

**TOWN OF HAMPSTEAD
ORDINANCE NO. 529**

AN ORDINANCE TO AMEND CHAPTER 132 OF THE HAMPSTEAD TOWN CODE REGARDING RENDERING OF WATER BILLS, DISCONTINUANCE OF SERVICE, PENALTY CHARGES AND RESTORATION OF SERVICE.

WHEREAS, the Town of Hampstead operates a municipal water system; and

WHEREAS, the Town faces continued increases in the administrative expenditure of notification of late water bills and potential discontinuance of water service; and

WHEREAS, the Mayor and Council held a public hearing on these amendments on the 10th day of July, 2018;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMPSTEAD:

ARTICLE 1. That Section 132-4.C., penalty charge, be amended as follows:

- C. A penalty shall be imposed if a bill is not paid within 30 days of the billing date. The penalty shall be \$2[0]5 or 10% of the bill, whichever amount is greater.

ARTICLE 2. That Section 132-27.A., Restoration of Service, be amended to read as follows:

- A. When water service has been discontinued to any premises for any of the reasons enumerated in §132-26 or for any other violation of the Town's rules not previously listed, except for vacancy, a charge will be made for restoring service in the amount of \$[50]75.

ARTICLE 3. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this chapter, it being the intent of the town that this chapter shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion thereof.

ARTICLE 4. Section Headings, Chapter Headings, Titles.

Section headings, chapter headings, titles, etc., are for the purpose of description or ease of use and do not form a part of the text of this Ordinance or any Code or test adopted hereby.

ARTICLE 5. Interpretation.

In interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This Ordinance shall be construed broadly in favor of the Town of Hampstead for the purpose to promote the purpose for which it is adopted.

ARTICLE 6. Abrogation and Greater Restrictions.

1. Public Provisions. This Ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law except as provided in these regulations. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, the provision which is more restrictive or imposes higher standards shall control.

2. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement impose duties and obligations more restrictive than these regulations, and the private provisions are not inconsistent with these regulations, then the private provisions shall be operative and supplemental.

Introduced this 5th day of June, 2018.

Clerk of the Council

Passed this 10th day of July, 2018 by a vote of 5 Council members in favor, 0 Council members opposed, and 0 abstentions.

Delivered to the Mayor for his approval or disapproval this 11th day of July, 2018.

ATTEST:

Clerk of the Council

Christopher M. Nevin
Mayor

Effective this 30th day of July, 2018.

Approved as to form
and legal sufficiency
this ____ day of _____, 2018.

MICHELLE M. OSTRANDER, ESQ.

BY: _____
Town Attorney

NOTE: Matter in [brackets] is proposed for deletion from existing law.
Matter underlined is new material proposed to be added to existing law.