

WITH THE RELOCATION UNDERGROUND OF UTILITY LINES AND FACILITIES IN CONNECTION WITH PROJECTS REQUIRED BY SECTION 8.14.1 OF ARTICLE 66B OF THE CODE, THE PUBLIC SERVICE COMMISSION SHALL PRESCRIBE THE AMOUNT OF THE MONTHLY SURCHARGE REQUIRED TO SUPPORT THE SAID COSTS AND DETERMINE WHICH CUSTOMERS OF THE APPLICABLE UTILITY ARE SUBJECT TO THE SURCHARGE, OR SHALL INCLUDE IN THE RATE BASE THE RELATED NET CAPITAL COSTS, OR SHALL ADOPT ANY OTHER METHOD TO APPROPRIATELY APPORTION THE COSTS. HOWEVER, IN NO EVENT SHALL THE UTILITY BE REQUIRED TO PAY MORE THAN 50 PERCENT OF THE NET CAPITAL COSTS. THE [[MUNICIPALITY]] COUNTY, MUNICIPAL CORPORATION, OR BALTIMORE CITY IS AUTHORIZED TO MAKE APPROPRIATIONS FOR SUCH RELOCATION PROJECTS FROM ANY APPROPRIATE FEDERAL, STATE, AND LOCAL FUNDS IT RECEIVES FOR THIS PURPOSE.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 8.14.1 be and it is hereby added to Article 66B - Zoning and Planning, of the Annotated Code of Maryland (1970 Replacement Volume and 1973 Supplement) to read as follows:

Article 66B - Zoning and Planning

8.14.1. UNDERGROUND PLACEMENT OF OVERHEAD UTILITY LINES AND FACILITIES.

(A) EVERY [[CHARTERED COUNTY, CODE]] COUNTY, MUNICIPAL CORPORATION AND BALTIMORE CITY MAY ENACT LAWS IN WHICH AN HISTORICAL DISTRICT IS LOCATED, REQUIRING THAT UTILITY COMPANIES RELOCATE UNDERGROUND EXISTING OVERHEAD LINES AND FACILITIES WITHIN THE DEFINED PART OF THE HISTORIC DISTRICT OR THE ENTIRE HISTORIC DISTRICT, AND REQUIRING THE CONNECTION THERETO TO BE PLACED UNDERGROUND IF NECESSARY BY PRIVATE OWNERS THEN RECEIVING SERVICE FROM THE OVERHEAD LINES AND FACILITIES. THE LAW SHALL PROVIDE:

(1) THE ESTIMATED COST TO PROPERTY OWNERS FOR WORK TO BE PERFORMED ON PRIVATE PROPERTY BE DETERMINED AND MADE AVAILABLE TO AFFECTED PROPERTY OWNERS;

(2) FINANCING OF THESE COSTS TO PRIVATE OWNERS BE PROVIDED INCLUDING ANY CHARGES FOR THE AMORTIZATION OF THE BONDS ISSUED TO INITIALLY COVER SUCH PRIVATE COSTS. THE COUNTY, MUNICIPAL CORPORATION, OR BALTIMORE CITY MAY ENTER INTO AGREEMENT WITH INDIVIDUAL PROPERTY OWNERS WHEREUPON IT WILL ADVANCE FUNDS TO COVER THE PROPERTY OWNER'S COSTS INVOLVED IN THE CONVERSION OF THE OVERHEAD LINES AND FACILITIES AND MAY APPROPRIATE FUNDS, LEVY TAXES OR BORROW FUNDS TO PAY AND ADVANCE THE COSTS OF SUCH CONVERSION. THE COUNTY OR MUNICIPAL CORPORATION AND BALTIMORE CITY ALSO MAY IMPOSE A BENEFIT ASSESSMENT