

BK 008528156

**PERTAINING TO THE GRANT OF A FRANCHISE TO THE TOWN OF NORTH BEACH TO  
PROVIDE WATER TO SPECIFIED AREAS OF THE NORTH CHESAPEAKE BEACH  
SUBDIVISION**

**WHEREAS**, the Board of County Commissioners for Calvert County, Maryland, has the authority, pursuant to *Local Government Article*, §1-704 of the Maryland Annotated Code, to grant franchises for the operation of water and sewerage systems;

**WHEREAS**, the Town of North Beach (the "Town") has requested that it be granted a franchise to provide water through extension of its community water system beyond town limits to portions of the North Chesapeake Beach Subdivision, described as Blocks 41-44, as shown on a plat of the said subdivision recorded among the Land Records of Calvert County, Maryland, at Liber GWD 8, folio 305;

**WHEREAS**, a public hearing regarding this request was duly advertised in at least one newspaper of general circulation in Calvert County for two consecutive weeks before the public hearing was held, at which time the Board of County Commissioners received public comment; and

**WHEREAS**, upon due consideration of the request, the comments of the public and staff and in furtherance of the public health, safety and welfare, the Board of County Commissioners finds that it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland to grant the requested franchise.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners for Calvert County, Maryland, that the Town of North Beach is hereby granted a franchise and authorized to provide water through a community water system to Blocks 41, 42, 43, and 44 of the North Chesapeake Beach subdivision, as said blocks are shown on a plat recorded among the Land Records of Calvert County, Maryland, at Liber GWD 8, folio 305, a copy of which is attached hereto and incorporated herein by reference, provided that the Town shall not assess fees and charges to customers in the franchise area that exceed those for the same or similar services within the Town boundaries;

**BE IT FURTHER ORDAINED** by the Board of County Commissioners for Calvert County, Maryland that, notwithstanding any regulations or policies promulgated by the Town, connection to the Town's water system within the franchise granted hereby shall be mandatory only upon the failure of an existing well serving a property, as said failure is certified by the Calvert County Health Department, or upon the construction of a new building that requires water service upon a lot that is not served by an existing well;

**BE IT FURTHER ORDAINED** by the Board of County Commissioners for Calvert County, Maryland that before the Town shall construct any water distribution lines or other facilities necessary to provide water, it shall obtain necessary permits approved by the Board of County Commissioners for Calvert County, Maryland, and issued by the Calvert County Department of Public Works;

**BE IT FURTHER ORDAINED** by the Board of County Commissioners for Calvert County, Maryland that, in the event any portion of this Resolution is found to be unconstitutional,

illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Resolution shall be enforceable and valid;

**BE IT FURTHER ORDAINED** by the Board of County Commissioners for Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

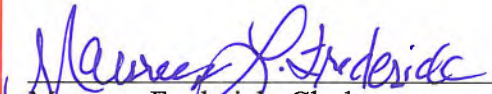
**BE IT FURTHER ORDAINED** by the Board of County Commissioners for Calvert County, Maryland that this Ordinance shall be effective upon recordation and publication of a fair summary.

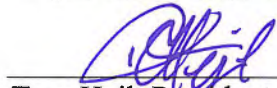
**DONE**, this 20<sup>th</sup> day of June 2017, by the Board of County Commissioners for Calvert County, Maryland, sitting in regular session.

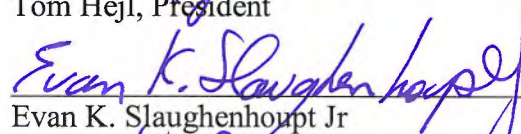
Aye: 5  
Nay: 0  
Absent/Abstain: 0

**ATTEST:**


**BOARD OF COUNTY COMMISSIONERS  
FOR CALVERT COUNTY, MARYLAND**

  
Maureen Frederick, Clerk

  
Tom Hejl, President

  
Evan K. Slaughenhaupt Jr

Approved for form and legal sufficiency  
by:

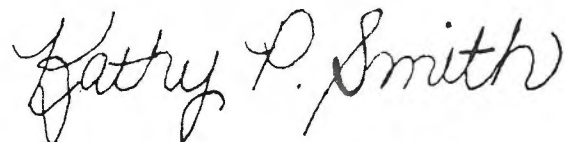
  
Mike Hart

  
John B. Norris, County Attorney

  
Pat Nutter

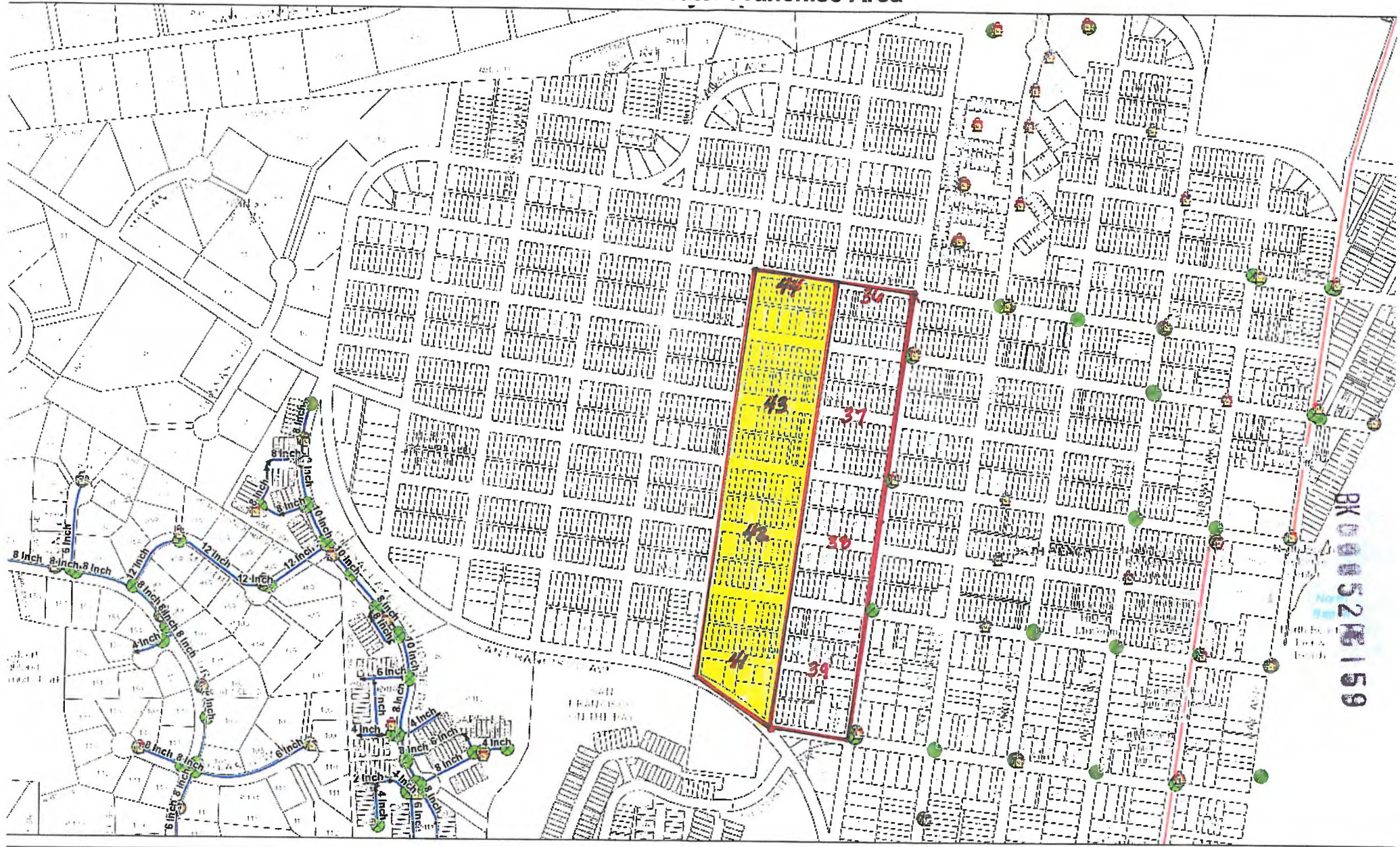
  
Steven R. Weems

Received for Record.....6/28....., 2017  
at 10:37 o'clock.....9 A.M. Same day  
recorded in Liber KPS No. 53  
Folio. 156.....COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.



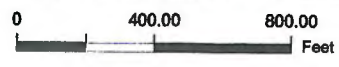


# North Beach Water Franchise Area



BK 000526159

The data represented here are maintained to the best ability of the Calvert County Government. Users assume any and all risks associated with decisions based on this data.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION.  
County Department of Technology Services



MAP PROJECTION:  
NAD\_1983\_StatePlane\_Maryland\_FIPS\_1900\_Feet

1: 4,800  
1 in = 400.00 ft

Notes