

located on properties connected to sewers provided by the Commission shall be abandoned, closed and left in a sanitary condition so that no odor or nuisance shall arise from them. Any violation of the provisions of this section is a misdemeanor punishable under § 113-21 of this chapter.

(B) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, WHEN THE COMMISSION DECLARES ABUTTING PROPERTIES READY-TO-SERVE ON OR AFTER JULY 1, 1993, CONNECTION SHALL BE AT THE PROPERTY OWNER'S OPTION IF THE PROPERTY IS LOCATED OUTSIDE THE DESIGNATED SERVICE AREA FOR WHICH THE WATER MAIN OR SEWER WAS INTENDED UNLESS, OR UNTIL, THE PRIVATE WATER OR SEWAGE DISPOSAL SYSTEM SERVING THE PROPERTY FAILS TO COMPLY WITH APPLICABLE STATE REGULATIONS. IF THE PRIVATE WATER OR SEWAGE DISPOSAL SYSTEM FAILS TO COMPLY WITH STATE REGULATIONS, CONNECTION TO THE WATER MAIN OR SEWER IS IMMEDIATELY REQUIRED. COMPLIANCE WITH § 113-9 OF THIS CHAPTER IS NOT AFFECTED BY THE OPTION UNDER THIS SUBSECTION.

113-12.

(A) For every water and sewer connection [as provided in] MADE UNDER this chapter, the Commission shall make a REASONABLE charge, THAT IS not less than the actual cost of connection [, which it determines to be reasonable]. The charge shall be uniform throughout a sanitary district for connections of those sizes and classes for which average costs reasonably may be ascertainable, and, FOR ALL OTHER CONNECTIONS, the actual cost [for all other] OF THE connection [, subject, in the case of those charges, to revision annually by the Commission]. THE COMMISSION MAY REVISE THESE CHARGES ANNUALLY. Connection charges collected by the Commission shall be applied to paying the actual cost of the connections. The Commission may apply any revenue from this source, above actual cost, for repairs, replacements or any extraordinary expense in the maintenance and operation of the water supply and sewerage systems under its control and for [the purposes of] paying the principal of and interest on the bonds issued by the Commission [as authorized by this chapter] for the water supply or sewerage systems to be constructed, purchased or established under this chapter. Connection charges shall be due and payable to the Commission at the time the property owner makes an application to connect to a water main or sewer. If the property owner fails to make the connection by the time required by the Commission as set forth in § 113-10 of this [Article] CHAPTER, the charge shall become due and payable on the connection deadline date, shall be assessed immediately, and shall be subject to the same rules of collection as prescribed by § 113-9L of this [Article] CHAPTER.

(B) FOR PROPERTY OWNERS WHO ELECT TO DEFER CONNECTION UNDER § 110(B) OF THIS CHAPTER, THE CONNECTION CHARGE SHALL INCLUDE AN ADDITIONAL COST REFLECTING THE DELAY IN CONNECTION. THE CONNECTION COST IS DUE WHEN THE PROPERTY OWNER APPLIES TO CONNECT TO A WATER MAIN OR SEWER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1993.

Approved April 13, 1993.