.M. and 5:00 P.M., Monday through Saturday of each week, except that such meters shall not be operated on national public holidays or Sundays.

SECTION 4. IMPOUNDING OF VEHICLES

A. Irrespective of other provisions of this Ordinance for penalizing illegal parking of vehicles in the following specified instances and addition thereto, the duly authorized enforcement office and/or a police officer are hereby authorized and directed to tow away or have towed away by a competent person, all vehicles violating parking prohibitions contained in any of the previous provisions of this Ordinance.

(1) When it becomes necessary for the Town to carry out the provisions of this section by moving a vehicle illegally parked as aforesaid, it shall be the duty of the Town to provide storage space for such vehicle, either in a municipal garage or in a safe and dependable private garage, but, nevertheless nothing herein shall be taken or construed as obligating the Town or any municipal department for damage done to or destruction of such vehicle so stored, unless by law otherwise provided.

(2) The cost of the towing and storage as hereinbefore provided shall be determined as follows:

a. If the towing or storage is done by the Town the cost therefore shall be in accordance with the reasonable expenses incident to the same, plus a reasonable charge as compensation therefore.

b. If the towing or storage is done by a private company or individual, then the cost shall be at the rate usually charged for such service by such company or individual, but in no case shall the cost exceed a reasonable compensation for the actual labor, material or space involved.

c. It shall be entirely within the discretion of the Town as to whether the towing and storage provided in this section shall be done by a municipal department or by a private company or individual, but, nevertheless, the Town shall exercise its best judgment in determining

the means for such towing and the place for the storing so that the cost of the same shall be kept to a minimum.

(3) Upon a determination by the Town of the cost of towing and storing an illegally parked vehicle, the same shall be charged against the owner of the vehicle and shall be added to and be made a part of, any fine thereafter imposed for such violation.

(4) Irrespective of any method for collecting fines for traffic violations otherwise provided, and in addition thereto, all towing and storage costs imposed under this section shall constitute and be a lien against any vehicle so found to be illegally parked and such lien shall not be lost, nor shall the same be considered waived by reason of the owner's taking possession of the vehicle before the costs are paid.

(5) In the event that any vehicle is towed and stored in accordance with the provisions herein contained, and is not claimed by the owner within thirty (30) days of notice to said owner; then the Police Department of the Town of Hancock may sell said vehicle at public sale after advertising in the newspaper for three (3) consecutive weeks and notice to the owner thereof by registered mail, return receipt requested at the owner's last known address.

In the event that the owner shall not be available or shall refuse the notice, the sale and lien shall be valid if conducted in accordance with the provisions hereof. In the event that there is a surplus of over and above the proceeds and actual towing, storage, and advertising and legal costs involve after the sale of said vehicle, the said sums shall be paid to the owner of the vehicle where he is able to be located; and where not located said sums shall be forfeited to the general fund of the corporation.

SECTION 5. INTERPRETATION

Nothing in this Ordinance shall be construed as prohibiting the Mayor and council from providing for bus stops, taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans or other commercial vehicles.

SECTION 6. ENFORCEMENT

This Ordinance shall be enforced by (a) any police officer and/or (b) a parking regulation enforcement officer who may be designated by the Mayor and Council.

The parking regulation enforcement officers are hereby authorized to issue citations for violation of this Ordinance and shall enforce this Ordinance in accordance with the provisions of the Annotated Code of Maryland, Transportation, Subtitle 3, Parking

Ordinances and Regulations, Section 26-301, et seq. and as it may from time to time be amended.

SECTION 7. PENALTIES

A. General.

The violation of this Ordinance in addition to the other remedies provided herein, shall be considered a misdemeanor. Any person upon conviction shall be fined not less than Two (\$2.00) Dollars nor more than Fifty (\$50.00) Dollars. Each violation of this Ordinance shall constitute a separate offense and each day shall constitute a separate offense.

B. In the event that any vehicle is unlawfully parked in accordance with the provisions of this Ordinance for a period of twenty-four (24) hours, the Town through its duly authorized enforcement officer is hereby authorized to direct the tow or have towed away by a competent person all such vehicles violating the parking prohibitions contained in this Ordinance.

C. In the event any person perceives a parking citation pursuant to this Ordinance and fails to pay same in accordance with this Ordinance and the Annotated Code of Maryland, the Town shall have the right to utilize, among other remedies, those administrative remedies available to the Town pursuant to the Transportation Article of the Annotated Code of Maryland including but not limited to the suspension of the violators registration. If the Town is required to take administrative action against a person violating this Ordinance, the Town shall have the right to assess in addition to any other penalties set forth herein administrative fees which shall be paid prior to any reinstatement of the violator's registration or lifting of any suspension which may be imposed.

D. Specific Violations.

The following fines shall be assessed and collected if the person receiving same does not elect to stand trial pursuant to the Annotated Code of Maryland, Transportation Article:

- (1) Parking overtime (if paid by 5:00 o'clock the next business day) - \$2.00.
- (2) Parking during designated street sweeping times (if paid by 5:00 o'clock the next business day) - \$2.00
- (3) Parking overtime (if paid after 5:00 o'clock the next business day) - \$5.00.

- (4) Parking during designated street sweeping times (if paid after 5:00 o'clock the next business day) - \$5.00
- (5) Double parking - \$5.00
- (6) No parking sign - \$10.00
- (7) Parking on a red line - \$5.00
- (8) Parking on a red line going the wrong way - \$10.00
- (9) Blocking a walkway - \$10.00
- (10) Blocking an alley - \$5.00
- (11) Parking the wrong way - \$10.00
- (12) Parking in front of a fire hydrant - \$5.00.

SECTION 8. HEADINGS – MISCELLANEOUS

The paragraph headings contained herein are for the convenience and reference and are not intended to define or limit the scope of any provision of this Ordinance.

All references made, and all nouns and pronouns used in this Ordinance shall be construed in the singular or plural, and in such gender as the sense and circumstances require.

SECTION 9. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of the remaining provisions shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE

The effective date of this Ordinance shall be the date of passage.

CHAPTER 37
WATER AND SEWER
ORDINANCE
TOWN OF HANCOCK, MARYLAND

Former Chapter 10

Effective May 31, 1995
Enacted and effective April 8, 1986
Amended and Enacted May 31, 1995
Recorded Liber 5, folio 512
Amended and enacted 1997
Recorded at Liber 6, folio 423

CHAPTER 37
(FORMERLY CHAPTER 10)

WATER AND SEWER

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Section

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- 10-102 Commercial Metered Users
- 10-102 New Water Service
- 10-104 Payment for Water Service

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ARTICLE 1: WATER SERVICE ORDINANCE

Section 10-101. WATER RATES IN GENERAL

All rates for water consumption shall be set by ordinance of the Mayor and Council of the Town of Hancock after a hearing as required by the Annotated Code and amended as required to meet necessary rate requirements needed for proper fiscal operations of the Water Treatment Plant and Distribution System. Out of Town rates shall be calculated at twice the in-Town rate.

Section 10-102. COMMERCIAL METERED USERS

- a. The cost of all water meters, larger than one inch, shall be paid for by the consumer. In addition, the cost of installation of such meters shall be paid by the consumer.
- b. The Town Council may authorize the installation of a larger meter at commercial premises when, in their judgement, it is in the best interest of the Town.

Section 10-103. NEW WATER SERVICE

- a. When a water main is located in the street adjacent to an improved property, with such improvement being within 350' of property line adjacent to said main, the Town will tap the main and extend the water line from the main to the property line of the consumer and consumer shall be required to connect as per section 16-80 of the Town Charter. The fees for such service, payable to the Town of Hancock will be in accordance with the fee schedule, set and/or changed by ordinance of the Mayor and Council as need arises.
- b. The cost of extending water lines into new territory or into areas not previously served shall be borne by the developer of new areas. If a petition is presented for water service, applicants residing in such new territory or area not served previously by the Town water system may be required, at the Town's discretion, to pay all costs incurred for the extension.

Section 10-104. PAYMENT FOR WATER SERVICE

- a. All charges for water service furnished to non-commercial properties served by the Town of Hancock shall be charged to the owner of record of the property irrespective of the identity of the occupant of said property.
- b. All water fees and charges shall be due and payable at the office of the Mayor and Council or mailed to 126 West High Street, Hancock, Maryland 21750 within thirty

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(30) days of billing date indicated on payment notice.

- c. All water fees and charges not paid within thirty (30) days from the billing date indicated on the payment notice will result in the water service to premises of said delinquent consumer being shut off.
- d. Upon water service being discontinued for non-payment, there shall be a charge fee for turning the water on again and the delinquent account and all associated fees must be paid in full with interest per quarter prior to reconnecting the water service.
- e. All delinquent charges shall be a lien on the property, collectible in the same manner as Town taxes or by suit at law.

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Article 2. SEWER SERVICE ORDINANCE

Section 10-201 SEWER RATES IN GENERAL

All rates for sewer usage shall be set by ordinance of the Mayor and Council of the Town of Hancock after a hearing as required by the Annotated Code and amended as required to meet necessary rate requirements needed for proper fiscal operations of the Sewer Treatment Plant and Collection System. Out-of-Town rates shall be calculated at twice the In-Town rate.

Section 10-202. Commercial Metered Users

- a. The cost of all lateral installations other than the standard type installation for residential services shall be borne by the consumer.
- b. The Town Council may authorize the installation of non-standard laterals (i.e. with monitoring manholes, etc.) when in their judgement it is in the best interest of the Town.

Section 10-203. NEW SEWER SERVICE

- a. When a sewer main is located in the street adjacent to an improved property with such improvement being within 350' of property line adjacent to said main, the Town will tap the main and extend the sewer line from the main to the property line of the user and user shall be required to connect as per Section 16-80 of the Town Charter. The fees for such service, payable to the Town of Hancock will be in accordance with the fee schedule, set and/or changed by ordinance of the Mayor and Council as need arises.
- b. The cost of extending sewer lines into new territory or into areas not previously served shall be borne by the developer of new areas. If a petition is presented for sewer service, applicants residing in such new territory or area not served previously by the Town sewer system may be required, at the Town's discretion, to pay all costs incurred for the extension.
- c. Grinder pumps installed by, or at the direction of the Town or by the property owner, after adoption of this ordinance shall be the responsibility of the property owner. A utility easement covering the grinder pump service line shall be dedicated to the Town at the property owner's expense. *(Amended July 9, 1997, recorded in Liber 6, folio 423. Former Chapter 10, Hancock Code.)*

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Section 10-204. PAYMENT FOR SEWER SERVICE

- a. All charges for sewer service furnished to non-commercial properties served by the Town of Hancock shall be charged to the owner of record of the property irrespective of the identity of the occupant of said property.
- b. Sewer service charges shall be billed at the same time statements for water charges are rendered, and shall be collected at the same time and in the same manner. Sewer Service Charges shall be based on metered water consumption.
- c. All sewer fees and charges not paid within thirty (30) days from the billing date indicated on the payment notice will result in the water service to premises of said delinquent consumer being shut off.
- d. Upon service being discontinued for non-payment, there shall be a charge fee for turning the service on again and the delinquent account and all associated fees must be paid in full with interest per quarter prior to reconnecting the service.
- e. All delinquent charges shall be a lien on the property collectible in the same manner as Town taxes or by suit at law.

Article 3. Sewer Use Ordinance

10-301.1 Objective

It is the objective of the Town of Hancock, Maryland, to restore, maintain, and protect the chemical, physical, and biological integrity of the water and watercourses of the Town of Hancock, and to permit the discharge of sanitary sewage and of industrial wastes into the sanitary sewer system of the Town provided such discharge does not damage the sewer system or unduly restrict the capacity of the system to receive sanitary sewage or adversely affect the wastewater treatment process, or in any other way constitute a detriment to the wastewater collection system, the wastewater treatment plant or the receiving waters.

10-301.2 Declaration of Policy

It is declared to be the purpose of this Article to specify:

- A. Those wastewaters, including industrial wastes, which will be accepted in the sanitary sewer system of the Town.
- B. Types of wastes which will be prohibited from discharge to the sanitary sewer system of the Town.

10-301.3 Principle

It is the intent of this Article to establish the principle that sanitary sewer services, including, but not limited to, sewer extensions, installation of service connections, operations and services performed by the Town shall be provided on the basis that the Town's system will be self-supporting and that all functions of the Town's operations will be performed in accordance with the Town of Hancock's Sewer Use Ordinance.

10-301.4 Rate Charge

The charges and rates for the use and service of the public sanitary sewer system of the Town shall be fixed and collected, by ordinance after a hearing as required by the Annotated Code and as amended, by ordinance of the Mayor and Council.

10-301.5 Rate Schedule Available

The Town shall maintain and make available to the public the schedule of sewer rents, rates and charges which the Town shall fix, establish and adjust.

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10-302 Definitions

10-302.1 Words and Terms Defined

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

ALLOCATION -- The allowable quantity of wastewater to be discharged into the sanitary sewer system by any customer as predetermined by the Town.

APHA-- American Public Health Association.

APPROVING AUTHORITY(IES) -- The Town of Hancock, the Washington County Health Department, the Washington County Plumbing Board, Maryland Department of the Environment. Wherever this term is used herein it shall mean one or more of the above, as applicable to a particular situation, each acting within its legal jurisdiction on matters pertaining to water pollution control.

ASTM -- American Society for Testing and Materials.

BOD5 -- (denoting Biochemical Oxygen Demand) - The value expresses the quantity of oxygen required by the bacteria to stabilize the organic matter in the wastewater in a five (5) consecutive day test at twenty degrees centigrade (20 C), expressed in milligrams per liter (mg/l) as determined in accordance with the latest issue of APHA "Standard Methods for the Examination of Water and Wastewater" or by a method acceptable to the State of Maryland or the United States Environmental Protection Agency.

BUILDING DRAIN -- That part of the lowest horizontal piping of a drainage system which receives the discharge from waste pipes inside the walls of the building and conveys it to the building sewer, beginning one and five-tenths (1.5m) meters/five (5) feet outside the inner face of the building wall.

BUILDING SEWER -- The sewer from the building drain to the service connection.

COD -- (denoting Chemical Oxygen Demand) - The value expresses the total quantity of oxygen required by the bacteria for oxidation of the organic matter in the wastewater to carbon dioxide and water, in a three (3) hour test of one-hundred fifty degrees centigrade (150 C), expressed in milligrams per liter (mg/l), as determined in accordance with the latest issued of APHA "Standard Methods for the Examination of Water and Wastewater" or by a method acceptable to the State of Maryland or the United States Environmental Protection Agency.

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COLLECTION SYSTEM -- All facilities and processes for collection and transporting sewage, including but not limited to collectors, interceptors, force mains, manholes, and pump stations, and also includes all materials, equipment, and vehicles for its' proper operation and maintenance.

COUNTY -- Washington County

COLOR -- The color of a wastewater is the hue, lightness, and saturation of the light transmitted by the waste solution prior to, during, and after removing the suspended material and the pseudocolloidal particles representing apparent color, as well as the soluble matter representing true color.

COMMERCIAL ESTABLISHMENTS -- Any structure or any portion thereof intended to be used wholly or in part for the purposes of carrying on a trade, business or profession or for social, amusement, religious, educational, charitable or public uses, and which contains plumbing for kitchens, toilets or washing facilities.

COMPATIBLE WASTES -- Wastes which are amenable to collection, transmission, and treatment in the Town's sewerage system.

CROSS CONNECTION -- The direct arrangement of any piping, line or hose which allows the potable water supply to be connected to a drain, tank, or sewer which contains a contaminant.

CUSTOMER -- and the terms HE, HIM, and HIS -- Any person, persons, institution, firm, business, agency, or corporation irrespective of gender, who may be an applicant for or a user of the sanitary sewer service of the Town.

DISCHARGE -- The act of or point at which water and/or wastewater is emptied or released into, permitted to flow into, or escaping into manholes, sanitary sewers, storm drains, or similar appurtenances thereof, or into receiving waters by means of various plumbing fixtures, piping or channels.

DOMESTIC WASTE -- Any solid, liquid or gaseous substance containing ONLY human wastes and/or household wastes discharged, permitted to flow or escaping from any residential, industrial, manufacturing, commercial, institutional, or business establishments.

EDU - See PRIVATE DWELLING OR LIVING UNIT - 250 gallons per day usage.

FEDERAL -- Of or relating to the government of the United States of America.

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GARBAGE -- Solid wastes from the domestic or commercial preparation, cooking, and/or dispensing of food, or from the handling, storage, and/or sale of produce.

INDUSTRIAL ESTABLISHMENT -- Any structure intended to be used wholly in part for the manufacturing, fabricating, processing, cleaning, laundering or assembly of any product, commodity or article.

INDUSTRIAL WASTE -- Any solid, liquid, or gaseous substance or water borne wastes or form of energy discharged, permitted to flow, or escaping from any industrial, manufacturing, commercial, institutional or business establishment or process, or from the development, recovery, or processing of any natural resource, which substance, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product or which substance possesses any characteristics other than a domestic waste nature.

MAY -- May is permissive; SHALL is mandatory.

NATURAL OUTLET -- Any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

PERMIT -- A Sanitary Sewer Connection Permit or an Industrial Waste Discharge Permit or an Allocation Increase Permit.

PERSON -- An individual, firm, company, public or private corporation, partnership, association, society, state or the United States of America, political subdivision of a state, interstate body, or other entity whatsoever.

pH -- The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PLUMBING CODE -- The Washington County Plumbing Code

PLUMBING INSPECTOR -- The duly designated Plumbing Inspector of Washington County, Maryland.

POLLUTED WATERS -- Water which has been contaminated by the addition of wastewater or other harmful or objectionable materials, or by any man-made or man-induced alteration or the chemical, physical, biological, and/or radiological integrity of water.

PRETREATMENT -- Any process whereby undesirable constituents in the wastewater, including but not limited to: soluble organics, toxic materials, heavy metal ions, color and turbidity, nutrients, refractory materials, oil, grease and immiscible liquids, acids and alkalies, organic and inorganic solids, excessive temperatures, pathogenic wastes, and radioactive isotopes, are reduced to levels

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deemed acceptable by the Town, before these wastewaters are admitted to the Town's system.

PRIVATE DWELLING OR LIVING UNIT -- A structure or dwelling intended to be occupied as a whole by one family or an apartment intended to be occupied by one family or any other single family living unit.

PROPERLY SHREDDED GARBAGE -- The wastes from the preparation, cooking, and/or dispensing of food, that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the public sanitary sewers, with no particle greater than one and twenty seven hundredths (1.27 cm) centimeters (one half inch (1/2")) in any dimension.

PUBLIC SANITARY SEWER -- A sanitary sewer to which all owners of abutting properties have equal rights.

SANITARY SEWER -- A sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

SERVICE CONNECTION -- That portion of the sanitary sewer between the sewer main and the property line to which the building sewer is connected.

SEWAGE -- Any combination of the water-carried domestic and/or industrial wastes from various customers, including residences, business buildings, institutions, or industrial establishments, together with such ground water, surface water, and storm water, resulting from infiltration and inflow, as may be present.

SEWER -- A pipe or conduit for carrying sewage.

SEWERAGE SYSTEM -- All facilities included under the collection system and treatment plant categories as defined herein.

SHALL -- Shall is mandatory; MAY is permissive

SLUG-- Any discharge of water, or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four hour concentration of flows during normal operation.

STATE -- The State of Maryland.

SUSPENDED SOLIDS -- Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

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TOWN -- The Town of Hancock.

TREATMENT PLANT -- Any arrangement of structures, devices, equipment, chemicals and processes used for treating and disposing of wastewater.

WASTEWATER -- Any combination of the water-carried domestic and/or industrial wastes from various customers, including residences, business buildings, institutions, or industrial establishments, together with such ground water, surface water, and storm water resulting from infiltration and inflow.

WATERCOURSE -- A channel or conduit in which a flow of water occurs, either continuously or intermittently.

WEF -- Water Environment Federation

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10-303 Use of the Public Sanitary Sewer Required

10-303.1 Prohibited Deposit

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage, or other objectionable waste.

10-303.2 Prohibited Discharge

It shall be unlawful for any person to discharge or permit to be discharged to any natural outlet within the Town or in any area under the jurisdiction of the Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

10-303.3 Private Facilities Prohibited; Exception.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage; provided, however, that the Approving Authority may issue a written permit for temporary use of sanitary pot chemical toilet or equivalent. The duration of such permit shall not exceed one (1) year but may be renewed at the discretion of the Approving Authority.

10-303.4 Duty of owners to connect.

The owner of all houses, building, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town and abutting on any street, alley, or right-of-way in which there is located or may in the future be located a public sanitary sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sanitary sewer in accordance with all applicable provisions of the Town Law within the time prescribed by the Mayor and Council of Hancock. Any violation of this requirement shall be a misdemeanor punishable under the provisions of Town Law.

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10-304 Private Sewage Disposal

10-304.1 Lack of Public Sanitary Sewer

Where a public sanitary sewer is not available under the provisions of Section 10-303.4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

10-304.2 Washington County Health Department Permit.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Washington County Health Department. The owner shall apply for such permit in the manner specified by the Washington County Health Department. The owner shall furnish any plans, specifications, and/or other information as are deemed necessary by the Approving Authority(ies).

10-304.3 Inspection of Installation.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the applicable Approving Authority(ies). They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Approving Authority(ies) when the work is ready for final inspection and before any underground portions are covered.

10-304.4 Compliance with Recommendations and Requirements.

The type, capacities, location and layout of a private sewage disposal system shall comply with all requirements of the State Department of Health and Mental Hygiene and with all recommendations of the Approving Authority(ies). No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where percolation tests have not been made to determine the size of the absorption area. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

10-304.5 Connection Required When Sewer Available.

At such time as a public sanitary sewer becomes available to a property served by a private sewage disposal system, as provided in Section 10-304.4, a direct connection shall be made to the public sanitary sewer within thirty (30) days and any septic tanks, cesspools, and/or other private sewage disposal facilities shall be abandoned, closed and left in a sanitary condition so that no odor or nuisance shall arise therefrom.

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10-304.6 Owner's Responsibility.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner and in compliance with its' intended use at all times, at no expense to the Town.

10-304.7 Additional Requirements

No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Approving Authority(ies).

10-305 Allocation and Connection Assessments and Procedures

10-305.1 Permit Required

No unauthorized person shall uncover, make and connections with or opening into, use, alter, or disturb any public sanitary sewer or appurtenance thereof, nor shall any un-authorized person discharge any industrial waste into any public sanitary sewer or appurtenance thereof, nor shall any customer increase the volume of acceptable wastewater discharged into any public sanitary sewer appurtenance thereof, above the established allocation for said customer, without first obtaining a written permit from the Approving Authority.

10-305.2 Classes of Permits

There shall be three (3) classes of sanitary sewer service permits:

- A. Sanitary Sewer Connection Permit - for the approval of all residential and non-residential service connections.
- B. Industrial Waste Discharge permit - for acceptance into the Town's System of discharges of industrial waste as defined herein.
- C. Allocation Increase Permit - for the approval of any increase in the volume of acceptable wastewater above the established allocation.

10-305.3 Applications For Permits.

To obtain a permit, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, and/or other information considered pertinent in the judgement of the Town. These supplements shall be part of the application.

10-305.4 Applications Declared Null and Void.

Any application which is approved by the Town may be declared null and void by the Town if the applicant or his agent does not secure his granted permit within one (1) year of the date of the approval of his application by the Town.

10-305.5 Allocation Procedure.

To preserve the integrity of the Town's sewage system as it is designed to function, the Town shall maintain a controlled allocation of wastes to be discharged into the said system. The Town shall establish an appropriate allocation to each applicant for a permit, prior to the approval of the application of said permit. Each allocation shall be based upon the estimated daily volume of wastewater to be discharged or being discharged into the Town's system, as determined by the Town.

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10-305.6 Allocation Determination.

The estimated daily volume of wastewater to be discharged or being discharged to the Town's System shall be determined by the Town from the previous, current, and/or anticipated amount of water consumption and other factors considered significant by the Town, and/or from information provided by the applicant and/or by other sources.

10-305.7 Partial Allocation.

For any allocation issued to an applicant for a permit, the Town may divide the total allocations in increments to coincide with the schedule of development.

10-305.8 Effective Date of Allocation for Permit Applicants.

The allocation to an applicant for a permit shall become effective on the date that the applicant, or his agent, secures his granted permit.

10-305.9 Establishment of Allocations for Existing Customers.

The Town shall notify each customer, who on the date of adoption of this Article is a customer, of the proposed allocation for said customer, except that said notification shall not be required for single-family residential customers. Unless a customer shall have informed the Town in writing within thirty (30) days of his receipt of said notification of allocation of his intention to file an application for an Allocation Increase Permit, and unless said customer shall have filed said application within ninety (90) days of his receipt of said notification of allocation, the proposed allocation shall be the established allocation for said customer. All applications for an Allocation Increase Permit shall be handled in accordance with the provisions of this Article.

10-305.10 Allocation Location not Transferable.

The allocation established for any applicant for a permit as specified in this Article shall be for the location specified in the application for said permit and said established allocation shall not be transferable to any other location. The allocation established for any existing customer as specified in this Article shall be for the location at which said customer is receiving sanitary sewer service and said established allocation shall not be transferable to any other location.

10-305.11 Discharge Estimate Information Available.

The Town shall establish, maintain, and make available to the public such information as may be useful and necessary in the development of an estimate of the volume of discharge of wastewater to a sanitary system from various types of residential

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and non-residential establishments and facilities.

10-305.12 Review of Established Allocations.

The Town shall review and assess the actual daily volume of wastewater being discharged to the Town's System by its' customers. If, as a result of these investigations, it is determined by the Town that said volume of discharge of any customer has exceeded his established allocation, the Town may notify said customer, or his agent. Within thirty (30) days of receipt of said notification the customer shall file an application for an Increased Allocation Permit in accordance with this Article.

10-305.13 Reductions of Established Allocations.

If, as a result of investigations conducted by the Town as specified in this Article, it is determined by the Town that the volume of wastewater being discharged to the Town's System by any customer has been less than the established allocation for said customer for at least one (1) year, the Town shall notify said customer, or the owner, of his agent, thereof, and that his established allocation shall be reduced to a proposed allocation as determined by the Town. Unless the customer, or the owner, or his agent, shall have within ninety (90) days of his receipt of said notification filed an application for an Allocation Increase Permit, the proposed allocation shall be the established reduced allocation. Any increase in the volume of discharge of wastewater into the Town's System above an established reduced allocation shall be subject to the provisions of this Article for allocation increases.

10-305.14 One Service Connection Per Lot; Exceptions.

One service connection shall be provided for each improved lot at the time of installation of the public sanitary sewer to serve such lot. Additional service connections or any changes requested after the public sanitary sewer is installed shall be at the sole expense of the property owner. Any lot shall be served once only and may be served at any point; front, rear, or side, whichever is deemed most feasible by the Town. The practice of subdividing lots once plotted so as to require additional facilities on side streets shall be discouraged and, if permitted, the entire expense of extensions shall be assumed by the owner.

10-305.15 Sanitary Sewer Service Allocation And Connection Fees.

The Town shall, by resolution, fix, establish, and adjust the amount of the Sanitary Sewer Service Allocation and Connection Fee, in accordance with Town policy. A Connection Fee shall be assessed for the installation of each service connection. An allocation fee/EDU shall be assessed for use of system capacity. These fees shall be due and payable at the time that the Sanitary Sewer Connection Permit is issued.

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10.306 Building Sewers

10-306.1 Cost Borne by Owner.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage they may directly or indirectly be occasioned by the installation of the building sewer.

10-306.2 Separate Building Sewer for Each Building, Exception.

A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and it is determined by the Town that no private sanitary sewer is available nor can be constructed to the rear building through an adjoining alley, court, yard, walkway, or driveway. The building sewer from the front building may be extended to the rear building. A separate permit shall be required for each building.

10-306.3 Old Building Sewers

Existing building sewers may be used in connectin with new building only when:

- A. Proper application is made for a Sanitary Sewer, Connection Permit under the provisions of Section 10-305 of this ordinance;
- B. The application is approved by the Town.
- C. The building sewer is found on examination and test by the Town and/or Plumbing Inspector to meet all requirements of this ordinance and those of the Plumbing Code.

10-306.4 Construction of Building Sewer.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, bedding, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Plumbing Code or applicable rules and regulations of the Town. In the absence of the code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manuals of Practice shall apply. All building sewers shall be laid from the service connection or the point of connection to the public sanitary sewer to the building drain. All such connections shall be subject to inspection by the Town and the Plumbing Inspector.

10-306.5 Gravity Flow Preferred.

Whenever possible, and if the owner desires it, the building sewer shall be brought to the building drain at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewage carried by such building sewer shall be lifted by a means approved by the Town and Plumbing Inspector and discharged to the building sewer. All costs and expenses incident to the proper installation, operation, maintenance of said means of lifting the sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation, operation, and maintenance of said means of lifting the sewage. *(Amended July 9, 1997, recorded Liber 6, folio 423.)*

10-306.6 Surface Runoff/Groundwater

No person shall make connection of roof downspouts, exterior foundation drains, sump pumps, or other sources of surface runoff or groundwater to a building sewer or building drain which is in turn connected directly or indirectly to a public sanitary sewer. If any owner shall, after notice as provided herein, refuse or neglect to disconnect any such illegal connection from the public sanitary sewerage system, the Town shall cause the disconnection to be made at the Owner's expense. If not paid, this expense shall be a lien against the property as provided by law.

10-306.7 Conformity With Plumbing Code Required

The connection of the building sewer into the public sanitary sewer shall conform to the requirements of the County plumbing Code and applicable rules and ordinances of the Town. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved in writing by the Town and the Plumbing Inspector before installation.

10-306.8 Notification of Town and Plumbing Inspector.

The applicant for the Sanitary Sewer Connection Permit shall notify the Town and the Plumbing Inspector when the building sewer is ready for inspection and connection to the public sanitary sewer. The connection shall be made under the supervision of the Town and/or the Plumbing Inspector or his representative.

10-306.9 Safety Devices.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to all agencies having jurisdiction over such work.

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10-307 Use of the Public Sanitary Sewers

10-307.1 Unacceptable Wastes

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process water to any public sanitary sewer.

10-307.2 Unpolluted Drainage

Storm water and all other unpolluted drainage shall be discharged to such watercourses or appurtenances thereto as are specifically designated as storm drains.

10-307.3 Drainage of Swimming Pools

Drain lines from all inground swimming pools in the Town shall be connected to storm drains and filter back-wash lines shall be discharged to the public sanitary sewerage systems as follows:

- A. Sand filter back-wash shall be discharged to the public sanitary sewer.
- B. Where required, diatomaceous earth filter back-wash shall be connected to the public sanitary sewer through settling tanks with four (4) months storage capacity, which tanks shall be readily accessible for removing solid waste for disposal. Maintenance of these tanks shall be the responsibility of the owner, but subject to periodic inspection by the Approving Authority or his representative.

10-307.4 Prohibited Water and Wastes Enumerated.

No person shall discharge or cause, allow or permit to be discharged any of the following described waters or wastes to the Town's sanitary sewers:

- A. Any flammable oils including gasoline, benzene, naphtha, fuel oil, mineral oil, or other flammable or explosive liquids, solids, or gases.
- B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any Sewerage System process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in receiving waters of the Treatment Plant, or cause that Plant to be in violation of any Federal or State law or discharge permit.

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- C. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- D. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (seventy-six one-hundredths (0.76) hp metric) or greater shall be subject to the review and approval of the Approving Authority and the Plumbing Inspector.
- E. Waters or wastes containing substances which are not amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of Federal or State agencies having jurisdiction over discharge to the receiving waters.
- F. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- G. Waste containing dye from any source that will cause the Treatment Plant to produce an effluent unacceptable to Federal or State regulatory agencies.
- H. Any waters or wastes having a pH lower than six (6.0) or greater than nine (9.0), or having any other corrosive property capable of causing damage or hazard to structures, equipment, bacterial action, and personnel of the Town.
- I. Any liquid or vapor having a temperature higher than one hundred fifty degrees fahrenheit (150 F) , sixty five degrees centigrade (65 C).
- J. Any waters or wastes containing a total phosphate concentration which exceeds 50 mg/l at any given time.
- K. Any waters or wastes containing sulfides, sulfites, hydrosulfites, or other materials having an immediate oxygen demand in concentration greater than one milligram per liter (1.0 mg/l).
- L. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred milligrams per liter (100 mg/l) or containing substances which may solidify or become viscous at a temperature between thirty two degrees and one hundred fifty degrees Fahrenheit (32 and 150 F), zero degrees and sixty five degrees Centigrade (0 and 65 C).

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- M. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by Federal or State Regulations.
- N. Any solution having a concentration of greater than six hundred milligrams per liter (600 mg/l) of dissolved solids, whether neutralized or not.
- O. Any waters or wastewaters containing concentrations of toxic substances which cause violation of any Federal, State or Local laws, policies or ordinances.

10-307.5 Connection Restrictions.

No person shall make or maintain any connection with any public sanitary sewer or appurtenance thereof whereby there may be conveyed into the same any hot, suffocative, corrosive, flammable, or explosive liquid, gas vapor, substance, or material of any kind.

10-307.6 Volatile Liquids Prohibited

No person shall cause to enter or flow into any public sanitary sewer or appurtenance thereof any hot, suffocative, corrosive, flammable, or explosive liquid, gas vapor, substance, or material of any kind.

10-307.7 Domestic Boilers Excluded

The provisions of Section 10-307.6 of this ordinance shall not apply to the ordinary hot-water boilers of residences.

10-307.8 Surcharge.

All persons discharging wastes into the Town's System may be subject to a surcharge, in addition to any other sewer service charges, if these wastes possess a concentration in excess of the following:

- A. A five-day, twenty degree centigrade (20 C) biochemical oxygen demand (BOD₅) of two hundred fifty milligrams per liter (250 mg/l) or a chemical oxygen demand (COD) of three hundred and fifty milligrams per liter (350 mg/l); or,
- B. A suspended solids content of three hundred milligrams per liter (300 mg/l); or,
- C. A concentration level established by the Approving Authority for any other waste characteristic.

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10-307.9 Surcharge Information Available.

The Approving Authority shall establish, maintain and make available to the public a list to specify:

- A. All waste characteristics which, in excessive concentration, are being surcharged; and
- B. A definition for each waste characteristic of the level of concentration which is excessive; and
- C. The rate of surcharge for each excessive waste characteristic.

10-307.10 Rates of Surcharge.

The Town shall, by resolution, fix, establish, and adjust the rates of surcharge for each and every waste characteristic which, in excessive concentration, shall be subject to surcharge as necessary. The rate of surcharge shall reflect the cost incurred by the Town in treating the excessive concentrations of these waste characteristics.

10-307.11 Revision of Rates of Surcharge.

The rates of surcharge shall be reviewed at least annually by the Town in order to determine from Town records whether or not they are justifiable to meet the cost incurred by the Town in treating the excessive concentrations of these waste characteristics. If the difference between the revenue derived from the surcharge and the total annual cost related to these wastes subject to surcharge is sufficient to justify a change in rates, the Town will make the appropriate change.

10-307.12 Duties of Approving Authority.

If any waters or wastes are discharged or any proposed to be discharged to the Town's system by a customer, which waters contain the substances or possess the characteristics enumerated in this Article and which in the judgement of the Approving Authority may have a deleterious effect upon the Town's System or the receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Approving Authority shall:

- A. Require said customer to register and furnish all information requested by the Approving Authority concerning their operations pertinent to their wastes and processes;
- B. Require that said customer obtain all applicable permits for the discharge or wastes;
or he may, in addition:
- C. Reject the wastes;

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- D. Require pretreatment of the wastewaters to an acceptable condition for discharge to the Town's System;
- E. Require control over the quantities and rates of discharge;
- F. Require payment to cover the added cost of handling and treating the wastes amenable to treatment not covered by existing taxes or sewer charges under the provisions of this Article; and/or
- G. Require that no change be made in the manufacturing process which might affect the volume or character of wastes without prior written approval of the Approving Authority.

10-307.13 Regulation of Industrial Discharges.

All major industrial discharges discharged or permitted to flow into the Town's sanitary sewer system shall comply with applicable Federal Environmental Protection Agency pretreatment standards and the Maryland Department of the Environment regulations, in addition to Town Ordinances, whichever is more stringent, prior to obtaining an Industrial Waste Discharge Permit as set forth in the subsequent sections. The Approving Authority shall have the authority to establish a waste load allocation procedure for various industrial wastes when effluent limitations such as water quality standards or toxic effluent standards are established by the United States Environmental Protection Agency or the Maryland Department of the Environment, or if necessary, due to local conditions.

10-307.14 Industrial Waste Discharge Permit.

Prior to discharging any industrial waste to the Town's System, or prior to continuing the discharge of any industrial waste to the Town's System, the owner of the improved property from which such discharge is proposed to be made shall apply to the Town for an Industrial Waste Discharge Permit to make such discharge.

10-307.15 Application for an Industrial Waste Discharge Permit.

To obtain an Industrial Waste Discharge Permit, the owner or his agent shall make application as specified in this chapter. Supplemental information to the application considered pertinent by the Town shall include, but may not be limited to, the quantity of discharge, the rates of discharge (maximum, average, and minimum) and whether these rates of flow are continuous or intermittent, the character and the chemical content of the industrial waste, and proposed and/or existing pre-treatment facilities.

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10-307.16 Change in Industrial Waste Discharge.

The owner, or his agent, of any improved property who is discharging industrial waste into the Town's System under a valid Industrial Waste Discharge Permit, and who contemplates a change in method of operation or a change of any other nature, which change may cause the Industrial waste discharge of said owner to be of a nature or characteristic not approved by the Town in said valid Industrial Waste Permit, or whose industrial waste discharge has been determined by the Town to have changed to be of a nature or characteristic not approved by the Town in said valid Industrial Waste Discharge Permit, shall apply for a new Industrial Waste Discharge Permit at least thirty (30) days prior to such change.

10-307.17 Review, Approval, and Inspection of Facilities.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants' equipment and other facilities shall be subject to the review, approval, and inspection by the Approving Authority(ies) and subject to the requirements of all applicable codes, ordinances, and laws.

10-307.18 Simple Dilution Unacceptable.

Simple dilution shall not be considered an acceptable pretreatment to reduce unit strength of any waste characteristic of any industrial waste discharge.

10-307.19 Grease, Oil and Sand Interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type and capacity approved by the Approving Authority, and shall be located as to be readily and easily accessible for cleaning and inspection. The Town reserves the right to periodically test for the effectiveness of an interceptor by methods hereinafter described. The Town shall not be liable for the lack of efficiency of an approved interceptor.

10-307.20 Maintenance of Facilities.

Where preliminary treatment or flow-equalizing facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

10-307.21 Control Vaults.

The owner or owners of any property serviced by a building sewer carrying industrial wastes as hereinbefore defined shall install a suitable control vault, together with such necessary meters and

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other appurtenances, in the building sewer line, to facilitate observation, proportional sampling and continuous flow measurement and recording of the wastes. Each vault shall be accessible, and safely located, and shall be constructed in accordance with plans approved by the Town. The vault shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

10-307.22 Control Manhole Requirement Waiver.

When a person discharging less than 10,000 gallons of wastewater in a normal working day elects to be relieved of the requirement of a control vault as specified in this Article, he may do so providing:

- A. That such wastes meet all other requirements of this ordinance, as determined by the Approving Authority.
- B. That all such wastes are discharged through a single standard sewer manhole before entrance into the public sanitary sewers.
- C. That said person agreed to pay a surcharge double that required in this Article and that the strength of waste on which the surcharge is made will be based on tests made on similar wastes discharged by other industries of the same type, if such information is available; if not, by such other methods as the Approving Authority may wish to employ. Whatever method is used for finding the strength of the waste, the determination of the Approving Authority shall be binding as a basis for surcharges.

10-307.23 Measurements, Tests and Analysis.

All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this ordinance shall be made by the Approving Authority or his authorized representative, shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the APHA, and shall be taken at the control vault provided, or at a control point on the premises of the facility being monitored. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the Town's System and to determine the existence of hazards of life, limb, and property. The Approving Authority shall determine the analysis which are required for each industrial waste and the decision of the Approving Authority shall be final and binding.

10-307.24 Resampling

It is the intention of the Town to obtain adequate representative samples of the waste for analysis in the laboratory. Any applicant for receipt of an Industrial Waste Discharge Permit

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has the right to request a second sampling if they feel the result of the first sample was not representative. This request may be made to the Town in the form of a letter. The Town will re-sample for three days at the entire expense of the person who shall have made the request. The results obtained in any re-sampling will be used as the most recent data.

10-307.25 Special Agreements Not Precluded.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to proper continuous pretreatment prior to discharge into the Town's System and/or payment therefore by the industrial concern.

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10-308 Additional Prohibited Acts

10-308.1 Obstructions Prohibited.

No person shall throw or deposit on or upon any public sanitary sewer or public storm drain in the Town or any trap, basin, inlet, grating, manhole, or other appurtenance of any public sanitary sewer, or public storm drain, any sticks, stone, brick, earth, gravel, dirt, mud, hay, straw, manure, rubbish, litter, sweepings, offal, vegetables, garbage, trees, shrubs, branches, twigs, leaves, paper, cinders, or refuse matter of any kind.

10-308.2 Manhole Tampering Prohibited.

No person shall turn, lift, remove, raise, or tamper with any cover of any manhole, or other appurtenance of any public sanitary sewer without a written permit from the Town.

10-308.3 Breaking or Damaging.

No person shall break or damage any appurtenance of the public sanitary sewer or part thereof.

10-308.4 Connection Pipes Authorized.

No person shall cut, break, pierce, or tap any public sanitary sewer or appurtenance thereof, or introduce any tube, pipe, trough, or conduit into any public sanitary sewer or appurtenance thereof, without a written permit from the Town.

10-308.5 Entry Permits.

No person, other than those employed by the Town while on duty, shall enter any public sanitary sewer, or appurtenance thereof, without a written permit from the Town.

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10-309 Powers and Authority of Inspectors

10-309.1 Right of Entry

The Approving Authority, inspectors, and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance.

10-309.2 Safety; Liability.

While performing the necessary work on any private property as referred to in this Article, the Approving Authority or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the owner of said property and said owner shall be held harmless for injury or death to the Town employees and the Town shall indemnify said owner against loss or damage to his property by Town Employees and against liability claims and demands for personal injury or property damage asserted against said owner and growing out of any of the tasks or operations as specified in this Article, except as such may be caused by negligence or failure of said owner to maintain safe conditions as required in this Article.

10-309.3 Easements, Right of Entry.

The Approving Authority, inspectors, and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of but not limited to inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Town's System lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

10-310 Penalties

10-310.1 Notice.

Any person found to be violating any provisions of this ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

10-310.2 Violations and Penalties.

Any person who shall continue any violation beyond the time limit provided for in this Article shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding One Hundred Dollars (\$100.00) for each violation. Each day constitutes a separate violation.

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CLERK OF THE CIRCUIT COURT
WASHINGTON COUNTY

10-311 Protection from Damage

10-311.1 Interference with Town's System; Disorderly Conduct.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, equipment, or other component which is a part of the Town's System.

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10-312 Validity

10-312.1 Repealer

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

10-312.2 Separability

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

In the event any of the provisions are in conflict with any other Act, Ordinance, Resolution or regulation promulgated by the Town of Hancock, then and in said event, the provisions of this Ordinance shall govern.

Note: Article 3, Sewer Use Ordinance, adopted October 12, 1983, pursuant to Section 9-701, Health Environment Article and Charter of the Town of Hancock, amended and revised April 8, 1;9;86, amended/revised May 31, 1995, recorded Liber 5, folio 512, Section 10-203(c), Section 10-306.5 amended July 9, 1997, recorded Liber 6, folio 423. Former Chapter 10 Hancock Code.

**ACTS, ORDINANCES &
RESOLUTIONS - TOWNS**

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CLERK OF THE CIRCUIT COURT
WASHINGTON COUNTY**Article 2. SEWER SERVICE ORDINANCE****AN ORDINANCE AMENDING ARTICLE 2. SEWER SERVICE
IN THE TOWN OF HANCOCK**

The Mayor and Council of the Town of Hancock, as its duly constituted legislative body, have determined that in the interest of good fiscal management responsibility, and the interest of the citizenry of the Town in general, it is necessary to revise certain sections of the Sewer Service Ordinance as it relates to new sewer service.

NOW, THEREFORE, be it RESOLVED, ENACTED and ORDAINED that Section 10-203 (c) and Section 10-306.5 are hereby revoked and amended to read as follows:

Section 10-203**NEW SEWER SERVICE**

- c. Grinder pumps installed by, or at the direction of the Town or by the property owner, after adoption of this ordinance shall be the responsibility of the property owner. A utility easement covering the grinder pump service line shall be dedicated to the Town at the property owner's expense.

Section 10-306.5**GRAVITY FLOW PREFERRED**

Whenever possible, and if owner desires it, the building sewer shall be brought to the building drain at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewer carried by such building sewer shall be lifted by a means approved by the Town and Plumbing Inspector and discharged to the building sewer. All costs and expenses incident to the proper installation, operation, maintenance of said means of lifting the sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation, operation, and maintenance of said means of lifting the sewage.

Be it further **RESOLVED, ENACTED and ORDAINED** that this Ordinance shall be effective on July 9, 1997,

Be it further **RESOLVED, ENACTED and ORDAINED** that the remainder of said Ordinance shall remain in full force and effect.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

Louis O. Close
Louis O. Close, Town Clerk

MAYOR AND COUNCIL OF THE TOWN
OF HANCOCK, MARYLAND

Daniel A. Murphy
Daniel A. Murphy, Mayor

Date of Introduction:
Date of Passage:
Effective Date:

May 14, 1997
June 11, 1997
July 9, 1997

Record and return original to:

Mr. Louis O. Close, Town Manager
Town of Hancock
126 W. High Street
Hancock, MD 21750

^hancock.sewer

MAILED AUG 28 1997

TOWN OF HANCOCK
RESOLUTION ADOPTING SEWER USE ORDINANCE

RESOLUTION of the Mayor and Council of Hancock to adopt a Sewer Use Ordinance for the municipal corporation Town of Hancock.

WHEREAS, the Mayor and Council of Hancock, has authority, pursuant to Section 9-701, Health-Environmental Article, et seq., Annotated Code of Maryland, and Sections 14, 21 (1) (50) and 80 of the Town of Hancock Charter to adopt a Sewer Use Ordinance.

WHEREAS, the Mayor and Council of Hancock by unanimous vote on October 12, 1983 adopted the attached Sewer Use Ordinance.

WHEREAS, the Mayor and Council of Hancock caused the adopted document to be advertised in a paper of local circulation.

WHEREAS, the Mayor and Council of Hancock submitted said document by CERTIFIED MAIL to the Maryland Department of Health and Mental Hygiene for review and approval.

WHEREAS, the Maryland Department of Health and Mental Hygiene requested via telephone on March 13, 1986 that editorial changes be made in Article 5-1, and Article 7-4-h.

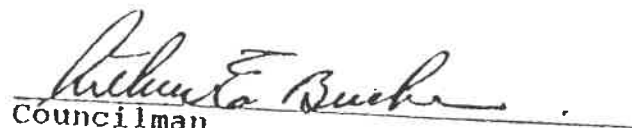
WHEREAS the Mayor and Council of Hancock have caused these requested changes to be made.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF HANCOCK, this 8th day of APRIL, 1986;

That the following Sewer Use Ordinance is adopted, to take effect APRIL 8, 1986.


Mayor


Councilman


Councilman

MP-7A

CHAPTER 38

AN ORDINANCE REGULATING RATES OF WATER AND SEWER USAGE IN THE TOWN OF HANCOCK

SECTION 1: PURPOSE

The Town of Hancock, as a political subdivision of State of Maryland, is granted the authority under the provisions of the Annotated Code of Maryland and the Charter of the Town of Hancock to establish reasonable rates for water service and reasonable charges for sewer upkeep and sewer service. The Town has complied with all provisions of the Statute and the Charter in reference to establishing these rates. The purpose of this Ordinance is to establish rates for water and sewer service and upkeep serving the corporate limits of the Town of Hancock and surrounding environs.

SECTION 2. RATES ESTABLISHED

The rates that shall be charged to water service and sewer service users within the corporate limits of the Town of Hancock, Maryland, and outside the corporate limits of the Town, effective as of July 1, 2004, are as follows.

WATER AND WASTE WATER RATES:		WATER	SEWERAGE	SANITATION
In Town Users - Residential	6,000 min	\$25.20	\$22.50	\$20.00
	1,000 over	\$ 4.70	\$ 3.89	
In Town Users -- Commercial	6,000 min	\$26.20	\$22.50	n/a
	1,000 over	\$ 4.70	\$ 3.89	
Out of Town Residential	6,000 min	\$50.40	\$45.00	n/a
	1,000 over	\$ 9.40	\$ 7.78	
Out of Town -- Commercial	6,000 min	\$50.40	\$45.00	n/a
	1,000 over	\$ 9.40	\$ 7.78	
Flush Tax (Effective 1 Jan 05)				
Residential	\$2.50 per month			
Commercial	\$2.50 per EDU (240 gal per day x 30 days = 7,200 gal per month = 1 EDU)			
Bulk Sale of Water	\$8.00 per 1,000 gal pumped from hydrant in Widmeyer Park			
Reconnection Fee		\$75.00		
Grinder Pump	(Actual cost of pump and installation)			
CONNECTION/READY TO SERVE FEES:		(EDU's)		

	Water Hookup		Sewer Hookup	
	In-Town	Out-of-Town	In-Town	Out-of-Town
Residential--	\$5,000 + 1 EDU	\$10,000 + 1 EDU	\$5,000 + 1 EDU	\$10,000 + 1 EDU
Commercial--	\$5,000 + x = EDU	\$10,000 + x = EDU	\$5,000 + X = EDU	\$10,000 + X = EDU

(For water accounts – 1 EDU = \$500) (For sewer accounts 1 EDU - \$750, commercial sewer is determined by water usage, estimates can be made and adjustments made after 1 year.)

SECTION 3. EFFECTIVE DATE

The effective date of this Ordinance is July 1, 2004.¹

¹ Former Chapter 12, Town of Hancock Code, enacted July 1, 1996, amended July 1, 2004, recorded Liber 10, folio 455, amended July 1, 2004, recorded Liber 10, folio 534. The authority for establishing rates is set forth in the Charter and Title 9, Environment, Article 3, Assessments, Rates, and Charges by Political Subdivisions for Water and Sewage Services of the Annotated Code of Maryland.

CHAPTER 39

MANDATORY WATER HOOKUP

PREAMBLE

The Mayor and Council of the Town of Hancock have the authority pursuant to the provisions of the Annotated Code of Maryland and the Charter to construct, maintain, manage and operate a water distribution system for the Town, and

The Town has consistently pursuant to its regulations promulgated by said Town required that all owners of improved property located within the corporate limits of the Town be required to connect to the water system operated and maintained by the Town, and

The Mayor and Council as the duly constituted legislative body of the Town of Hancock, Maryland does hereby desire to embody the aforesaid water system connection requirement in an ordinance, as more fully set forth herein;

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED by the Mayor and Council of the Town of Hancock, Maryland as follows:

SECTION 1: MANDATORY CONNECTION TO WATER SYSTEM

All owners of improved property located within the corporate limits of the Town of Hancock shall be and are required to connect to the water system operated and maintained by the Town.

SECTION 2: RULES AND REGULATIONS

The Mayor and Council may adopt and promulgate such rules and regulations by Resolution as may be deemed necessary to effectuate the purposes of this Ordinance in accordance with the provisions of the Annotated Code of Maryland, the Charter of said Town and other applicable ordinances and administrative regulations. Connection charges and user fees shall be as established by the Mayor and Council from time to time in accordance with the applicable provisions of the Annotated Code and by Ordinance.

SECTION 3: EFFECTIVE DATE

This Ordinance shall take effect from the date of its passage.

The Annotated Code of Maryland requires mandatory connection to existing water systems where available.

CHAPTER 40

AN ORDINANCE PERTAINING TO REGULATION AND CONTROL OF WEEDS, GRASSES, AND VEGETATION WITHIN THE CORPORATE LIMITS OF THE TOWN OF HANCOCK

SECTION 1: HEIGHT LIMITS

No person shall permit any growth of weeds, grasses, brush, or vegetation of any kind, except for ornamental shrubbery, flowers and vegetation, in excess of a height of six (6) inches to remain on any lot or parcel of real estate located within the corporate limits. This provision shall not be applicable to any area that may be located within the corporate limits which is being utilized for agricultural purposes. This Section of this Ordinance shall be applicable to undeveloped land lying fallow within the corporate limits that is either subdivided or intended to be subdivided and whether of an agricultural nature or not.

No person shall permit any growth of weeds, grasses, or brush to the height of six (6) inches or over to remain within an area extending between the curb line of any street, alley, or highway, and the boundary line of said adjacent parcel of real estate owned or controlled by him within the corporate limits of the Town.

SECTION 2: ENFORCEMENT - RESPONSIBILITY

In the event that the Town Clerk or a Code Enforcement Officer or some other person duly authorized by the Mayor and Council to enforce the provisions of this Ordinance makes a determination that a violation on property exists in accordance with the provisions of Section 1, then the Clerk shall notify the owner or responsible person of said matter. In the event that any owner of real estate or lots of ground or parcels of land, or the person in charge or possession thereof, shall refuse, fail, or neglect for any reason whatsoever after having been sent such notice to cut and remove weeds, grasses, vegetation, or brush within the boundaries of such lots or parcels or real estate as required by Section 1 of this Ordinance, then the same may be done by a person employed to do so on behalf of the Town by the Town Clerk or Tax Collector or such officer as may be designated by the Mayor and Council to employ such person. Such person designated may be an employee of the Town of Hancock.

SECTION 3: COST

A statement of account for the actual or established cost of clearing and removing weeds, grasses and brush as provided for herein shall be presented to the Mayor and Council at any regular or special meeting, and if approved, shall be placed in the hands of the Town Tax

Collector and Treasurer, who shall immediately record the same among his records and enter therein the time and date of such recordation and the amount thereof.

SECTION 4: DEBT OF OWNER/LIEN ON PROPERTY

The amount of the cost of clearing and removing weeds, grasses, and brush as provided for in the preceding Section of this Chapter shall be a debt due and owing by the owner of the lot or parcels of real estate in question and shall become due and payable when the statement thereof is placed in the hands of the Town tax Collector and Treasurer as provided for in Section 3 of this Ordinance.

Any such charge shall become a lien upon the lot or parcels of real estate together with the improvements thereon.

SECTION 5: DEFINITIONS

Person. A person shall mean any individual, corporation of any kind whatsoever whether profit or nonprofit, partnership, business association, or legal entity of any type.

SECTION 6: PENALTIES

The violation of the provisions of this Ordinance shall be considered a misdemeanor. In addition to the other remedies provided herein, anyone violating the provisions of this Ordinance shall upon conviction be fined not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense. Each day of violation shall constitute and be a separate offense.

*Code of Ordinances
Hancock, Maryland
Volume 1a*

Main Street, Hancock, MD



VOLUME 1-A - GENERAL ORDINANCES

Reserved for future Ordinances