

Mental Hygiene, or if following construction of the Commission line the property is connected to the other specified public system pursuant to Commission authorization, the property is exempt from the imposition and collection of a sanitary district benefit assessment until it is served by or connected to the Commission's water or sanitary sewerage system, as the case may be. When the exemption or suspension condition is no longer applicable pursuant to those provisions which established the exemption or suspension, any land or property exempted from or with respect to which there is a suspension of benefit charges shall be classified by benefit charge assessment purposes in its then current class and become liable to a benefit assessment charge at a rate and for a period of time the same as properties first classified or assessed in that year, but not less than the rate and number of years which would have been applied at the time of exemption or suspension. The receipts from benefit charge assessments for properties with respect to which the benefit charge was exempted or suspended for a period of years shall be used by the Commission to amortize any bonds issued for the purpose of constructing or acquiring the water and sewer lines for which benefit charges are levied under the provisions of this chapter or for constructing or acquiring other water and sanitary sewer lines for which benefit charges are levied. AFTER JULY 1, 1985, THERE IS AN ALTERNATIVE METHOD OF ASSESSMENT UNDER THIS SECTION TO BE CALLED "EQUAL BENEFIT ASSESSMENT". THE EQUAL BENEFIT ASSESSMENT SHALL BE THE PRIMARY METHOD OF ASSESSING PROPERTIES WHERE AN ASSESSMENT IS USED TO AMORTIZE THE PROVIDING OF WATER OR SEWER, BY THE COMMISSION TO PRIVATE USERS. HOWEVER, WHERE DICTATED BY EQUITY OR LAW, THE COMMISSION, AT ITS OPTION, MAY ASSESS THE PROPERTIES ON A FRONT FOOT BENEFIT BASIS. THIS NEW ASSESSMENT METHOD SHOULD NOT BE CONSTRUED AS REQUIRING PAST ASSESSMENTS TO BE RECOUPED UNDER THIS NEW FORMULA. AN EQUAL BENEFIT ASSESSMENT MAY BE LEVIED ON EACH OF THE PROPERTIES BENEFITED BY A PURCHASE OR THE ESTABLISHMENT OR CONSTRUCTION OF A WATER SUPPLY OR SEWERAGE FACILITY IN AN EQUAL AMOUNT BASED ON UTILIZATION POTENTIAL OF EACH PROPERTY CONSISTENT WITH CURRENT ZONING. THE TOTAL BENEFIT ASSESSMENTS OF ALL PROPERTIES BEING ASSESSED SHALL BE IN WHATEVER AMOUNT IS REQUIRED TO PAY THE TOTAL COST OF THE PURCHASE, ESTABLISHMENT, OR CONSTRUCTION. THE WORD "PROPERTY" MEANS ALL OF THAT LAND AREA IN COMMON OWNERSHIP ENCLOSED WITHIN THE BOUNDARIES OF CONTIGUOUS PARCELS. SHOULD ANY PROPERTY OWNER DIVIDE THE PROPERTY, THE ASSESSMENT ON ALL THE NEWLY CREATED PARCELS SHALL BE RECALCULATED AND IMPOSED AS PROVIDED IN THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 28, 1985.

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