

Filed and recorded August 11, 2004.

TOWN OF MOUNTAIN LAKE PARK

ORDINANCE NO. 2004-2

SEWER USE ORDINANCE.

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE TOWN'S SEWAGE COLLECTION SYSTEM; AUTHORIZING SEWER CONNECTION FEES; REPEALING ALL OTHER ORDINANCES AND RESOLUTIONS PERTAINING TO SEWER USE; AND MAKING VIOLATION OF THIS ORDINANCE A MUNICIPAL INFRACTION.

WHEREAS, the Mayor and Town Council of Mountain Lake Park is authorized by Article 23A of the Maryland Annotated Code and by the Mountain Lake Park Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to Mountain Lake Park; and

WHEREAS, the Town operates a sewerage collection system and from time to time property owners or their agents wish to connect to this system; and

WHEREAS, the Town has incurred expenses in the construction and operation of the sewage collection system and will incur expenses in the future; and

WHEREAS, the Town finds that improper use of the sewage collection system can threaten the health, safety, and welfare of the residents of the Town of Mountain Lake Park;

NOW, THEREFORE, THE MAYOR AND TOWN COUNCIL OF MOUNTAIN LAKE PARK, DOES ORDAIN AND RESOLVE THE FOLLOWING:

ARTICLE ONE

REPEAL OF PRIOR ORDINANCES AND RESOLUTIONS

The sewer use ordinance which was, enacted and adopted by the Mayor and Town Council of Mtn. Lake Park on September 10, 1981 and all other ordinances and resolutions pertaining to sewer use prior to the enactment of this ordinance are hereby repealed.

ARTICLE TWO

DEFINITIONS

Section 1. "Bod" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

Section 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

Section 3. "Building Sewer" shall mean the sewer extension from the building drain to the Town's sewage collection system or other place of disposal.

Section 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

Section 6. "Health Officer" shall mean the Director of Environmental Health for Garrett County.

Section 7. "Industrial Wastes" shall mean the liquid waste from the industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Section 8. "Mayor or his or her authorized agent" shall mean the Mayor of the Town of Mountain Lake Park, or his or her authorized agent. Authorized agents must be appointed by the Mayor and approved by the Town Council

Section 9. "Natural Outlet" shall mean any outlet into a watercourse pond, ditch, lake, or other body of surface or groundwater.

Section 10. "Person" shall mean any natural person, firm, partnership, association, corporation or organization of any kind of group.

Section 11. "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 12. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one half (1/2) inch (1.27) centimeters in any dimension.

Section 13. "Public Sewer" shall mean a sewer in which is controlled by public authority.

Section 14. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Section 15. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, and stormwaters as may be present.

Section 16. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used from treating sewage.

Section 17. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 18. "Sewage Collection System" shall mean the Town's public sewer system.

Section 19. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Section 20. "Shall" is mandatory; "May" is permissive.

Section 21. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty four (24) hour concentration or flows during normal operation.

Section 22. "Storm Drain" (sometimes termed 'storm sewer') shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Section 23. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Section 24. "Town" shall mean the Mayor and Town Council of Mountain Lake Park or the authorized agent or agents of the Town of Mountain Lake Park.

Section 25. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 26. "Health Officer" shall mean the Director of Environmental Health for Garrett County.

ARTICLE THREE

USE OF PUBLIC SEWERS REQUIRED

Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Mountain Lake Park, or in any area under the jurisdiction of said Mountain Lake Park, any human or animal excrement, garbage, or other objectionable waste.

Section 2. It shall be unlawful to discharge to any natural outlet within the Town of Mountain Lake Park, or in any area under the jurisdiction of said Town of Mountain Lake Park, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town of Mountain Lake Park and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary or combined sewer of Mountain Lake Park, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the the Town's sewage collection system in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice by the Town.

Section 4. The owner or owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated outside the Town limits of the Town of Mountain Lake Park and who are connected to the Town's sewage collection system are subject to all provisions of this ordinance.

ARTICLE FOUR

PRIVATE SEWAGE DISPOSAL

Section 1. Where a public sanitary sewer is not available under the provisions of Article Three, Section 3, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Section 2. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Health Officer and the Mayor or his or her authorized agent.

Section 3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Health Officer and the Mayor or his or her authorized agent.

Section 4. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material, as directed by the Mayor or his or her authorized agent.

Section 5. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town of Mountain Lake Park.

Section 6. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

ARTICLE FIVE

SEWER CONNECTIONS

Section 1. No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Mayor or his or her authorized agent.

Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a form furnished by the Town of Mountain Lake Park. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Mayor or his or her authorized agent. The connection fee shall be paid to the Town of Mountain Lake Park at the time the application is filed. Permits are invalid unless the fee has been paid.

Section 3. All costs and expenses incident to the installation of the building sewer shall be borne by the owner. The owner shall indemnify the Town of Mountain Lake Park from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4. If a sewer connection requires extending the Town's sewage collection, any costs associated with such extension shall be the responsibility of the applicant for the sewer connection. Any extension of the Town's sewage collection system shall be completed by a contractor approved by the Mayor or his or her authorized agent.

Section 5. A separate and independent building sewer and connection to the Town's sewage collection system shall be provided for every building.

Section 6. Old building sewers which have not been declared abandoned by the Town may be used in connection with new buildings only when they are found, on examination and tested by the Mayor or his or her authorized agent, to meet all requirements of this ordinance.

Section 7. The size, slope, alignment, materials of construction of a building sewer, and methods to be used in excavating, placing of pipe, jointing, testing, and back filling the trench shall all conform to the requirements of the Maryland State Health Department.

Section 8. Whenever possible, the building sewer line shall be brought to the building at an elevation below the basement floor. In all buildings in which any building sewer line is too low to permit gravity flow to the Town's sewage collection system, sanitary sewage carried by such building sewer line shall be lifted by an approved means and discharged to the building sewer.

Section 9. No person shall make connection of sump pumps, roof down spouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to the Town's sewage collection system, and any such existing connections shall be disconnected at the owner's expense within 90 days of notification by the Town of Mountain Lake Park.

Section 10. The connection of the building sewer into the Town's sewage collection system shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town of Mountain Lake Park, or the procedures set forth in appropriate specifications of the A.S.T.M. and the most recent version of the W.P.C.F. Manual of Practice. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Mayor or his or her authorized agent before installation.

Section 11. The applicant for the sewer connection permit shall notify the Town when the building sewer is ready for inspection and connection to the Town's sewage collection system. The connection shall be made under the supervision of the Mayor or his or her authorized agent.

Section 12. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Mayor or his or her authorized agent. The full cost of such restoration shall be paid by the applicant for the sewer connection permit.

Section 13. Sewer connections from an individual's or organization's property to the Town's sewage collection system shall be made using Schedule 40 sewer pipe with a minimum diameter of 4 inches and Schedule 40 fittings. No fitting with an angle greater than 20 degrees can be used in any sewer connection. "Fernco" or similar connections cannot be used to connect to the Town's sewage collection system.

Section 14. A clean-out and a sewer back-up prevention device shall be placed between any building and the Town's sewage collection system, no more than 5 feet from where the building sewer exits a building. A clean-out must also be placed at the intersection of any gravity building sewer with the Town's sewage collection system. Sewer connections and back up prevention devices must be inspected and approved by the Mayor or his or her authorized agent.

Section 15. Sewer lines between any building and the Town's sewage collection system cannot be placed under private driveways. Nothing can be constructed over any line in the Town's sewage collection system or within any sewer line easement which is part of the Town's sewage collection system.

Section 16. Installation and maintenance of lift pumps and pressure sewer lines between a building and the Town's sewage collection system is the responsibility of the property owner and shall be acquired and maintained at the owner's expense. Lift pumps and the installation thereof must be approved and inspected by the Mayor or his or her authorized agent.

Section 17. The property owner is responsible for the maintenance of any sewer line between his or her building and the Town's sewage collection system.

Section 18. Combined sewer systems are not allowed within the Town of Mountain Lake Park. Combined sewer systems located outside of the Town of Mountain Lake Park cannot be connected to the Town's sewage collection system.

ARTICLE SIX

USE OF THE PUBLIC SEWERS

Section 1. No person shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or polluted industrial process waters to any sanitary sewer.

Section 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Mayor or his or her authorized agent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Mayor or his or her authorized agent, to a storm sewer or natural outlet.

Section 3. No person shall discharge or cause to be discharged any of the following described waters or wastes into the Town's sewage collection system;

(a) Any gasoline, benzene, naphtha, fuel, oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged into the Town's sewage collection system.

(c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshings, entrails and paper dishes, cups, milk containers, grease, etc., either whole or ground by garbage grinders.

Section 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Mayor or his or her authorized agent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Mayor or his or her authorized agent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).

(b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C).

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor or three-fourths (3/4) horsepower (0.75 hg metric) or greater shall be subject to the review and approval of the Mayor or his or her authorized agent.

(d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degrees that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Garrett County Public Utilities Department.

(f) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Garrett County Public Utilities Department, as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Garrett County Public Utilities Department in compliance with applicable State or Federal regulations.

(h) Any waters or wastes having a pH in excess of 9.5.

(i) Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids, (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to, dye waste and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 5. If any waters or wastes are discharged, or are proposed to be discharged into the Town's sewage collection systems, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Garrett County Public Utilities Department, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Garrett County Public Utilities Department may:

- (a) Reject the wastes.
- (b) Require pretreatment to an acceptable condition for discharge to the the Town's sewage collection systems.
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of the Article.

Section 6. If the Garrett County Public Utilities Department permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Garrett County Public Utilities Department, and subject to the requirements of all applicable codes, ordinances, and laws.

Section 7. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Mayor or his or her authorized agent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Mayor or his or her authorized agent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 8. Where preliminary treatment of flow equalizing facilities are provided for any waters or wasters, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 9. When required by the Mayor or his or her authorized agent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Mayor or his or her authorized agent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 10. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the Town's sewage collection system to the point at which the building sewer is connected.

Section 11. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pH's are determined from periodic grab samples.

Section 12. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town of Mountain Lake Park and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town of Mountain Lake Park for treatment, subject to payment therefore, by the industrial concern.

ARTICLE SEVEN

PROTECTION FROM DAMAGE

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the Town's sewage collection system.

ARTICLE EIGHT

POWERS AND AUTHORITY OF INSPECTORS

Section 1. The Mayor or his or her authorized agent and other duly authorized employees of the Town of Mountain Lake Park bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Mayor or his or her authorized agent or his representatives shall have the authority to inquire into any processes including metallurgical, chemical, oil, refining ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Section 2. While performing the necessary work on private properties referred to in Article Eight, Section 1 above, the Mayor or his or her authorized agent or duly authorized employees of the Town of Mountain Lake Park shall observe all safety rules applicable to the premises. The Town of Mountain Lake Park shall indemnify the company against loss or damage to its property by the Town of Mountain Lake Park employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 12.

Section 3. The Mayor or his or her authorized agent and other duly authorized employees of the Town of Mountain Lake Park bearing proper credentials and identification shall be permitted to enter all private properties through which the Town of Mountain Lake Park holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE NINE

SEWER CONNECTION FEES AND USAGE CHARGES

Section 1. The Town shall charge a connection fee for all in-town and out-of-town connections to the Town's sewage collection system. This fee will not be waived for any individual or organization, including, but not limited to nonprofit organizations, religious organizations, and government agencies other than the Town of Mountain Lake Park. The fee must be paid upon application for a sewer connection permit. Applications for sewer connection permits and zoning permits are invalid until the sewer connection fee and the zoning permit fee is paid.

Section 2. Sewer usage charges will be billed beginning with the next billing period after payment for a sewer connection. For those who purchased sewer connections prior to the adoption of this ordinance, sewer usage charges shall be billed beginning with the next billing period after adoption of this ordinance.

Section 3. Every residence having toilet facilities requires payment of one connection fee. Every apartment building, multiple housing unit, nursing home, or long-term care facility must pay one connection fee for each apartment or unit having toilet facilities. Every business, school, institutional facility, religious organization, service club, government building, fire department, or rescue squad must pay one connection fee for every 1,000 square feet of floor space or fraction thereof. Every property containing an accessory building having toilet facilities must pay one connection fee for each such accessory building. Every industrial or manufacturing facility must pay one connection fee for each 1,000 square feet of floor space or fraction thereof, for each building containing toilet facilities.

Section 4. Sewer connection fees shall be established by resolution of the Mayor and Town Council of Mountain Lake Park. Sewer connection fees will be published in Town's "Permit Fees Resolution." The fees may be increased or decreased by resolution of the Mayor and Town Council of Mountain Lake Park.

Section 5. Individuals or organizations who have purchased a sewer connection, but have not made a connection to the Town's sewage collection system, prior to the adoption of this ordinance, are subject to the sewer connection fees in the Resolution of Permit Fees. If the connection fee was purchased at a rate lower than the most current rate published in the Resolution of Permit Fees, the individual or organization must pay an amount equal to the current sewer connection rate less the amount originally paid for the sewer connection.

Section 6. The Town reserves the right to repurchase, at the individual's or organization's actual rate originally paid, any sewer connection fees paid and not activated on or before January 1, 2005.

Section 7. Sewer connections which have been unused for more than 365 days are hereby declared abandoned. Owners of property containing an abandoned sewer connection, must purchase a new sewer connection at the most current sewer connection rate published in the Town's Resolution of Permit Fees. No credit shall be allowed for the original sewer connection fee paid.

ARTICLE TEN

ENFORCEMENT

Section 1. Violation of any provision(s) of this ordinance is a municipal infraction and is subject to the Enforcement Ordinance and the fines or penalties provided in the Resolution of Fines for Municipal Infractions. The Mayor and Town Council may change the amount of fines and penalties in the Resolution of Fines for Municipal Infractions after the changes have been duly posted in accordance with the policy of the Mayor and Town Council of Mountain Lake Park for advertising for the adoption of resolutions.

Section 2. Nothing contained in this ordinance shall prohibit or prevent the Town from seeking other legal remedies, such as injunction, criminal prosecution, or damages in a civil action pursuant to Section 3 of Article 23A, Annotated Code of Maryland as amended.

ARTICLE ELEVEN

MINORS

In the event the violator on any provision of this ordinance is a minor, the enforcement provisions in Article Ten shall apply with full force and effect upon the parent, parents, guardian, or other such person or persons directly responsible for the conduct of the minor.

ARTICLE TWELVE

SEPARABILITY

Section 1. It is the intention of the Mayor and Town Council of Mountain Lake Park that each separate provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 2. It is further the intention of the Mayor and Town Council of Mountain Lake Park that if any provisions of this Ordinance be declared invalid or unconstitutional, all other provisions hereof shall remain valid and enforceable.

ARTICLE THIRTEEN

ENACTMENT

IT IS HEREBY ORDAINED AND RESOLVED, this ordinance shall be in full force and effect after introduction, advertising, public hearing, and adoption as provided by law.

BE IT FURTHER RESOLVED, this ordinance shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Mountain Lake Park, and a public hearing on this Ordinance shall be held on the 1st day of July, 2004, at 6:00 P. M., at the Town Hall located at 1007 Allegheny Drive, Mountain Lake Park, Maryland 21550.

Mayor and Town Council of Mountain Lake Park
Sewer Use Ordinance No. 2004-2

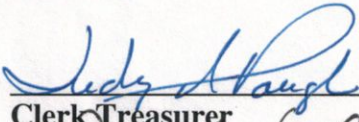
INTRODUCED this 3rd day of June, 2004.

SECOND READING AND ADOPTION this 1st day of July, 2004.

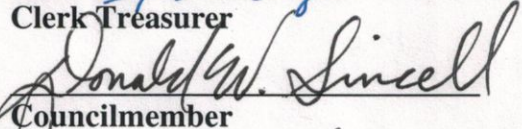
AND BE IT FURTHER RESOLVED, this Ordinance shall be effective July 1, 2004

**THIS ORDINANCE IS SUBJECT TO REFERENDUM AS OUTLINED IN
ARTICLE 23A, SECTIONS 11 THROUGH 17.**

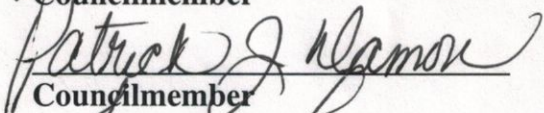
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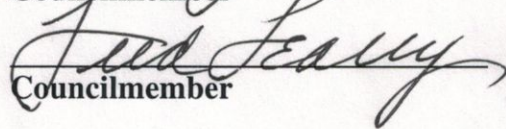
Clerk Treasurer



Councilmember

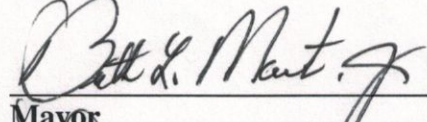


Councilmember

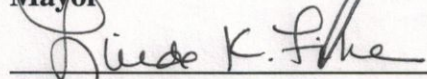


Councilmember

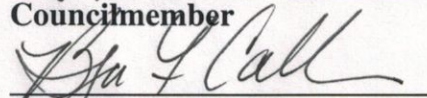
APPROVED:



Mayor



Councilmember



Councilmember

TOWN OF MOUNTAIN LAKE PARK ORDINANCE CHECKLIST

1. 6/3/04 Introduce proposed ordinance to governing body. (Constitutes first reading)
2. 6/10/04 Publish public hearing date and time and a fair summary of proposed ordinance
for two week intervals. (This date must be set at least 6 days but not more that 60
6/17/04 days after introduction for hearing.)
3. 7/1/04 Conduct public hearing, second reading and adoption of Ordinance.
4. 7/1/04 Ordinance will become effective immediately upon adoption.
5. 8/10/04 Wait 40 days to allow time for petition to ordinance referendum.
6. 8/11/04 If no petition, is received, promptly register the ordinance with the county, Clerk
of Courts.

LIBER 005 PAGE 014

TOWN OF MOUNTAIN LAKE PARK
ORDINANCE CHECKLIST

1. Introduce proposed ordinance to governing body. (Consensus first reading) 8/3/04

2. Publish public hearing date and time and a fair summary of proposed ordinance for two week interval. (This date must be set at least 6 days but not more than 60 days after introduction) 8/10/04

3. Conduct public hearing, reading and adoption of Ordinance 8/11/04

4. Ordinance will be in effect 8/10/04

5. Wait 4 days to allow time for petition to ordinance referendum 8/10/04

6. If no petition is received, properly register the ordinance with the county Clerk 8/11/04

7. of Court.

ORDINANCES & RESOLUTIONS

Filed and recorded August 11, 2004,
in O & R Record, Liber D.K.M., No. 005,
folio 001, one of the Records in the
Office of the Clerk of the Circuit Court
for Garrett County, Maryland, and compared
by:

David K. Martin

, CLERK