

AN ORDINANCE

No. 2020-30

AN ORDINANCE TO AMEND ARTICLE 2 ENTITLED “WASTEWATER DISPOSAL” AND ARTICLE 3 ENTITLED “WATER” OF CHAPTER 10-1 OF TITLE 10 OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE BY ELIMINATING THEM IN THEIR ENTIRETY AND SUBSTITUTING IN THEIR PLACE THE LANGUAGE SET FORTH BELOW; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

Articles 2 and 3 of Chapter 10-1 of Title 10 of the Code of Ordinances of the City of Gainesville, Georgia are hereby amended to read as follows:

ARTICLE 2. – WASTEWATER DISPOSAL

Sec. 10-1-16. - Classification of users.

For the purpose of establishing wastewater service charges under chapter 5-1, users are classified as follows effective July 1, 2005:

- (1) Residential;
- (2) Multi-family;
- (3) Commercial;
- (4) General industry.

Sec. 10-1-17. - Wastewater service fees.

- (a) Monthly account service fees and monthly per unit (one thousand gallons) wastewater service fees:
 - (1) Account service fees. All classes of wastewater users inside or outside the corporate limits of the city who purchase water from the city shall pay no monthly account service fee on the wastewater portion of the utility bill when billed with the water service.
 - (2) All classes of wastewater users, whether located inside or outside the corporate limits of the city, whose wastewater flow is metered and billed separately from their water meters shall pay a monthly account service fee in accordance with fees established in subsection 10-1-41(b).
 - (3) Monthly per unit (one thousand gallons) wastewater service fees for all classes of users by district:

ORDINANCE NO. 2020-30

(i) Effective January 1, 2022 through December 31, 2022:

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$10.07
Outside city limits with the sole exception of property located in the city of Oakwood	\$10.07
Oakwood wastewater	\$10.27

(ii) Effective January 1, 2023 through December 31, 2023:

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$10.26
Outside city limits with the sole exception of property located in the city of Oakwood	\$10.26
Oakwood wastewater	\$10.47

(iii) Effective January 1, 2024 through December 31, 2024:

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$10.45
Outside city limits with the sole exception of property located in the city of Oakwood	\$10.45
Oakwood wastewater	\$10.66

(iv) Effective January 1, 2025 through December 31, 2025:

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$10.65
Outside city limits with the sole exception of property located in the city of Oakwood	\$10.65
Oakwood wastewater	\$10.86

ORDINANCE NO. 2020-30

(v) Effective January 1, 2026 through December 31, 2026:

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$10.85
Outside city limits with the sole exception of property located in the city of Oakwood	\$10.85
Oakwood wastewater	\$11.07

(vi) Effective January 1, 2027 through December 31, 2027

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$11.06
Outside city limits with the sole exception of property located in the city of Oakwood	\$11.06
Oakwood wastewater	\$11.28

(vii) Effective January 1, 2028 through December 31, 2028

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$11.27
Outside city limits with the sole exception of property located in the city of Oakwood	\$11.27
Oakwood wastewater	\$11.50

(viii) Effective January 1, 2029 through December 31, 2029

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$11.48
Outside city limits with the sole exception of property located in the city of Oakwood	\$11.48
Oakwood wastewater	\$11.71

ORDINANCE NO. 2020-30

(ix) Effective January 1, 2030 through December 31, 2030

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$11.70
Outside city limits with the sole exception of property located in the city of Oakwood	\$11.70
Oakwood wastewater	\$11.93

(x) Effective January 1, 2031

Wastewater District	Fee per 1,000 gallons
Inside city limits	\$11.92
Outside city limits with the sole exception of property located in the city of Oakwood	\$11.92
Oakwood wastewater	\$12.16

- (b) In addition to the above, all classes of users except residential and multifamily shall be billed, as a surcharge, a fee based upon their pollutant load in excess of that found in the maximum residential waste effluent. The Director of the city Department of Water Resources, or his/her delegate, in accordance with the standard practice for sample taking and sample analysis, shall compute monthly for each class of user, the amount of waste pollutants in mg/l/1,000 gallons (milligrams per liter per one thousand gallons) introduced in the wastewater system in excess of the residential criteria hereafter established. Computation shall be based on sample(s) taken in a water service period. In the event there are no samples taken in a service period, the most recent sample shall be used for the monthly computation for up to four (4) consecutive monthly computations.
- (c) In addition to surcharges, all classes of users except residential and multifamily shall be billed, as a penalty, a fee based upon their pollutant load of oil and grease in excess of that found in the maximum residential waste effluent. The Director of the city Department of Water Resources, or his/her delegate, in accordance with the standard practice for sample taking and sample analysis, shall compute monthly for each class of user, the amount of waste pollutants in mg/l/1,000 gallons (milligrams per liter per one thousand gallons) introduced in the wastewater system in excess of residential criteria hereafter established. Computation shall be based on sample(s) taken in a water service period. In the event there are no samples taken in a service period, the most recent sample shall be used for the monthly computation for up to four (4) consecutive monthly computations.
- (d) Waste effluent contaminants to be analyzed and measured for surcharge and penalty are:
- (1) Biochemical oxygen demand;

ORDINANCE NO. 2020-30

- (2) Suspended solids;
 - (3) Oil and grease;
 - (4) Phosphorus;
 - (5) Total Kjeldahl nitrogen.
- (e) The criteria hereby established for maximum or upper limit residential waste is:
- (1) Biochemical oxygen demand, 250 mg/l;
 - (2) Suspended solids, 250 mg/l;
 - (3) Oil and grease, 100 mg/l;
 - (4) Phosphorus, 7 mg/l;
 - (5) Total Kjeldahl nitrogen, 40 mg/l.
- (f) The surcharge to industrial and commercial users for excess pollutants over the maximum residential criteria each month will be computed as follows:
- (1) *Biochemical oxygen demand.* 0.00254011 of one (1) cent per milligram per liter (mg/l) of biochemical oxygen demand (BOD) for each one thousand (1,000) gallons in excess of residential criteria up to five hundred (500) milligrams per liter (mg/l).
 - (2) *Total suspended solids.* 0.00187166 of one (1) cent per milligram per liter (mg/l) of total suspended solids (TSS) for each one thousand (1,000) gallons in excess of residential criteria up to five hundred (500) milligrams per liter (mg/l).
 - (3) *Phosphorus.* 0.02941176 of one (1) cent per milligram per liter (mg/l) of total phosphorus (P) for each one thousand (1,000) gallons in excess of residential criteria up to eleven (11) milligrams per liter (mg/l).
 - (4) *Total Kjeldahl nitrogen.* 0.00668449 of one (1) cent per milligram per liter (mg/l) of total Kjeldahl nitrogen (TKN) for each one thousand (1,000) gallons in excess of residential criteria up to seventy-five (75) milligrams per liter (mg/l).
- (g) The penalty to industrial and commercial users for excess pollutants over the maximum residential criteria each month will be computed as follows:
- Fats, oil, and grease.* 0.00668449 of one (1) cent per milligram per liter (mg/l) of total fat, oil and grease (FOG) for each one thousand (1,000) gallons in excess of residential criteria up to one hundred twenty-five (125) milligrams per liter (mg/l).
- (h) A minimum fee of four hundred dollars (\$400.00) shall be charged for monitoring waters of the state due to a wastewater spill of zero (0) to ten thousand (10,000) gallons, or the actual cost of such monitoring, whichever is higher. The actual costs incurred shall be charged for monitoring a spill greater than ten thousand (10,000) gallons.
- (i) Fees for testing private water samples for contaminants are as follows:
- Biochemical Oxygen Demand (BOD₅).... \$23.00
- Chemical Oxygen Demand \$23.00
- Coliform, fecal \$35.00
- Coliform, total\$35.00
- Nitrogen, ammonia \$19.00

ORDINANCE NO. 2020-30

Nitrogen, nitrate \$17.00
Nitrogen, total Kjeldahl \$22.00
Oil and grease \$37.00
pH \$9.00
Orthophosphate, total \$19.00
Phosphorus, total \$20.00
Solids, total \$11.00
Solids, total suspended \$13.00
Well testing fee\$50.00

Sec. 10-1-18. - Calculation of charges.

- (a) The monthly wastewater charge for residential users who are located both inside and outside the city limits shall be calculated based on a percentage of the usage calculated from the monthly water meter readings. Effective January 1, 2022, the percentage used for calculation of the monthly bill shall be ninety-five (95) percent of the metered water usage. Wastewater billed to residential users each month will be capped at 8,000 gallons.
- (b) The wastewater charge for all other classes of users who are located both inside and outside the city limits of the city shall be calculated on each month's water usage as shown by the water meter. In the event that any user receives a water supply from sources other than the city's system, such additional sources shall be metered, and the wastewater charge shall be based upon the monthly total of all metered water supplied.
- (c) In the event a portion of the water supply can be shown, to the satisfaction of the Director of the city Department of Water Resources, or his/her delegate, not to be discharged into the city's wastewater system, credit may be allowed by the city for that portion not discharged.

Sec. 10-1-19. - Excess contaminated waste.

Wastewater acceptable for treatment without violating the provisions of this chapter is wastewater with:

- a. BOD of five hundred (500) mg per liter or less.
- b. Total suspended solids of five hundred (500) mg per liter or less.
- c. Total phosphorus of eleven (11) mg per liter or less.
- d. Total Kjeldahl nitrogen (TKN) of seventy-five (75) mg per liter or less.
- e. Fats, oil and grease of one hundred twenty-five (125) mg per liter or less.
- f. Any wastewater accepted with effluent contaminants in excess of the limits of subsections (a) through (d) of this section shall be charged a surcharge to be computed as follows:
 - 1. *Biochemical oxygen demand (BOD).*

ORDINANCE NO. 2020-30

- i. 0.00668449 of one (1) cent per milligram per liter (mg/l) of biochemical oxygen demand (BOD) for each one thousand (1,000) gallons in excess of five hundred (500) milligrams per liter (mg/l) up to seven hundred (700) milligrams per liter (mg/l).
 - ii. 0.00762032 of one (1) cent per milligram per liter (mg/l) of biochemical oxygen demand (BOD) for each one thousand (1,000) gallons in excess of seven hundred (700) milligrams per liter (mg/l) to nine hundred (900) milligrams per liter (mg/l).
 - iii. 0.01497326 of one (1) cent per milligram per liter (mg/l) of biochemical oxygen demand (BOD) for each one thousand (1,000) gallons in excess of nine hundred (900) milligrams per liter (mg/l).
2. *Suspended solids.*
 - i. 0.00467914 of one (1) cent per milligram per liter (mg/l) of total suspended solids (TSS) for each one thousand (1,000) gallons, in excess of five hundred (500) milligrams per liter up to seven hundred (700) milligrams per liter (mg/l).
 - ii. 0.0052139 of one (1) cent per milligram per liter (mg/l) of total suspended solids (TSS) for each one thousand (1,000) gallons in excess of seven hundred (700) milligrams per liter (mg/l) up to nine hundred (900) milligrams per liter (mg/l).
 - iii. 0.00962567 of one (1) cent per milligram per liter (mg/l) of total suspended solids (TSS) for each one thousand (1,000) gallons in excess of nine hundred (900) milligrams per liter (mg/l).
3. *Phosphorus.*
 - i. 0.06550802 of one (1) cent per milligram per liter (mg/l) of total phosphorus (P) for each one thousand (1,000) gallons in excess of eleven (11) milligrams per liter (mg/l) up to fifteen (15) milligrams per liter (mg/l).
 - ii. 0.07754011 of one (1) cent per milligrams per liter (mg/l) of total phosphorus (P) for each one thousand (1,000) gallons in excess of fifteen (15) milligrams per liter (mg/l) up to twenty (20) milligrams per liter (mg/l).
 - iii. 0.14973262 of one (1) cent per milligram per liter (mg/l) of total phosphorus (P) for each one thousand (1,000) gallons in excess of twenty (20) milligrams per liter (mg/l).
4. *Total Kjeldahl nitrogen.*
 - i. 0.01737968 of one (1) cent per milligram per liter (mg/l) of total Kjeldahl nitrogen (TKN) for each one thousand (1,000) gallons in excess of seventy-five (75) milligrams per liter (mg/l) up to one hundred (100) milligrams per liter (mg/l).
 - ii. 0.02139037 of one (1) cent per milligram per liter (mg/l) of total Kjeldahl nitrogen (TKN) for each one thousand (1,000) gallons in excess of one hundred (100) milligrams per liter (mg/l) up to one hundred thirty-five (135) milligrams per liter (mg/l).

ORDINANCE NO. 2020-30

- iii. 0.04278075 of one (1) cent per milligram per liter (mg/l) of total Kjeldahl nitrogen (TKN) for each one thousand (1,000) gallons in excess of one hundred thirty-five (135) milligrams per liter (mg/l).
- g. Any wastewater accepted with effluent contaminants in excess of the limits of subsection e of this section shall be charged a surcharge to be computed as follows:
 1. 0.01604278 of one (1) cent per milligram per liter (mg/l) of total fats, oil and grease (FOG) for each one thousand (1,000) gallons in excess of one hundred twenty-five (125) milligrams per liter (mg/l) up to one hundred fifty (150) milligrams per liter (mg/l).
 2. 0.01871658 of one (1) cent per milligram per liter (mg/l) of total fats, oil and grease (FOG) for each one thousand (1,000) gallons in excess of one hundred fifty (150) milligrams per liter (mg/l) up to one hundred seventy-five (175) milligrams per liter (mg/l).
 3. 0.03743316 of one (1) cent per milligram per liter (mg/l) of total fats, oil and grease (FOG) for each one thousand (1,000) gallons in excess of one hundred seventy-five (175) milligrams per liter (mg/l).

Provided, however, that payment of the surcharge as provided in this section shall not excuse the violator from any other penalty, termination of service or legal or equitable relief pursued by the city to terminate such violation.

Sec. 10-1-20. - Tapping and other fees.

The following fees are hereby established for tapping into the wastewater system of the city:

- (1) For a six-inch service line serving a single dwelling or commercial unit, connecting a trunk, or collecting wastewater main, the fee shall be nine hundred dollars (\$900.00) for both inside city and outside city customers.
- (2) In all cases the city shall make the final determination as to the size of the service line to be provided.
- (3) Wastewater service lines larger than six (6) inches installed shall be charged an additional fee based on the city's actual cost for each additional inch of diameter above six inches.

Sec. 10-1-21. - Wastewater system connection fee.

- (a) *Users subject to fee.* Users of the wastewater system shall pay a wastewater connection fee before new or additional service will be made available. Applications for new or additional wastewater service must include the street address for a specific lot or lots where the service is to be provided. Wastewater service approved for a specific lot shall not be transferred to any other lot or property. Existing users shall be subject to the fee when their existing water service tap is inadequate to deliver the volume of water desired and requires an increase in the water service tap and meter size. New users will be subject to the fee at the time new service is requested. All users shall be subject to the wastewater connection fee regardless of location (inside or outside city corporate limits) of the service tap.
- (b) *Determination of wastewater connection fee.*
 - (1) The wastewater connection fee shall be imposed according to the following schedule:

ORDINANCE NO. 2020-30

Size of Water Meter (inches)	Hydraulic Equivalency Ratio	Wastewater Connection Fee
$\frac{3}{4}$	1.0	\$3,570.00
1	2.5	\$9,683.00
2	8.0	\$30,984.00
3	16.0	\$61,968.00
4	25.0	\$96,825.00
6	50.0	\$193,650.00
8	80.0	\$309,840.00

The wastewater connection fee shall be paid at the time of application for wastewater service and in addition to the meter and wastewater system tapping fees.

- (2) The minimum wastewater connection fee for any new wastewater service, regardless of the meter size, shall be three thousand five hundred seventy dollars (\$3,570.00).
- (c) *Changing tap and meter size.*
- (1) After the original wastewater connection fee has been paid and installation made, any customer requesting a change in water tap size resulting in a smaller water meter shall make proper application at the Department of Water Resources for this change. Such change shall be made without cost to the customer. No credit shall be given for wastewater connection fees or water meter costs paid on the existing larger water meter. The water meter removed shall remain the property of the city and shall be returned to the city.
 - (2) After the original wastewater connection fee has been paid and installation made, any customer requesting a change in water tap size resulting in a larger water meter shall make proper application at the Department of Water Resources for this change. The customer shall pay a wastewater connection fee equal to the difference between the current applicable wastewater connection fee for the existing water meter size and the current applicable wastewater connection fee for the requested water meter size. The water meter removed shall remain the property of the city and shall be returned to the city.
- (d) *Payment of fee.*
- (1) Existing users shall pay the wastewater connection fee at the time the application is made with the Department of Water Resources to increase the size of the existing water service tap on meter.

ORDINANCE NO. 2020-30

- (2) New users shall pay the wastewater connection fee at the time the application is made with the Department of Water Resources for wastewater service.
- (e) *Revenue restrictions.*
- (1) All revenues received from each wastewater connection fees shall be accounted for separately and distinctly from any other system revenues. Available wastewater connection fee balances shall be invested and all interest earned on these investments shall be accounted for as part of the wastewater connection fee revenues. The accounting system shall be established so that wastewater connection fee collections, interest earned, and expenses can be clearly tracked on a monthly basis and so that connection fees are properly deposited, accounted for and expended in accordance with section 10-1-21(e) of the City Code.
 - (2) Wastewater connection fee funds shall be expended only for system improvement costs, as defined in O.C.G.A § 36-71-2(19), as amended, that provide capacity to serve new connections to the wastewater system. All costs permitted under the Georgia Development Impact Fee Act, as amended, shall be permitted under this section. Such costs include, but are not limited to, planning, design, engineering, land acquisition, land improvement, surveying, and construction or reconstruction costs as well as principal, interest and other financing costs on contracts, bonds, notes or other obligations issued by the city to finance such system improvements. Wastewater connection fee funds shall not be expended for maintenance or repair of system improvements nor for operational expenses.
- (f) *Applicant contributions of system improvements; credits/reimbursements.*
- (1) Project improvements are the responsibility of the developer or property owner and no credits against connection fees shall be made for project improvements. Project improvements include all lot or building improvements necessary to provide service (including for example the building wastewater service line and cleanout and pre-stubs if required) and main extensions of eight (8) inches in diameter as required to connect to the nearest main. Project improvements also include any other wastewater system facilities, including but not limited to pump stations and larger diameter lines, that are planned, designed and are necessary to provide service to a particular development project as defined in O.C.G.A. § 36-17-2(15), as amended. Tap costs are covered by the tapping fee imposed pursuant to section 10-1-20 of the Code of Ordinances of the City of Gainesville.
 - (2) Upon application for new or increased wastewater service, the wastewater connection fee otherwise due shall be reduced by any applicable credits for the contribution of money or dedication of land for or the construction of system improvements, as defined in O.C.G.A. § 36-17-2(20), as amended, within the service area where the new connection is located and serving the new connection and required or accepted by the city from the applicant or his predecessor in title or interest. In the event that the amount of credit due exceeds the total wastewater connection fees due, an agreement between the applicant and the Department of Water Resources shall govern the amount and timing of reimbursement payments to the applicant. The city shall have the option of reimbursing an applicant by a lump sum payment or periodic payments and from existing funds or from wastewater connection fees collected in the future.
 - (3) The amount of applicable credit/reimbursement, if any, shall be determined based on credible evidence submitted by the applicant on forms provided by the city Department of Water Resources which: (a) describes the contribution for which

ORDINANCE NO. 2020-30

credit/reimbursement is claimed, (b) establishes the original cost and date of the construction, contribution or dedication, (c) identifies the specific development project for which the construction, contribution or dedication was made, including the location, land use, size, number of buildings or number of dwelling units in the original development project, and (d) describes the development project for which the credit/reimbursement against wastewater connection fees is requested, if different from the project described in subsection (c). Credits/reimbursements may not be transferred from one development project to another project. All costs related to submitting the credit/reimbursement application and any additional information requested by the Director of the Department of Water Resources are the responsibility of the applicant.

- (4) The Director of the Department of Water Resources shall determine the amount of credit/reimbursement due per connection, if any, based on consideration of the original and current or depreciated value of the contribution or dedication, the facilities required to serve the development project, the ability of the contribution or dedication to provide service to other development, and, if the contribution or dedication is determined to be a system improvement which is eligible for credit/reimbursement, the per connection share of the present value of the construction, contribution and dedication. System improvements shall be determined based on accepted engineering principles and data produced by a registered engineer. The burden of establishing eligibility for a credit/reimbursement is on the applicant claiming the credit/reimbursement. All costs incurred by the Department of Water Resources, including the value of staff time and/or consultant fees as well as expenses, related to applications for credit/reimbursement shall be the responsibility of and charged to the applicant. Regardless of the results of any appeal of a determination of the Director of the Department of Water Resources by the applicant, the Department of Water Resources' costs billed to and paid by the applicant shall not be refunded.

(g) *Administrative fee.*

Users of the wastewater system shall pay an administrative fee in the amount of three percent (3%) of the wastewater connection fee before new or additional service will be made available. The administrative fee shall be paid at the time of application for new or changed wastewater service and shall be paid in addition to the cost of the meter, wastewater connection fees and wastewater system tapping fees. The administrative fee is non-refundable and covers the costs incurred by the Department of Water Resources in fee calculation, data collection, data storage, and customer service related to the new or additional services provided.

Sec. 10-1-22. - Fund to cover costs of wastewater line installation; connection and tapping fees to be paid into funds.

All fees for tapping into the wastewater system lines shall be paid into the water and wastewater operational fund. All revenues received from the wastewater connection fees shall only be used for debt service payments, for capital improvements or deposited into the water and wastewater construction fund for construction and purchase of capital improvements. All wastewater lines installed in the city shall be paid from moneys of the water and wastewater construction fund.

Sec. 10-1-23. - Fees where the water discharged into the city's wastewater system is not purchased from the city.

ORDINANCE NO. 2020-30

- (a) *Meter requirement.* All classes of wastewater users located inside or outside the corporate limits of the city who do not purchase water from the city that is discharged into the wastewater of the city, shall cause all such water to pass through a meter that is approved by the city and is set at a location that is approved by the city. The meter shall be read each month and a sum computed and paid monthly by the owner of the water as set forth in section 10-1-18 of the Code of Ordinances of the City of Gainesville.
- (b) *Account service fees.* All classes of wastewater users, whether located inside or outside the corporate limits of the city, who do not purchase water from the city, shall pay a monthly account service fee in accordance with fees established in subsection 10-1-41(e) of the Code of Ordinances of the City of Gainesville.
- (c) *Monthly per unit (one thousand (1,000) gallons) wastewater service fees.* In addition to the monthly account servicing fee all classes of wastewater users whether located inside or outside the corporate limits of the city who do not purchase water from the city, shall pay a monthly per unit wastewater fee as established in subsection 10-1-17(a)(3).

Sec. 10-1-24. - Disposition on discontinuance of service.

- (a) In the event of failure of any person to pay any charge herein provided, execution therefor may be issued by the city council, and the same may be enforced by levy and sale of any property with which the city wastewater system is connected and to which such water is supplied.
- (b) In the event of failure of any person to pay any charge herein provided, the city may discontinue wastewater service to the property at which the water was used and may not reinstate wastewater service to such property until the amount owing has been paid.
- (c) Upon failure to pay the monthly fees prescribed, the city shall have the right after five (5) days' notice to the party in default to discontinue water service to the party in default, if using city water, and to disconnect the wastewater system from such party's property, or both, until all wastewater charges have been paid in full.

Sec. 10-1-25. - Service outside city; application, fees, costs.

Any person located outside the city limits desiring to connect wastewater collection systems with the wastewater lines of the city shall be permitted to do so only after compliance with the following conditions:

- (a) Application for permission to connect a wastewater collection system to the city wastewater line shall be made on forms to be furnished by the city.
- (b) All costs of construction, including materials, shall be paid by the property owner(s). Original construction shall be done under supervision of the city and shall be done in accordance with the specifications of the plumbing code of the city. The plumbing inspector shall approve by inspection all connections and tap-ons before being completed.
- (c) Fees prescribed in the plumbing code of the city for service inside the city for connections, inspections, etc., shall be paid as though the work was being done inside the city.

Sec. 10-1-26. - User charge system for operation and maintenance costs.

ORDINANCE NO. 2020-30

(a) *Basis for user charge.* The wastewater characteristics which are used to determine user charge are:

- (1) BOD,
- (2) Suspended solids,
- (3) Flow volume,
- (4) Oil and grease and
- (5) Phosphorus.

Normal wastewater dischargers and industrial wastewater dischargers of normal strength wastewaters, shall be charged a basic user charge in which flow volume is the wastewater characteristic for determining the charge.

(b) *Basic user charge.* The formula for determining basic user charge which applies to normal strength discharges shall be as follows:

R	=	$V_m C_t$
R	=	Monthly user charge
V_m	=	Volume contribution in accordance with City Code section 10-1-18 from a user in units of 1,000 gallons
C_t	=	Basic unit charge to user (dollar per 1,000 gallons for operation and maintenance).

(c) *Surcharged wastewater.* When BOD, suspended solids, oil and grease or phosphorus concentrations in a user's wastewater discharge is in excess of the range of concentration in normal strength wastewater, a surcharge shall be added to the basic user charge.

(d) *Surcharge determination.* When BOD, suspended solids, oil and grease and phosphorus exceed the range of concentration of those pollutants in normal strength wastewater, a surcharge shall be added in the basic user charge. The surcharge shall be determined as follows:

C_s	=	$(B_c \times B + S_c \times S + G_c \times G + P_c \times P) V_u$
C_s	=	Surcharge for wastewater (dollar per month)
B_c	=	Operation, maintenance and replacement costs for treatment of one mg/l of BOD in 1,000 gallons
B	=	Concentration of BOD from a user above base load (mg/l)

ORDINANCE NO. 2020-30

S_c	=	Operation, maintenance and replacement costs for treatment of one mg/l of suspended solids in 1,000 gallons
V_u	=	Flow volume in units of 1,000 gallons per month
S	=	Concentration of suspended solids from a user above base level (mg/l)
G_c	=	Operation, maintenance and replacement costs for treatment of one mg/l of oil and grease in 1,000 gallons
G	=	Concentration of grease from a user above base level (mg/l)
P_c	=	Operation, maintenance and replacement costs for treatment of one mg/l of phosphorus in 1,000 gallons
P	=	Concentration of phosphorus from a user above base level (mg/l)

- (e) *Unit value determination.* The basic unit, C_t , which shall be revised not less frequently than biennially, shall be determined as follows:

C_t	=	$B_d B_c + S_d S_c + G_d G_c + P_d P_c + V_c$
B_d	=	Average mg/l of BOD of normal strength wastewater contributed
S_d	=	Average mg/l of suspended solids of normal strength wastewater contributed
G_d	=	Average mg/l of oil and grease of normal strength wastewater contributed
P_d	=	Average mg/l of phosphorus of normal strength wastewater contributed
V_c	=	Operation and maintenance cost for treatment of flow volume in units of 1,000 gallons

C_t , B_c , S_c , G_c and P_c are as defined in subsections (b) and (d). B_d , S_d , G_d and P_d shall be revised not less frequently than biennially and shall be determined by dividing actual wastewater

ORDINANCE NO. 2020-30

treatment plant loading less total surcharged loading by total annual volume contribution by domestic waste water dischargers.

V_c , B_c , S_c , G_c and P_c shall be revised not less often than every two (2) years by dividing their respective annual maintenance and operation costs by their respective annual loadings. Wastewater discharge volume (V_m) for dischargers of normal strength wastewater shall be one hundred (100) percent of the amount of water metered. For industrial waste- water dischargers which discharge surcharged waste, the wastewater discharge volume (V_u) shall be one hundred (100) percent of the amount of water metered, unless it can be shown that the volume of wastewater discharge is less.

- (f) *Biennial review.* The total cost of operation and maintenance of the treatment works, its approved user charge system and the contribution of the users shall be reviewed not less than every two (2) years. Charges for users shall be revised to maintain the distribution of operation and maintenance costs among users and to generate sufficient revenue to pay the total operation and maintenance cost necessary to the proper operation and maintenance of treatment works equipment.
- (g) *Inconsistent agreements.* The user charge system shall take precedence over any terms, conditions of agreements or contracts between the city and the user, including industrial users, districts, other municipalities or federal agencies which are inconsistent with the requirements of Section 204(b)(1)(a) of the Clean Water Act and these regulations.
- (h) *Excess revenue.* Revenues collected in excess of revenues used to defray operation, maintenance and renewal and extension costs in any year shall be applied to the costs of operation and maintenance for the next year, and the user charge adjusted to absorb the excess.
- (i) *Toxic pollutants.* Each user which discharges any toxic substance to the publicly owned wastewater, which causes an increase in the costs of managing the effluent or the sludge of the treatment works, shall pay for the increased costs.
- (j) *Extraneous flows.* Maintenance and operation costs for all flows not attributable to users shall be distributed among all users in proportion of flow volume of the user discharge.
- (k) *Notification.* Each user shall be notified no less than annually with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.
- (l) *Records.* The city shall document the various waste treatment plant loading categories and the operation and maintenance costs attributable to each category, record user charge revenues and demonstrate that the user charge derived is a proportional distribution of operation and maintenance costs.

Sec. 10-1-27. - Private wastewater disposal.

- (a) The application fee to start service related to discharging private wastewater into the publicly owned treatment works shall be ten dollars (\$10.00).
- (b) The cash bond required for discharging wastewater into the publicly owned treatment works or storage facility shall be in the amount of one thousand dollars (\$1,000.00).
- (c) The fee for discharging private wastewater into the publicly owned treatment works or storage facility shall be two hundred ninety-two dollars (\$292.00) per one thousand (1,000) gallons or a portion thereof.

ORDINANCE NO. 2020-30

Sec. 10-1-28. - Commercial waste transporter permit fee.

A commercial waste transporter permit fee will be assessed on an annual basis at a rate of two hundred fifty dollars (\$250.00) for the first truck and one hundred dollars (\$100.00) for each additional truck owned by the same company for tank trucks inspected and permitted by the city to haul commercial waste.

Secs. 10-1-29—10-1-40. - Reserved.

ARTICLE 3. - WATER

Sec. 10-1-41. - Classification of users and rate schedule.

(a) *Classification of users.* For the purpose of establishing water service fees under chapter 5-2, users are classified as follows effective July 1, 2007:

- (1) Residential;
- (2) Multi-family;
- (3) Commercial;
- (4) General industry;
- (5) Irrigation (commercial and residential).

(b) *Account service fees.* Effective January 1, 2010, all classes of water users whether located inside or outside the corporate limits of the city shall pay a monthly account service fee as set forth in subsection 10-1-41(e) of the City Code.

(c) *Meter requirement.* All classes of water users whether inside or outside the corporate limits of the city shall have a water meter installed by the city or its designated contractor and be charged an account service fee and monthly per unit water service fees as provided for in this chapter. Units are measured by each one thousand (1,000) gallons of water used.

It shall be unlawful to obstruct access to any water meter connected to the city's water system. Meters must not be obstructed by any method including, but not limited to, landscaping, debris or vehicles. If the customer fails to correct the violation after receiving notification, the Department of Water Resources may take action to remedy the situation. Any expenses incurred by the Department of Water Resources will be the responsibility of the customer.

(d) *Conservation pricing.* The city hereby implements water conservation pricing. All classes of water users whether inside or outside the corporate limits of the city shall be charged for the water they use in gallons. The structure of the water conservation rates is as follows:

- (1) Residential classes of customers whether inside or outside the corporate limits of the city shall be charged for their consumption in tiers based on specific consumption amounts.

Tier	Consumption
Lifeline	0-2,000 gallons

ORDINANCE NO. 2020-30

1	2,001-5,000 gallons
2	5,001-8,000 gallons
3	>8,000 gallons

- (2) Commercial and multi-family classes of customers whether inside or outside the corporate limits of the city shall be charged for their consumption in tiers based on winter averaging. The winter average is determined by averaging the volume of water consumed from the immediately preceding November thru April. Winter averages are set each May. New customers in the commercial and multi-family classes after winter averages are set for the year, whether inside or outside the corporate limits of the city, shall be charged for their consumption at the tier 1 water service fee until winter averages are set again the next year in May.

Tier	Consumption
1	$\leq 125\%$ of average
2	$> 125\%$ — 180% of average
3	$> 180\%$ of average

- (3) General industry classes of customers will not be subject to a conservation rate and shall be charged for their consumption at the tier 1 water service fee.
- (4) Irrigation classes of customers whether inside or outside the corporate limits of the city shall be charged for their use at the tier 3 water service fee.
- (e) *Fees charged.*

- (1) Effective January 1, 2022 through December 31, 2022:

	<i>Fee per Month</i>
--	----------------------

ORDINANCE NO. 2020-30

	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$6.29	\$6.29
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$2.72	\$5.17
Tier 1 Unit Fee	\$3.44	\$6.54
Tier 2 Unit Fee	\$4.30	\$8.17
Tier 3 Unit Fee	\$6.88	\$13.07

(2) Effective January 1, 2023 through December 31, 2023:

	<i>Fee per Month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$6.41	\$6.41
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$2.77	\$5.26
Tier 1 Unit Fee	\$3.51	\$6.67
Tier 2 Unit Fee	\$4.39	\$8.34
Tier 3 Unit Fee	\$7.02	\$13.34

(3) Effective January 1, 2024 through December 31, 2024:

ORDINANCE NO. 2020-30

	<i>Fee per Month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$6.53	\$6.53
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$2.82	\$5.36
Tier 1 Unit Fee	\$3.58	\$6.80
Tier 2 Unit Fee	\$4.48	\$8.51
Tier 3 Unit Fee	\$7.16	\$13.60

(4) Effective January 1, 2025 through December 31, 2025:

	<i>Fee per Month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$6.65	\$6.65
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$2.87	\$5.45
Tier 1 Unit Fee	\$3.65	\$6.94
Tier 2 Unit Fee	\$4.56	\$8.66
Tier 3 Unit Fee	\$7.30	\$13.87

(5) Effective January 1, 2026 through December 31, 2026:

ORDINANCE NO. 2020-30

	<i>Fee per Month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$6.78	\$6.78
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$2.92	\$5.55
Tier 1 Unit Fee	\$3.72	\$7.07
Tier 2 Unit Fee	\$4.65	\$8.84
Tier 3 Unit Fee	\$7.44	\$14.14

(6) Effective January 1, 2027 through December 31, 2027:

	<i>Fee per Month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$6.91	\$6.91
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$2.98	\$5.66
Tier 1 Unit Fee	\$3.79	\$7.20
Tier 2 Unit Fee	\$4.74	\$9.01
Tier 3 Unit Fee	\$7.58	\$14.40

(7) Effective January 1, 2028 through December 31, 2028:

ORDINANCE NO. 2020-30

	<i>Fee per Month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$7.04	\$7.04
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$3.04	\$5.78
Tier 1 Unit Fee	\$3.86	\$7.33
Tier 2 Unit Fee	\$4.83	\$9.18
Tier 3 Unit Fee	\$7.72	\$14.67

(8) Effective January 1, 2029 through December 31, 2029:

	<i>Fee per Month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$7.17	\$7.17
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$3.10	\$5.89
Tier 1 Unit Fee	\$3.93	\$7.47
Tier 2 Unit Fee	\$4.91	\$9.33
Tier 3 Unit Fee	\$7.86	\$14.93

(9) Effective January 1, 2030 through December 31, 2030:

ORDINANCE NO. 2020-30

	<i>Fee per month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$7.31	\$7.31
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$3.16	\$6.00
Tier 1 Unit Fee	\$4.00	\$7.60
Tier 2 Unit Fee	\$5.00	\$9.50
Tier 3 Unit Fee	\$8.00	\$15.20

(10) Effective January 1, 2031:

	<i>Fee per month</i>	
	<i>Inside City</i>	<i>Outside City</i>
Account Service Fee	\$7.45	\$7.45
Quantity Used Per Month in Units of 1,000 gallons		
Lifeline	\$3.22	\$6.12
Tier 1 Unit Fee	\$4.08	\$7.75
Tier 2 Unit Fee	\$5.10	\$9.69
Tier 3 Unit Fee	\$8.16	\$15.50

Sec. 10-1-42. - Tapping fees.

- (a) For making taps into the city water mains or water lines, the city shall charge according to the following schedule:

Size of Tap	Fee
-------------	-----

ORDINANCE NO. 2020-30

¾-inch tap including meter	\$1,073.00
1-inch tap including meter	1,600.00
2-inch tap including meter	3,600.00
Over 2-inch tap including meter	Actual cost

- (b) The foregoing charges shall include not more than one hundred (100) feet of pipe to convey water to property line. If additional pipe is used to convey water to customer's property line, the cost of such additional pipe and installation thereof shall be paid by customer in addition to the foregoing charges at actual cost of such additional footage.
- (c) After the original tapping fee has been paid and installation made, should the customer request a change in tap size resulting in a smaller meter, the customer shall make proper application at the Department of Water Resources for this change, and such change shall be made without cost to the customer. The meter removed shall remain the property of the city, shall be returned to the city and no credit given for tapping fees paid on the existing larger meter.
- (d) After the original tapping fee has been paid and installation made, should the customer request a change in tap size resulting in a larger meter, the customer shall make proper application at the Department of Water Resources. A credit of sixty (60) percent of the tapping fee applicable to the existing meter in use will be deducted from the applicable tapping fee on the increased meter size, and the customer shall pay the net difference due in advance. The meter removed shall remain the property of the city and shall be returned to the city.
- (e) Each water customer shall reimburse to the city all fees and costs paid by the city to any other governing body or authority relating to the provision of water to such customer.
- (f) *Deposit of tapping fees.* All fees for tapping into the water system mains or lines shall be paid into the water and wastewater operation fund.

Sec. 10-1-43. - Deposit fees; disposition of deposit on discontinuance of service; discontinuance and late fee charges for nonpayment of bill; discontinuance for nonpayment of bill to provide deposit fees; to provide for deposits from all customers based on meter size.

- (a) *Premises where water and/or wastewater service are provided.* Customers applying for service to premises where water and/or wastewater are provided by the city shall be required to make the following cash deposits with the city before water and/or wastewater service is begun, based on the meter size at said premise:

¾" inside or outside city limits \$160.00

1" inside or outside city limits 360.00

1½", 2" or 3" inside or outside city limits 400.00

ORDINANCE NO. 2020-30

4" or larger inside or outside city limits 500.00

Upon failure to pay the monthly fees prescribed in subsections 10-1-17(a) and 10-1-41(b) of the City Code, the city shall require additional deposit(s) according to the following schedule:

First cutoff for nonpayment within a continuous twenty-four-month period: deposit increased to the current deposit rate established for that customer meter size classification.

Subsequent cutoffs for nonpayment within a continuous twenty-four-month period: deposit increased by fifty (50) percent of the current deposit rate established for the customer meter size classification.

- (b) *Disposition of deposit on discontinuation of service.* Upon discontinuation of water service to a customer having made a deposit, such deposit shall be applied to unpaid water bills of the customer, and/or to the cut-off service fee charged the customer, with the balance, if any, to be applied to any other indebtedness due the city, and the balance remaining, if any, to be refunded to the customer.
- (c) *Due date established, nonpayment or partial payment of bills grounds for discontinuing service, late payment fee.*
 - (1) A due date of twenty (20) days from the billing date for the monthly fees prescribed in section 10-1-17(a) and 10-1-41(b) is hereby established for all classes of water and wastewater customers.
 - (2) Utility services to a customer shall be discontinued when one (1) month's bill is ten (10) days past due or when partial payment is made on accounts over thirty (30) days past due.
 - (3) A fee of ten (10) percent of the total monthly bill shall be assessed as a late payment fee for payments received after twenty (20) days of the billing date.
 - (4) No classes of customers shall be exempt from late payment fees, including federal institutions, without the approval of the city manager or designated representative.

Sec. 10-1-44. - Connection fee.

- (a) *Users subject to fee.* Users of the water system shall pay a water connection fee before new or additional service will be made available. Applications for new or additional water service must include the street address for a specific lot or lots where the service is to be provided. Water meters shall be installed by the city at the address specified in the application for water service no later than forty (40) days after payment of all fees due by the applicant. Existing users shall be subject to the fee when their existing water service tap is inadequate to deliver the volume of water needed and requires an increase in the water service tap. New users will be subject to the fee at the time new water service is requested through the purchase of a water meter. All users shall be subject to the water connection fee regardless of location (inside or outside city corporate limits) of the water meter.
- (b) *Determination of connection fee.*
 - (1) The water connection fee shall be imposed according to the following schedule:

ORDINANCE NO. 2020-30

Size of Water Meter (inches)	Hydraulic Equivalency Ratio	Water Connection Fee
$\frac{3}{4}$	1.0	\$1,726.00
1	2.5	4,765.00
2	8.0	15,248.00
3	16.0	30,496.00
4	25.0	47,650.00
6	50.0	95,300.00
8	80.0	152,480.00

The water connection fee shall be paid at the time of application in addition to the cost of the meter and water system tapping fees.

- (2) The minimum water connection fee for any new water service, regardless of the meter size, shall be one thousand seven hundred twenty-six dollars (\$1,726.00).
- (c) *Changing tap and meter size.*
- (1) After the original water connection fee has been paid and installation made, any customer requesting a change in the tap size resulting in a smaller meter at the same location shall make proper application at the Department of Water Resources for this change. Such change shall be made without cost to the customer. No credit shall be given for water connection fees or water meter costs paid on the existing larger meter. The meter removed shall remain the property of the city and shall be returned to the city.
- (2) After the original water connection fee has been paid and installation made, any customer requesting a change in tap size resulting in a larger meter at the same location shall make proper application at the Department of Water Resources for this change. The customer shall pay a water connection fee equal to the difference between the current applicable water connection fee for the existing water meter size and the current applicable water connection fee for the requested water meter size. A credit of sixty (60) percent of the tap and meter cost applicable to the existing meter in use will be deducted from the tap and meter cost of the increased tap and meter size. The meter removed shall remain the property of the city and shall be returned to the city.
- (d) *Payment of fee.*

ORDINANCE NO. 2020-30

- (1) Existing users shall pay the water connection fee at the time the application is made with the Department of Water Resources to increase or decrease the size of the existing water service tap or meter size.
 - (2) New users shall pay the water connection fee at the time the application is made with the Department of Water Resources for a water meter.
- (e) *Revenue restrictions.*
- (1) All revenues received from the water connection fees shall be accounted for separately and distinctly from any other system revenues. Available water connection fee balances shall be invested and all interest earned on these investments shall be accounted for as part of the water connection fee revenues. The accounting system shall be established so that water connection fee collections, interest earned, and expenses can be clearly tracked on a monthly basis and so that connection fees are properly deposited, accounted for and expended in accordance with section 10-1-44(e) of the City Code.
 - (2) Water connection fee funds shall be expended only for system improvement costs, as defined in O.C.G.A. § 36-71-2(19), as amended, that provide capacity to serve new connections to the water system. All costs permitted under the Georgia Development Impact Fee Act, as amended, shall be permitted under this section. Such costs include, but are not limited to, planning, design, engineering, land acquisition, land improvement, surveying, and construction or reconstruction costs as well as principal, interest and other financing costs on contracts, bonds, notes or other obligations issued by the city to finance such system improvements. Water connection fee funds shall not be expended for maintenance or repair of system improvements nor for operational expenses.
- (f) *Applicant contributions of system improvements; credits/reimbursements.*
- (1) Project improvements are the responsibility of the developer or property owner and no credits against connection fees shall be made for project improvements. Project improvements include all lot or building improvements necessary to provide service (including for example the building water service line and cleanout and pre-stubs if required) and main extensions of eight-inch diameter or project boundary as required to connect to the nearest main. Smaller mains of two (2) inches to six (6) inches in diameter may be allowed where the main will permanently terminate within a particular property or project. Project improvements also include any other water system facilities, including but not limited to larger diameter mains extensions, that are planned, designed and are necessary to provide service to a particular development project as defined in O.C.G.A. § 36-17-2(15), as amended. Tap and meter costs are covered by the tapping fee imposed pursuant to section 10-1-42 of the City Code.
 - (2) Upon application for new or increased water service, the water connection fee otherwise due shall be reduced by any applicable credits for the contribution of money or dedication of land for or the construction of system improvements, as defined in O.C.G.A. § 36-17-2(20), as amended, serving the new connection and required or accepted by the city from the applicant or his predecessor in title or interest. System improvements shall be determined based on accepted engineering principles and data produced by a registered engineer. Analysis of the water distribution system shall be performed using the Hardy Cross hydraulic mathematical model. In the event that the amount of credit due exceeds the total water connection fees due, an agreement between the applicant and the Department of Water Resources shall govern the

ORDINANCE NO. 2020-30

amount and timing of reimbursement payments to the applicant. The city shall have the option of reimbursing an applicant by a lump sum payment or periodic payments and from existing funds or from water connection fees collected in the future.

- (3) The amount of applicable credit/reimbursement, if any, shall be determined based on credible evidence submitted by the applicant on forms provided by the Department of Water Resources, which: (a) describes the contribution for which credit/reimbursement is claimed, (b) establishes the original cost and date of the construction, contribution or dedication, (c) identifies the specific development project for which the construction, contribution or dedication was made, including the location, land use, size, number of buildings or number of dwelling units in the original development project, and (d) describes the development project for which the credit/reimbursement against water connection fees is requested, if different from the project described in subsection (c). Credits/reimbursements may not be transferred from one development project to another project. All costs related to submitting the credit/reimbursement application and any additional information requested by the Director of the Department of Water Resources are the responsibility of the applicant.
- (4) The Director of the Department of Water Resources shall determine the amount of credit/reimbursement due per connection, if any, based on consideration of the original and current or depreciated value of the contribution or dedication, the facilities required to serve the development project, the ability of the contribution or dedication to provide service to other development, and, if the contribution or dedication is determined to be a system improvement which is eligible for credit/reimbursement, the per connection share of the present value of the construction, contribution and dedication. The burden of establishing eligibility for a credit/reimbursement is on the applicant claiming the credit/reimbursement. All costs incurred by the Department of Water Resources department, including the value of staff time and/or consultant fees as well as expenses, related to applications for credit/reimbursement shall be the responsibility of and charged to the applicant. Regardless of the results of any appeal of a determination of the Director of the Department of Water Resources by the applicant, Department of Water Resources' department costs billed to and paid by the applicant shall not be refunded.
- (g) *Administrative fee.*

Users of the water system shall pay an administrative fee in the amount of three percent (3%) of the water connection fee before new or additional service will be made available. The administrative fee shall be paid at the time of application for new or changed water service and shall be paid in addition to the cost of the meter, water connection fees and water system tapping fees. The administrative fee is non-refundable and covers the costs incurred by the Department of Water Resources in fee calculation, data collection, data storage, and customer service related to the new or additional services provided.

Section 10-1-45. Rate schedule for water service for fire protection purposes; private fire fees.

- (a) Installations inside the corporate city limits will be charged a one-time application fee and a minimum monthly fee per fire line tap based on the size of the fire line tap as listed below:

ORDINANCE NO. 2020-30

Application Fee	Fire Line Tap Size	Monthly Fee
\$ 20.00	1.5"	\$ 1.00
	2"	\$ 2.00
	3"	\$ 6.00
	4"	\$ 12.00
	6"	\$ 35.00
	8"	\$ 74.00
	10"	\$ 134.00

Installations outside the corporate city limits will be charged a one-time application fee and a minimum monthly fee per fire line tap based on the size of the fire line tap as listed below:

Application Fee	Fire Line Tap Size	Monthly Fee
\$ 20.00	1.5"	\$ 1.90
	2"	\$ 3.80
	3"	\$ 11.40
	4"	\$ 22.80
	6"	\$ 66.50
	8"	\$ 140.60
	10"	\$ 254.60

All water consumed through the detector meter for inside/outside corporate limits will be charged at the current Tier 3 unit fee.

- (b) *Fire hydrant meter rental service:* An application fee and a deposit, based on meter size, shall be charged for rental of fire hydrant meters, in addition to charges for the water consumed. A late read fee shall be charged for any meter not returned for reading by the scheduled deadline. Charges for the water consumed each month will be calculated using the tier 3 unit fee. The deposit shall be refunded upon return of the undamaged meter. Should a meter be returned damaged, the repair cost shall be deducted from the deposit. Deposits will not be refunded for lost or stolen meters. The application fee, deposit, and late read fee shall be as follows:

Meter Size (inches)	Application Fee	Deposit	Late Read Fee
¾"	\$45.00	\$375.00	\$150.00
3"	45.00	2,450.00	150.00

ORDINANCE NO. 2020-30

- (c) *Fire hydrant flow testing fee:* A fee shall be charged by the utility for work performed for purposes of testing fire hydrants for adequate flow and pressure, and to meet fire flow requirements. This fee shall be one hundred ten dollars (\$110.00) per flow test
- (d) *Damaged Fire Hydrant Fee:* In the event that any person damages a fire hydrant, a fee shall be charged for the cost of supplies, equipment used, and personnel hours that it takes to repair the damages.
- (e) *Install New Fire Hydrant Fee.* In the event that a new fire hydrant is installed at the request of a user, a fee shall be charged for the cost of supplies, equipment used, and personnel hours to install the new fire hydrant.

Sec. 10-1-46. - Charges for discontinuance and resumption of service.

A fee of fifteen dollars (\$15.00) shall be charged to each customer discontinuing use of city water. A fee of twenty dollars (\$20.00) shall be charged to each water customer resuming use of, or applying for new service from the city system.

Sec. 10-1-47. - Charges for reconnection after nonpayment of bill; charges for returned checks.

- (a) When water has been cut off for the nonpayment of a water bill, or if it is necessary for the service worker to go to the premises for the purpose of cutting water off for nonpayment of bill, the consumer or owner shall pay a charge of forty dollars (\$40.00). In cases where customers have vacated premises leaving unpaid water bills, they will not be furnished with water elsewhere until such bill has been paid.
- (b) When payment of a water bill occurs with a check which is subsequently returned by the bank or other financial institution upon which it is written, the customer shall pay a returned check charge as provided in section 2-2-1 of the City Code. Such charge shall be considered part of the water bill in determining nonpayment under subsection (a) of this section.

Sec. 10-1-48.- Cost of extending water service-Reserved.

Sec. 10-1-49. - Water shortage management surcharges.

- (a) *For first violation of water shortage management restrictions.* For the first violation of water shortage management restrictions, water customers in noncompliance with article 3 of chapter 5-2 of the City Code shall be assessed a surcharge of fifty dollars (\$50.00).
- (b) *For second and subsequent violation of water shortage management restrictions.* For a second and subsequent violation of water shortage management restrictions, water customers determined to be in noncompliance shall have water supply terminated and be assessed a surcharge of two hundred dollars (\$200.00). Water supply shall not be restored until payment of the surcharge and a reconnection fee as described in section 10-1-47 of the City Code.
- (c) *For egregious violation of water shortage management restrictions.* For egregious violation of water shortage management restrictions as set forth in article 3, chapter 5-2 of the City Code, water customers shall have water supply terminated and, upon authorization of the Director of the Department of Water Resources, be assessed a surcharge of up to twenty-

ORDINANCE NO. 2020-30

five hundred dollars (\$2,500.00). Water supply shall not be restored until payment of the surcharge and a reconnection fee as described in section 10-1-47 of the City Code.

(d) *Procedures.*

- (1) The city manager shall have the authority to enforce the provisions of this section by discontinuance of water service in the event any person violated the provisions of this section after receiving oral or written notice of the violation from the city.
- (2) Whenever the city manager determines that a person is violating, or has violated any provision of this section and determines that the violation of this section endangers the public health, safety or general welfare of the community, the city manager shall have the power and authority to immediately terminate that person's water service, which termination shall be in writing.
- (3) Any person aggrieved by having the water supply terminated by the city manager shall have the right to appeal the termination to the administrative hearing officer as provided in section 1-8-1 of the City Code within ten (10) days of the date of termination by the city manager.
- (4) If an appeal is made, then the city manager shall have the power and authority to reinstate the water supply until the administrative hearing officer renders a decision in order to avoid undue hardship, if the city manager is reasonably assured that the violation(s) for which the water supply was terminated will not continue.

Sec. 10-1-50. - Miscellaneous water fees.

- (a) *Water main and wastewater permitting/inspection fees.* For all installations of water mains and wastewater lines not constructed or contracted by the Department of Water Resources, both inside and outside the corporate city limits, a fee shall be charged for permitting/inspection of the installations to ensure that they meet Department of Water Resources specifications. The permitting/inspection fee shall be one dollar and ninety-six cents (\$1.96) per linear foot for water mains, and four dollars and nineteen cents (\$4.19) per linear foot for wastewater lines.
- (b) *Backflow inspection fee.* For an installation of a backflow device on private water service lines connected to the Department of Water Resources water mains, a fee of seventy dollars (\$70.00) shall be charged for permitting/inspection of the installation to meet Department of Water Resources' specifications.
- (c) *Commercial wastewater inspection fee.* For an installation of a wastewater sample station for grease traps and oil-water separators, a fee of seventy dollars (\$70.00) shall be charged for permitting/inspection of the installation to meet Department of Water Resources specifications.
- (d) *Relocation Fees:*
 - (1) *Meter Relocation:* The fee charged for relocating a $\frac{3}{4}$ " and/or 1" meters less than 10 feet, which require no retap, shall be \$375. The fee to relocate a meter more than 10 feet shall be \$925, provided that the relocation is on the same side of the road as the meter being relocated. The fee to relocate a meter more than 10 feet shall be \$1,100, in the event that the relocation is not on the same side of the road as the meter being relocated. The fee to temporarily relocate a meter shall be \$1,120.
 - (2) *Water Line Relocation.* In the event that a water line is relocated, a fee shall be charged for the cost of supplies, equipment used, and personnel hours to relocate the water line.

ORDINANCE NO. 2020-30

- (3) *Valve Relocation.* In the event that a valve is relocated, a fee shall be charged for the cost of supplies, equipment used, and personnel hours to relocate the valve.
- (4) *Wastewater service relocation.* In the event that wastewater service is relocated with a new tap and termination of existing service, a fee shall be charged in the amount of \$1,750.
- (e) *Damage Fees.* In the event that a person damages any equipment related to water and/or wastewater services provided in conjunction with the Department of Water Resources, a fee shall be charged for all damages incurred, including the cost of supplies, equipment used, and personnel hours to repair the damages.
- (f) *Wastewater service locating fee.* In the event that the Department of Water Resources locates wastewater service, a fee shall be charged in the amount of \$250.
- (g) *Raise/lower meter box fee.* In the event that a meter box is raised or lowered, a fee shall be charged in the amount of \$325.
- (h) *Tampering Fee.* In the event that a person tampers with a meter to such an extent that the Department of Water Resources removes the meter, a tampering fee shall be charged in the amount of \$100. If additional tampering occurs, including but not limited to placing a straight pipe in place of the meter, an additional tampering fee of \$100 shall be charged, and the service line shall be cut off at the main. In order for service to be restored, an additional fee shall be charged in the amount of \$175, and all other amounts due, including but not limited to tampering fees, past due amounts, and deposits, shall be paid prior to the restoration of service.

Secs. 10-1-51—10-1-60. - Reserved.

SECTION II.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional

SECTION IV.

The ordinance is enacted as an amendment to Title 10 of the Code of Ordinances of the City of Gainesville, Georgia.

ORDINANCE NO. 2020-30

SECTION V.

The effective date of this ordinance shall be January 1, 2022.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk