

**A RESOLUTION ESTABLISHING THE TERMS AND CONDITIONS FOR
THE SEWER AND WATER CONNECTION FEE PAYMENT PLAN
FOR NON-RESIDENTIAL PROPERTIES**

WHEREAS, pursuant to Ordinance 20-01, enacted January 06, 2020 by the Mayor and Board of Commissioners, a Sewer and Water Connection Fee Payment Plan for Non-Residential Properties (the “Payment Plan”) was created; and

WHEREAS, pursuant to Ordinance 20-01 the Mayor and Board of Commissioners by Resolution shall from time-to-time create and/or amend the terms and conditions of the Payment Plan.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Board of Commissioners of the Town of Emmitsburg hereby adopts and approves the terms and conditions of the Sewer and Water Connection Fee Payment Plan described in Exhibit A attached hereto.

PASSED and ADOPTED this 6th day of January, 2020.

by a vote of 4 for, 1 against, 0 absent, and 0 abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:



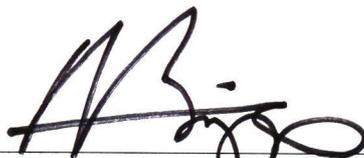
Madeline Shaw, Town Clerk



Clifford L. Sweeney, President

APPROVED VETOED

this 6th day of January, 2020.



Donald N. Briggs, Mayor

EXHIBIT A

**SEWER AND WATER CONNECTION FEE PAYMENT PLAN
FOR NON-RESIDENTIAL PROPERTIES
TERMS AND CONDITIONS**

1. A “qualified applicant” is defined as a non-governmental and/or non-residential property owner whose property:
 - a. Has a total combined number of sewer and water connections are equal to or greater than 30 for a single tax parcel; and
 - b. Creates private sector employment.
2. The Payment Plan will not be available to government or quasi-government owned properties, including public or private schools, fire or rescue stations, etc.
3. The Payment Plan will allow for an up to five (5) year payment plan for qualified applicants with at least 25% of the total sewer and water connection fee to be paid upon submittal of the zoning permit application and the remainder to be paid in equal quarterly payments.
4. The Mayor and Board of Commissioners may allow a waiver of up to 10% of the total sewer and water connection fee credited in the first two years for qualified applicants.
5. The Payment Plan may not be used to pay fees other than the sewer and water connection fee, e.g., inspection fees, soft cost, permit fees, meter costs, and other charges associated with developing the property.
6. The Town’s Planning Department shall manage the application process and make recommendations to the Mayor and Board of Commissioners as to the participant’s qualification, waiver, etc.
7. The collateral for the capacity purchased under the Payment Plan shall be the real property which the capacity serves; therefore, the Payment Plan shall be between the Town of Emmitsburg and the property owner.
8. If any installment payment due under the Payment Plan has not been received within 30-days from date of its invoice, the Town shall have the option to terminate water and sewer service to the property and/or demand full payment of the outstanding balance due under the Payment Plan.
9. A property owner may only have one (1) outstanding Payment Plan payment at a time.