

PERTAINING TO THE REPEAL OF ORDINANCE 47-10 AND ORDINANCE 28-17 GRANTING OF FRANCHISES TO THE TOWN OF NORTH BEACH TO PROVIDE WATER TO SPECIFIED AREAS OF THE NORTH CHESAPEAKE BEACH SUBDIVISION AND APPROVAL OF ORDINANCE ALLOWING THE TOWN OF NORTH BEACH RIGHT OF ENTRY TO REPAIR AND MAINTAIN WATER MAINS AND SERVE EXISTING AND POTENTIAL CUSTOMER

WHEREAS, the Board of County Commissioners of Calvert County, Maryland, has the authority, pursuant to *Local Government Article*, §1-704 of the Maryland Annotated Code, to grant franchises for the operation of water and sewerage systems;

WHEREAS, the Town of North Beach (the "Town") has requested to surrender and abandon the water franchise areas granted in Ordinance 47-10 and Ordinance 28-17;

WHEREAS, the Board of County Commissioners of Calvert County, Maryland, deems it in the public's best interest to grant the Town right to enter upon and use the rights of way of Calvert County in Blocks 36 to 39 and Block 41 to 44 of the North Chesapeake Beach subdivision, for the purpose of the repair and maintenance of water mains and other pipes and facilities existing as of this date and serve the customers who are connected to the Town's water system;

WHEREAS, the Town has an obligation to serve potential customers whose properties are passed by existing water mains in the public rights of way abutting properties, subject to the property owner's obligation to pay for the connection infrastructure;

WHEREAS, a public hearing regarding this Ordinance was duly advertised in two newspapers of general circulation in Calvert County for two consecutive weeks before the public hearing and held on April 2, 2019, at which time the Board of County Commissioners received public comment; and

WHEREAS, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the Board of County Commissioners finds that it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, that Ordinance 47-10 and Ordinance 28-17 and all the rights, privileges and benefits granted thereunder, be and are hereby revoked and repealed;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, notwithstanding any regulations or policies promulgated by the Town, the Town has an obligation to serve potential customers whose properties are passed by existing water mains in the public rights of way abutting properties, subject to the property owner's obligation to pay for the connection infrastructure; and

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, before the Town shall construct any water distribution lines or other facilities necessary to provide water, it shall obtain necessary permits approved by the Board of County Commissioners for Calvert County, Maryland, and issued by the Calvert County Department of Public Works.

DONE this 2nd day of April 2019, by the Board of County Commissioners for Calvert County, Maryland, sitting in regular session.

Aye: 5

Nay: Ø

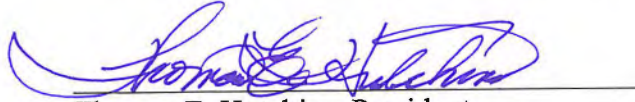
Absent/Abstain: Ø

(SIGNATURES ON FOLLOWING PAGE)

ATTEST:

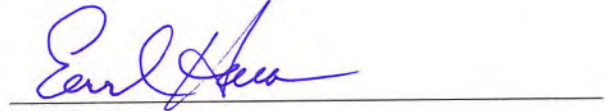
**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**


Maureen L. Frederick, Clerk


Thomas E. Hutchins, President


Kelly D. McConkey, Vice-President

Approved for form and legal sufficiency
by:


Earl F. Hance


John B. Norris, County Attorney


Mike Hart


Steven R. Weems

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Received for Record. April 12, 2019.
at 3:23 o'clock P.M. Same day
recorded in Liber KPS No. 58
Folio 16 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

