

actual cost derived from such charge, shall be retained by the Department of Public Works as a fund for repairs, replacements or any expenses in the maintenance and operation of water supply and sewer systems.

20.309—Assessment on Properties, Benefits, Classifications

(a) For the purpose of paying the interest and principal of the bonds heretofore issued by the former Metropolitan Commission and ~~by~~ FOR bonds hereafter issued to provide for water supply, and sewerage systems to be constructed, purchased, or established within the Metropolitan District of Howard County, the Director of ~~Public Works~~ FINANCE is hereby empowered to establish and affix an annual assessment on all properties, improved or unimproved, binding upon a street, road, lane, alley or right-of-way in which a water main or sewer main has been built. The said annual assessment shall be made upon the front foot basis and the intensity of use or development of the property abutting the said water main or sewer main. The first payment shall be collected during the year in which the ~~construction is completed~~ SERVICE IS PROVIDED on the water supply, or sewerage system, or in which the systems are purchased or acquired.

(b) The said Director of ~~Public Works~~ FINANCE for the purpose of assessing benefits shall divide all properties binding upon a street, road, lane, alley or right-of-way, in which a water main or sanitary sewer is to be laid, into nine classes, namely: agricultural, small acreage, industrial or business, sub-division or residential property, apartment, motel or hotel, office and shopping center and trailer parks, and the Director of ~~Public Works~~ FINANCE shall sub-divide each of said classes in such manner as he may deem to be in the public interest, basing such classifications upon the intensity of use or development of property within the larger class. As used herein, the word "class" or "classes" shall include the class or classes established by the Director of ~~Public Works~~ FINANCE hereunder.

(c) Whenever any water supply or sewerage project OR PORTION THEREOF in said Metropolitan District shall have been ~~completed~~ IN OPERATION by June 30 or December 31, in any one year, regardless of when said construction was commenced, then the Director of ~~Public Works~~ FINANCE shall fix and levy a benefit charge as of the first day of July or January upon all property in said Metropolitan District abutting upon said water main or sewer main, in accordance with the classification or subdivision thereof, and shall in writing, notify all owners of said properties into which class and subdivision their respective properties fall and the charge determined upon naming also, in said notice a time and place, when and at which time said owner will be heard. Such notice shall be mailed to the last known address of the owner, or served in person upon any adult occupying the premises or in the case of a vacant or unimproved property posted upon the premises. The classification of and the benefit assessed against any property, upon protest by the owner, shall be reviewed at a Public Hearing to be held by the Public Works Board and the said Board shall have the power to change or adjust the said assessment where an error as to any factual matter has been made in the original assessment. If the property owner is aggrieved with the decision of the Public Works Board, then an Appeal may be entered to the Board of Appeals as provided by law, and upon such appeal, the Board of Appeals shall review the case upon the record made before the Public Works Board, and the burden of proof shall be upon the Appellant to show that the decision was arbitrary, or unsupported by any substantial evidence, or was unreasonable, or that such decision was illegal.