

ORD-09142020-1 Ch13-Secs Various

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF CHAPTER 13 OF THE CODE OF ORDINANCES, CITY OF THOMASVILLE, GEORGIA; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

#### SECTION ONE

BE IT ORDAINED that Section 13-3, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Department separate division of city, supervision.” is hereby amended to read as follows:

“Section 13-3 Department separate division of city, supervision.

The utilities department shall be a separate division of the city.”

#### SECTION TWO

BE IT ORDAINED that Section 13-4, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Utilities committee, composition, appointment, duties.” is hereby amended to read as follows:

“Section 13-4 Utilities commission, composition, appointment, duties.

As provided for in Section 9.14 of the Charter of the City of Thomasville, the City of Thomasville Utilities Commission is composed of the members of the City Council and their successors in office and who shall serve without additional compensation to that received as councilmembers. The Mayor shall be the Chairman of this utilities commission.”

#### SECTION THREE

BE IT ORDAINED that Section 13-5, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Purchasing.” is hereby amended to read as follows:

“Section 13-5 Purchasing.

(a) *General supervision.* The utilities commission shall have general supervision of all purchasing and sales or disposal of surplus or unserviceable equipment for the utilities systems.

(b) *Overall supervision.* The City Manager in his capacity as purchasing agent shall have overall supervision of all purchases of supplies, services, and

equipment and of all disposal of surplus or unserviceable equipment for the utilities systems.

(c) **Competitive bids.** All purchases shall be authorized and approved by the City Manager and all purchases in excess of fifteen thousand dollars (\$15,000.00) shall be on competitive bid except as hereinafter provided. Bids shall be advertised as hereinafter required or request for informal bids mailed to competitive concerns. Informal bids may be taken for and the City Manager is authorized to purchase any amount of supplies and inventory for installation by the city's own employees, and in the case where it is advantageous to furnish materials and supplies to the city's contractor for installation. In lieu of the sealed bid process the City Manager may authorize the use of the reverse auction process.

(d) **Supplies, equipment or services available from only one source.** Repair parts, emergency procurements, unique professional services, equipment or materials available from only one (1) source shall not require competitive bids irrespective of the amount. In all purchases available from only one (1) source, or where quality as well as price is involved, the City Manager or in matters involving over fifteen thousand dollars (\$15,000.00), the City Council, shall in their sole discretion make all determinations with respect to the purchase. The award of any contract shall constitute approval of payment therefor in accordance with the terms of said contract. The City Manager may authorize emergency purchase of any repair parts, supplies or services providing that he shall file written justification for such emergency in matters of more than twenty five thousand dollars (\$25,000.00).

(e) *Current bid list; time limit for bidding.* Any legitimate supplier may be placed on the current year's bid list for his products by making such requests each year to the purchasing agent in writing. The time required to enable free and open competition in bidding shall be at the discretion of the purchasing agent except where formal advertising is required. Where formal advertising is required, such advertisement shall be run once during each of the seven (7) days prior to the opening of the bids in a daily newspaper published in the city.

(f) *Manner of advertising for competitive bids or proposals.* Prior to the

awarding of a contract for construction work or equipment manufactured to the city's specifications or the issuance of a purchase order for new equipment such as trucks, tractors, ditches, office machinery, etc., of more than fifteen thousand dollars (\$15,000.00), the purchasing agent shall advertise in a local newspaper as previously specified, inviting sealed bids or proposals to be submitted by responsible offerors. Such bids or proposals shall be received by the purchasing agent at any time prior to the time set for their opening. All of any bids received shall be opened and read at the time and place designated in the advertisement. Any competitive proposals shall be opened for consideration, but not for disclosure of contents, until final proposals. The City Manager, or the City Manager's designee, shall be empowered to receive and open bids or proposals. The City Manager, or the City Manager's designee, shall have the authority to waive formalities related to the opening of bids or proposals.

(g) *Consideration of bids or proposals.* After the opening and reading of all bids submitted, the superintendent of the utilities department together with the department staff or consultants, will make recommendations together with a tabulation of all bids to the city council in a regular or called meeting. The city council may waive any informalities as they see fit and will award the contract to such offeror as the city council may consider in the best interest of the city or may reject any or all bids.

(h) *Absence of proper bids.* In the event that no bids are received after proper advertising, then the city council may empower the City Manager, or the City Manager's designee, to negotiate with any qualified person or firm.

(i) *Competitive sealed proposals.* The City Manager may solicit competitive sealed proposals and negotiate specifications of such proposals when he determines that competitive sealed bids are impractical or not in the best interest of the city. Adequate public notice of requests for proposals shall be given in the same manner as required for bids in section 13-5(e). The superintendent or in matters involving over twenty-five thousand dollars (\$25,000.0), the city council shall have sole discretion to award contracts to qualified proposers.

(j) *Maintenance of records.* All bids for supplies, services, or equipment

purchased by the utilities department shall be kept on file in that department for a period of two (2) years where they may be inspected at any time during regular office hours by any citizen of the city.”

#### SECTION FOUR

BE IT ORDAINED that Section 13-6, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Sale of unserviceable and scrap equipment.” is hereby amended to read as follows:

“Section 13-6 Sale of unserviceable and scrap equipment.

When any equipment owned by the utilities department has been to such an extent that it is advisable to dispose of such equipment, the City Manager shall determine if the equipment is no longer useful in the service of the city. The City Manager may then dispose of such surplus equipment at public or private sale or by soliciting sealed bids or proposals. Proceeds from such disposal shall be deposited to the proper utilities account. The City Manager is authorized to dispose of accumulated junk or scrap, to the best advantage of the city, by selling, trading, or discarding, whichever in his discretion will be most advantageous to the city.”

#### SECTION FIVE

BE IT ORDAINED that Section 13-7, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Superintendent of utilities department – Head of department, jurisdiction.” is hereby amended to read as follows:

“Section 13-7 Superintendent of utilities department--Head of department, jurisdiction.

The superintendent of the utilities department shall report directly to the City Manager for the operation and management of the various utilities systems that comprise the utilities department. The city manager, by and through the utilities superintendent, shall be responsible for the proper operation of the department under the general policy set by the city council. The city manager, or his/her

designee, shall supervise the construction, operation, maintenance and administration of the city-owned or city-operated electric, natural gas, water and wastewater utilities, telecommunications and all related plants and facilities.”

#### SECTION SIX

BE IT ORDAINED that Section 13-8, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Same-Authority, duties.” is hereby amended to read as follows:

“Section 13-8 Same--Authority, duties.

The City Manager directly shall have the authority to prescribe rules and regulations, or cause rules and regulations to be prescribed, governing the use of utilities furnished by the city, subject to the approval of the city council, in matters not covered by this Code or any ordinances. It shall be the duty of the City Manager to enforce or cause to be enforced this chapter, all ordinances, rules and regulations governing the sale of water, electricity, and gas and the operation, maintenance, and improvement of these systems. The City Manager shall act as purchasing agent for all supplies and equipment used by this department.”

#### SECTION SEVEN

BE IT ORDAINED that Section 13-9, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Same-Compensation.” is hereby deleted in its entirety and shall be captioned “RESERVED.”

“Section 13-9 RESERVED.

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#### SECTION EIGHT

BE IT ORDAINED that Section 13-15, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Meter reading and billing; dates payments due and delinquent; penalty for nonpayment; reconnection; meter test charges.” is hereby amended to read as follows:

“Section 13-15 Meter reading and billing; dates payments due and delinquent; penalty for nonpayment; reconnections; meter test charges.

(a) Meters shall be read at intervals of approximately one (1) month and bills mailed as soon thereafter as is practical. Accounts shall be billed according to the following schedule:

<u>C</u>	<u>Billing Date</u>	<u>Due Date</u>
1	6 <sup>th</sup> of month	24 <sup>th</sup> of
2	12 <sup>th</sup> of month	30 <sup>th</sup> of
3	18 <sup>th</sup> of month	6 <sup>th</sup> of month
4	24 <sup>th</sup> of month	12 <sup>th</sup> of
5	29 <sup>th</sup> of month	17 <sup>th</sup> of

The charges, which shall be for all utility services up to the latest meter reading, shall be due and payable when rendered.

(b) If the bill shall remain unpaid, it shall be declared delinquent according to the following schedule:

<u>Delinquen</u>	<u>Cut-</u>
27 <sup>th</sup> of	28 <sup>th</sup>
3 <sup>rd</sup> of	4 <sup>th</sup> of
9 <sup>th</sup> of m	10 <sup>th</sup> of
15 <sup>th</sup> of	16 <sup>th</sup>
20 <sup>th</sup> of	21 <sup>st</sup>

If the delinquent or cutoff date falls on a Saturday, Sunday, or holiday observed by the City of Thomasville, the delinquent or cutoff date will be the next business day. On the cutoff date, a disconnect order shall be generated and a delinquent fee charged. The delinquent fee shall be paid even if services are not cut out. After service has been discontinued for nonpayment of a bill, such service shall not be reconnected until satisfactory arrangements have been made to pay all arrears including any outstanding and unpaid disconnect fees. If service is cut in at a time other than normal working hours an additional after hours delinquent

cut in fee will be assessed and collected. Any delinquent cutout which is not reconnected within ten (10) days from the date of cut-off shall be considered as a final disconnect, and all past due payments and delinquent fees shall be due and payable at that time. A schedule of the current fees and charges, as approved by the city council, shall be maintained and on file at the office of the City Clerk and the office of the superintendent of the utilities department.

(c) A charge may be required for a customer-requested meter test, if the accuracy proves to be within industry standards. No charge will be made for a customer-requested meter test if accuracy is not within the industry standards. The requirement and amount of this charge shall be determined by the superintendent of the utilities department in accordance with these guidelines.”

#### SECTION NINE

BE IT ORDAINED that Section 13-18, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Overpayment, refund or credit.” is hereby amended to read as follows:

“Section 13-18 Overpayment, refund or credit.

In all cases of overpayment to the utilities department from whatever cause, the City Manager is authorized to return the overpayment either by refund or credit to the person's account.”

#### SECTION TEN

BE IT ORDAINED that Section 13-20, Article I, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Work on streets or private property, responsibility for protection of utility system.” is hereby amended to read as follows:

“Section 13-20 Work on streets or private property, responsibility for protection of utility system.

(a) *General.* Any person or contractor doing work of any nature within the right-of-way of city streets or roadways or on private property shall be held

responsible for the protection of all water pipes, gas pipes, underground cables, meters and other equipment which is the property of the city. If it becomes necessary for the city to protect, move, or replace any equipment because of such work then the cost may be charged to and paid by the person or contractor responsible. Such person or contractor shall also hold the city harmless with reference to any public liability or property damage resulting from such activity.

(b) *Requirement to give notice.* Any person or contractor performing work described in paragraph (a) within the City of Thomasville shall pursuant to O.C.G.A. §25-9-1 et. seq., known as the “Georgia Utility Facility Protection Act,” submit a locate request to the Utilities Protection Center prior to commencing such work and shall not commence such work unless and until such person or contractor has complied with the Georgia Utility Facility Protection Act, including but limited to the notification, location, and time periods requirements of the act. The purpose and intent of compliance with this section and the Georgia Utility Facility Protection Act is to afford the utilities department adequate time to identify and mark underground utilities in order to prevent loss of life, injury or destruction or damage to utilities, persons or private property.”

### SECTION ELEVEN

BE IT ORDAINED that Section 13-52, Article II, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Point of connection and delivery.” is hereby amended to read as follows:

“Section 13-52 Point of connection and delivery.

The city will extend service to the nearest point of attachment on the customer's premises. All wiring beyond this point of delivery shall be installed and maintained by the customer. Customers desiring a special point of delivery from the city's system must bear the excess cost incident thereto.”



## SECTION TWELVE

BE IT ORDAINED that Section 13-54, Article II, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned "Customer service call, charges for same." is hereby amended to read as follows:

"Section 13-54 Customer service call, charges for same.

The city may charge for disconnects or reconnects made in the normal course of business except for an "Account Establishment" fee in accordance with section 13-16 of Chapter 13, "Public Utilities Systems." However, a service charge may be made for any such calls made nights, weekends or holidays, if made strictly for the customer's convenience and if such calls represent no failure or fault on the part of the city. Charges and fees will be in accordance with the schedule of the current fees and charges, as approved by the city council, maintained and on file at the office the city clerk and the office of the superintendent of the utilities department."

## SECTION THIRTEEN

BE IT ORDAINED that Section 13-55, Article II, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned "Rate Schedules." is hereby amended to read as follows:

"Section 13-55 Rate schedules.

The following schedules are applicable to the service furnished by the electric system. Rates and charges are on file at the City Clerk's office and the administrative offices of the utilities department:

(1) *Electric residential service.*

- a. *Applicability:* For all domestic uses of a residential customer in a separately metered single-family dwelling unit. A separately metered pump may be billed on this rate if it supplies domestic water to an individual residence. Largest motor shall not exceed seven and one-half (7 1/2) hp.
- b. *Type of service:* Power normally supplied under this rate will be 115/230 volts, single phase, sixty (60) hertz. The Generation Charges, Monthly Rates, and

other requirements shall be those published on the Electric Residential Service Rate Schedule ER, as approved by the City Council, and maintained in the office of the city clerk and the superintendent of the utilities department.

c. *Power Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.

d. *Environmental Compliance Cost Recovery (ECCR):* The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.

e. *Multiple service:* Where it is impractical to separately meter each unit, two (2) or more dwelling units may be served through a single meter. Where this is done each kwh block in the monthly rate will be multiplied by the number of separate dwelling units so served. The minimum monthly bill under this option shall be the minimum monthly charge times the number of dwelling units served.

f. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

(2) *Security lighting.*

a. *Availability:* To property owners where the low voltage distribution lines of the City are within five hundred (500) feet. Service may be made available to tenants in accordance with the terms of the contract period

b. *Applicability:* Applicable to security lighting on customer property by means of high pressure sodium vapor luminaries supported by short brackets mounted on wood poles in the City's existing distribution system or extension from this system, or on poles owned by the customer, conforming to standard specifications and mutually satisfactory to both the customer and the City. In

all cases the luminaire, bracket and control equipment shall be installed, owned and maintained by the City. Where the use of poles other than wood is desired by the customer, he shall install, own and maintain such poles and the City shall install, own and maintain the overhead conductors, the brackets and lighting equipment. Where the use of underground conductors is desired by the customer, he shall install, own and maintain the underground conductors and the risers up the poles. Security lighting service will be provided only at locations which are accessible to City trucks for servicing purposes. Original locations of lighting fixtures shall be by mutual agreement and any relocation requested by owner after installation is in operation shall be made at owner's expense.

c. *Maintenance:* Existing mercury vapor luminaires will only be maintained by replacement of bulbs or photo-electric cells. Any maintenance requirement beyond bulb and photo-electric cell replacement will result in the removal of the mercury vapor fixture and the installation of a comparable (lumen output) high pressure sodium vapor fixture. Maintenance will be performed as soon as can reasonably be done after notification of the City by the customer that service has been interrupted. Maintenance will be done only during regular working hours.

d. *Contract Period:* Three (3) years.

e. *Cancellation of Contract:* Contract may be canceled by either party on sixty (60) days' written notice; however, should the customer cancel the contract during the first thirty-six (36) months, he shall pay to the City to cover the unamortized cost of installation and removal for each month remaining in the original thirty-six-month period. Tenants wishing to contract for this service may be required to make a deposit per lamp. Such deposit, if required, will be returned on request at the end of the original thirty-six- month contract period.

(3) *Electric general service – small.*

- a. *Applicability:* To any general service, commercial or industrial customer of less than fifty (50) kilowatts of maximum monthly demand delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.
- b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.
- c. *Power Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.
- d. *Environmental Compliance Cost Recovery (ECCR):* The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.
- e. *Determination of demand.* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer) the greatest of:

- (i) the current actual demand, or
- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter) the greater of:

- (i) ninety-five (95) percent of the highest summer month (July through October), or
- (ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than five (5) kw.

f. *Un-metered service*: Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

g. *Term of contract*: Not less than one (1) year.

h. *Transformer substations*: Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

i. *Delivery point to major supplier*: The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(4) *Electric general service – medium.*

a. *Applicability*: To any general service, commercial or industrial customer of greater than fifty (50) kilowatts and less than five hundred (500) kilowatts of maximum monthly demand delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.

b. *Type of service*: Single or three-phase, sixty (60) hertz, at a standard voltage

c. *Power Cost Adjustment*: All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.

d. *Environmental Compliance Cost Recovery (ECCR)*: The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher

than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.

e. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows: July through October (summer)

the greatest of:

- (i) the current actual demand, or
- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter) the greater of:

- (i) ninety-five (95) percent of the highest summer month (July through October), or
- (ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than twenty-five kw.

f. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the above monthly rate.

g. *Term of contract:* Not less than one (1) year.

h. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

i. *Delivery point to major supplier:* The City may elect to sell power under this

rate to a major power supplier when such supplier has requested a power delivery point.

(5) *Electric general service – large.*

a. *Applicability:* To any general service, commercial or industrial customer of greater than five hundred (500) kilowatts and less than five thousand (5000) kilowatts of maximum monthly demand delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.

c. *Power Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.

d. *Environmental Compliance Cost Recovery (ECCR):* The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.

e. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows: July through October (summer)

the greatest of:

- (i) the current actual demand, or
- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter)

the greater of:

- (i) ninety-five (95) percent of the highest summer month (July through October), or
- (ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than two hundred and fifty (250) kw.

f. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

g. *Term of contract:* Not less than five (5) years.

h. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

i. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(6) *Electric General Service – Non-Demand.*

a. *Applicability:* To any general service, commercial or industrial customer using less than three thousand (3000) kwh monthly and having a maximum thirty-minute demand of less than thirty (30) kw delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.



- c. *Power Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.
- d. *Environmental Compliance Cost Recovery (ECCR):* The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.
- e. *Determination of demand:* Not applicable.
- f. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.
- g. *Term of contract:* not applicable
- h. *Transformer substation:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.
- i. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(7) *Electric temporary/seasonal service, non-agricultural.*

- a. *Applicability:* To temporary or seasonal service. "Temporary service" is defined as service rendered to a transient customer for a single short term of less than five (5) months duration. A "seasonal customer" is defined as a customer with a recurring seasonal pattern of service requirements whether permanently

or not permanently connected. A temporary or seasonal customer may elect at his option, to contract for service at a regular applicable rate when it appears that his total bill thereunder including all charges, minimums, and guarantees incident to an annual contract will be less than under this schedule. However, contracting for service at a regular rate does not exempt this type customer from paying any applicable connection charges.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.

c. *Power Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.

d. *Environmental Compliance Cost Recovery (ECCR):* The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.

e. *Determination of Demand:* The demand for any delivery point shall be based on the highest thirty-minute kw measurements during the current month.

f. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

g. *Term of contract:* Not applicable

h. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

i. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(8) *Electric seasonal service, agricultural*

a. *Applicability:* To any general service, commercial or industrial customer for all electric service of one (1) standard voltage, delivered and metered at one (1) point that also qualifies as an agricultural seasonal customer as described herein. An agricultural seasonal customer operates primarily during non- electrical peak months (SEPTEMBER - JUNE) setting operational demands considerably in excess of the non-operational demand. Service to two (2) or more premises shall not be combined, nor shall service thereunder be shared with others. Service thereunder shall not be resold to any third party.

b. *Type of service:* Single or three (3) phase, sixty (60) hertz, at a standard voltage;

c. *Power Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.

d. *Environmental Compliance Cost Recovery (ECCR):* The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.

e. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer) the greatest of:

- (i) the current actual demand, or

- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter) the greater of:

- (i) ninety-five (95) percent of the highest summer month (July through October), or
- (ii) sixty (60) percent of the highest winter month. (including the current month). In no case shall the billing demand be less the contract minimum, nor less than five (5) kw.

f. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate;

g. *Term of contract:* Not less than one (1) year up to and including five hundred (500) kw maximum anticipated thirty (30) minute kw, nor less than five (5) years over five hundred (500) kw maximum anticipated thirty (30) minute kw;

h. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required Where the customer purchases service at primary voltage in order to obtain consolidated billing, and required more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer;

i. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(9) *Electric public school general service.*

a. *Applicability:* To any City or county public educational institution offering regular elementary or high school courses.

- b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.
- c. *Power Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.
- d. *Environmental Compliance Cost Recovery (ECCR):* The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.
- e. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows: June through September (summer)  
the greatest of:

- (i) the current actual demand, or
- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (October through May).

October through May (winter) the greater of:

- (i) ninety-five (95) percent of the highest summer month (June through September), or
- (ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than five (5) kw. The on-peak billing demand shall be based on the average of the five (5) highest monthly thirty (30) minute kw measurements during the period from June 15th to September 15th. This on-peak billing demand will be that average monthly demand that occurs between the hours of 3:00pm and 7:00pm (EST or EDT) Monday through Friday.

f. *Un-metered service*: Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

g. *Term of contract*: Not less than one (1) year. up to and including five hundred (500) kw maximum anticipated thirty (30) minute kw, nor less than five (5) years over five hundred (500) kw maximum anticipated thirty (30) minute kw.

h. *Transformer substations*: Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

i. *Delivery point to major supplier*: The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(10) *Electric High Demand general service.*

a. *Applicability*: To any general service, commercial, or industrial customers of greater than 5,000 kw of maximum monthly demand during eight out of twelve consecutive calendar months delivered and metered at one (1) point. Service hereunder shall not be shared with others or resold to any third party.

b. *Type of service*: Single or three-phase, sixty (60) hertz, at a standard voltage.

c. *Power Cost Adjustment*: All bills shall be increased or decreased in an amount per kwh equal to the difference between the total cost kWh of bulk power and the base power cost per kWh as determined from monthly wholesale power billings rendered to the City of Thomasville by MEAG Power.

d. *Environmental Compliance Cost Recovery (ECCR)*: The monthly environmental compliance cost recovery adjustment (ECCR), in cents per kWh, shall be added to all metered bills for this service. The ECCR shall represent an amount

no higher than that which may be calculated using the economic compliance cost reporting issued from time to time by the City's principal electricity supplier, MEAG Power.

- e. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer) the greatest of:

- (i) the current actual demand, or
- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter) the greater of:

- (i) ninety-five (95) percent of the highest summer month (July through October), or
- (ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum demand, nor less than twenty-five hundred (2500) kw.

- f. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.
- g. *Term of contract:* Not less than ten (10) years.
- h. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and required more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer;
- i. *Delivery point to major supplier:* The City may elect to sell power under

this rate to a major power supplier when such supplier has requested a power delivery point.”

#### SECTION FOURTEEN

BE IT ORDAINED that Section 13-56, Article II, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Removal, disconnection, or alteration of load management device.” is hereby deleted in its entirety and shall be captioned “Reserved.”

“Section 13-56            RESERVED.  
”

#### SECTION FIFTEEN

BE IT ORDAINED that Section 13-81, Article III, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Interference with water supply or equipment.” is hereby amended to read as follows:

“Section 13-81            Interference with water supply or equipment; Private Wells.

- (a) In the interest of public safety it shall be unlawful for any unauthorized person to operate, interfere with or have anything to do with the city wells, reservoirs, treatment plants, mains, fire hydrants or other equipment related to the city water supply.
  - (b) No private wells shall be constructed upon any premises inside the city, whether industrial or residential, until and unless a permit for the installation of such well has been issued by the Thomas County Health Department.
  - (c) Private water supplies to be metered before introduction into city sewerage system. Any private water supply, regardless of whether its source originates within or without the city, shall be metered in accordance with existing city standards or otherwise evaluated as determined by the applicable sewer use rate schedule before being introduced into the public sewerage system of the city. The provisions of this section shall apply to existing installations as well as future installations.
- ”

#### SECTION SIXTEEN

BE IT ORDAINED that Section 13-87, Article III, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Water taps.” is hereby amended to read as follows:



“Section 13-87 Water taps.

The applicant for a water tap shall have his service pipe extended to the property line, at a point designated by the utilities department and terminating in a stopcock or valve. In consideration of the tapping fee, which shall be paid to the utilities department in advance, the city will tap the main and extend service to the customer's valve at the property line.”

#### SECTION SEVENTEEN

BE IT ORDAINED that Section 13-88, Article III, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Water tapping fees.” is hereby amended to read as follows:

“Section 13-88 Water tapping fees and charges.

The schedule of fees and charges for making water taps and setting meters shall be those current fees and charges, as approved by the city council, and shall be maintained and on file at the office of the city clerk and the office of the superintendent of the utilities department.

\*Estimated cost of labor and material for each individual case, as estimated by the Water Department.

These fees include a private cut-off valve, dual check valve and box on Domestic Services (3/4” and 1”). These fees include a private cut-off valve and box for Irrigation taps.”

#### SECTION EIGHTEEN

BE IT ORDAINED that Section 13-90, Article III, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Water Rates.” is hereby amended to read as follows:

“Section 13-90 Water rates.

(a) Water rates are those rates as approved by the city council and on file at the city clerk's office and the administrative offices of the Utilities department.

(b) Inside the Corporate limits of the City - This is a water rate applicable inside the corporate limits of the City of Thomasville. The rate has two components: 1) Base Charge; and 2) Consumption Charge.

Rate Structure

Base Charge (fixed monthly charge)

Consumption Charge Flat Rate Structure

(c) Outside the Corporate limits of the City – This is a water rate applicable outside the corporate limits of the City of Thomasville. The rate has two components: 1) Base Charge; and 2) Consumption Charge.

Rate Structure

Base Charge (fixed monthly charge)

Consumption Charge Flat Rate Structure.”

SECTION NINETEEN

BE IT ORDAINED that Section 13-122, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Gas system renewal and extension of reserve fund.” is hereby amended to read as follows:

“Section 13-122 Gas system renewal and extension reserve fund.

(a) The special fund, known as the "Gas System Renewal and Extension Reserve Fund," is hereby maintained as a separate and unique fund. The city, from revenues derived from the operation of its natural gas system, shall pay into the fund twelve (12) percent of the net income from the system before depreciation charges are made. The monies in the fund shall be used and applied solely for:

(1) Improvements, extensions, and replacements of buildings, lands, equipment, and distribution systems now owned and used or which may hereafter be acquired by the city in connection with the operations of its natural gas system; and shall not be used or applied for ordinary operation and maintenance nor for ordinary service connections.

(2) In case of an emergency having a major effect upon the natural

gas system caused by some extraordinary occurrence which makes it necessary to use funds of the gas system for the alleviation or removal of such effects, and an insufficiency of money exists in the revenue fund to meet such emergency.

(b) No expenditure of money shall be made from this fund except by resolution carried by two-thirds majority vote of the city council. All depositories and signatures for disbursement of funds shall be designated by a resolution of the city council.

(c) All sums in the fund, in excess of amounts required for immediate disbursement, may be invested in securities which are direct and general obligations of the U.S. Government or its agencies, or guaranteed by the U.S. Government or its agencies as to both principal and interest, municipal and state bonds, bank certificates if protected by escrow of an equal value of the above type investments, or federal savings and loan to the limit covered by insurance except that such funds shall not be invested in bonds of the city. All interest accumulations from the bonds and certificates shall be invested in the fund.

(d) All depositories and all signatures for disbursement of natural gas system funds shall be designated by resolution of the city council.”

## SECTION TWENTY

BE IT ORDAINED that Section 13-124, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Department to make or supervise extension of mains; use of unmetered pipe or main.” is hereby amended to read as follows:

“Section 13-124 Department to make or supervise extension of mains; use of unmetered pipe or main.

The city gas department or city engineering department will make or supervise all extensions of mains in the public streets and roads both inside and outside the city limits. No person shall make any connection to any unmetered pipe or main containing gas from the city system, unless such person has first obtained a written permit for such work from the superintendent of the utilities department.”

SECTION TWENTY-ONE

BE IT ORDAINED that Section 13-125, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Natural gas rates and rate structures.” is hereby amended to read as follows:

“Section 13-125 Natural gas rates and rate structures

(a) Gas rates are on file at the city clerk's office and the administrative offices of the Utilities Department.

(b) Residential Customers - This is a gas rate applicable to residential service when supplied through one meter to each individual residence or apartment. The rate has three components: 1) Base Charge; 2) Variable Cost of Gas Charge; and 3) Distribution Charge.

Rate Structure:

Base Charge (fixed monthly charge)

Distribution Charge (volumetric monthly charge)

Variable Cost of Gas - Actual Cost of fuel, capacity and transportation delivery to Citygate.

Seasonal Charge - Where service is cut off and within 12 months, re-cut in for the same customer at the same location, such cut off period shall be considered seasonal. With the first bill following such a period, the customer shall be billed a seasonal charge as set forth in the schedule of fees and charges, as approved by the city council, maintained in the office of the city clerk and the office of the superintendent of the utilities department.

(c) Commercial Customers -This gas rate is applicable to commercial or firm industrial customers and multiple family dwellings or apartment buildings where service is taken through one meter. No gas may be resold or transmitted to other premises. The rate has three components: 1) Base Charge; 2) Variable Cost of Gas Charge; and 3) Distribution Charge.

Rate Structure:

Base Charge (fixed monthly charge)

Distribution Charge (volumetric monthly charge)

Variable Cost of Gas - Actual Cost of fuel, capacity and transportation delivery to Citygate.

Seasonal Charge - Where service is cut off and within 12 months re-cutin for the same customer at the same location, such cut off period shall be considered seasonal. With the first bill following such a period, the customer shall be billed a seasonal charge as set forth in the schedule of fees and charges, as approved by the city council, maintained in the office of the city clerk and the office of the superintendent of the utilities department.

- (d) Firm Industrial Customers - This gas rate is applicable to commercial or firm industrial customers where service is taken at one service location. No gas may be resold or transmitted to other premises. The minimum volume to qualify for this service is 10,000 MCF per year. The rate has three components: 1) Base Charge; 2) Variable Cost of Gas Charge; and 3) Distribution Charge.

Rate Structure:

Base Charge (fixed monthly charge)

Distribution Charge (volumetric monthly charge)

Variable Cost of Gas - Actual Cost of fuel, capacity and transportation delivery to Citygate

Seasonal Charge - Where service is cut off and within 12 months re-cutin for the same customer at the same location, such cut off period shall be considered seasonal. With the first bill following such a period, the customer shall be billed a seasonal charge as set forth in the schedule of fees and charges, as approved by the city council, maintained in the office of the city clerk and the office of the superintendent of the utilities department.

- (e) Interruptible Customers -This gas rate is available to nonresidential customers having facilities, to include alternate fueling systems, inspected and approved by the utilities department, permitting the use of gas on an interruptible

basis and whose usage is sufficient to qualify for this service, provided the City has available from its Supplier an adequate supply of gas to meet the customer's requirements. No gas may be resold or transmitted to other premises. The rate has three components: 1) Base Charge; 2) Variable Cost of Gas Charge; and 3) Distribution Charge.

Rate Structure:

Base Charge (fixed monthly charge)

Distribution Charge (volumetric monthly charge)

Variable Cost of Gas - Actual Cost of fuel, capacity and transportation delivery to Citygate

Gas sold under this schedule shall be subject to curtail in whole or in part during periods of peak demand, upon two hours' notice. Each customer may be required to execute a service agreement for a period of not less than three years as a condition precedent to receiving service under this rate schedule.

(f) Commercial Chiller Customers - This gas rate is applicable to commercial or firm industrial customers where service is taken through one meter for commercial chiller purposes and consumption is restricted to the months of March through October. No gas may be resold or transmitted to other premises. The rate has three components: 1) Base Charge; 2) Variable Cost of Gas Charge; and 3) Distribution Charge.

Rate Structure:

Base Charge (fixed monthly charge)

Distribution Charge (volumetric monthly charge)

Variable Cost of Gas - Actual Cost of fuel, capacity and transportation delivery to Citygate."

SECTION TWENTY-TWO

BE IT ORDAINED that Section 13-147, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Definitions.” is hereby deleted in its entirety and shall be captioned “Reserved.”

“Section 13-147 RESERVED.  
”

### SECTION TWENTY-THREE

BE IT ORDAINED that Section 13-150, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Notice of intent to excavate or demolish.” is hereby amended to read as follows:

“Section 13-150 Notice of intent to excavate or demolish.

(a) Any person or contractor performing excavation or demolition within the City of Thomasville shall, pursuant to O.C.G.A. §25-9-1 et. seq., known as the “Georgia Utility Facility Protection Act,” shall submit a locate request to the Utilities Protection Center prior to commencing such work and shall not commence such work unless and until such person or contractor has complied with the Georgia Utility Facility Protection Act, including but limited to the notification, location, and time periods requirements of the act. The purpose and intent of compliance with this section and the Georgia Utility Facility Protection Act is to afford the utilities department adequate time to identify and mark underground utilities in order to prevent loss of life, injury or destruction or damage to utilities, persons or private property.

”

### SECTION TWENTY-FOUR

BE IT ORDAINED that Section 13-151, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Response to notice of intent to excavate or demolish.” is hereby amended to read as follows:

“Section 13-151 Response to notice of intent to excavate or demolish.

The city utilities department, notified in accordance with the Georgia Utility Facility Protection Act, shall respond and make such determinations and take such actions regarding the location of utilities as required by the Act. ”

#### SECTION TWENTY-FIVE

BE IT ORDAINED that Section 13-152, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Emergency work.” is hereby amended to read as follows:

“Section 13-152 Emergency excavation or excavation in extraordinary circumstances.

The notice requirements of this division shall not be required, but only in those circumstances and pursuant to the requirements of O.C.G.A. §25-9-12, found in the Georgia Utility Facility Protection Act.”

#### SECTION TWENTY-SIX

BE IT ORDAINED that Section 13-154, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Notice of damage to utility.” is hereby amended to read as follows:

“Section 13-154 Notice of damage to utility.

(a) Except as provided by subsection (b) of this section, each person responsible for any excavation or demolition operation designated in section 13-149 that results in any damage to an underground utility shall immediately upon discovery of such damage cease the work that caused such damage, and shall notify the Utilities Protection Center, as provided for in O.C.G.A. §25-9-8 of the Georgia Utility Facility Protection Act. Any further work shall cease until such time as the Act provides that work may re-commence.

(b) Each person responsible for any excavation or demolition operation designated in section 13-149 that results in damage to an underground utility



permitting the escape or any flammable, toxic or corrosive gas or liquid shall, in addition to the notification requirements of Georgia Utility Facility Protection Act, immediately upon discovery of such damage, notify the operator, police and fire departments and take any other action as may be reasonably necessary to protect persons and property and to minimize the hazards until arrival of the operator's personnel or police and fire departments.”

#### SECTION TWENTY-SEVEN

BE IT ORDAINED that Section 13-155, Article IV, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Civil penalties.” is hereby amended to read as follows:

“Section 13-155 Civil penalties.

In addition to the rights and remedies afforded the city, including but not limited those remedies available pursuant to O.C.G.A. §25-9-13 of the Georgia Utility Facility Protection Act, any person who violates any provision of this division shall be subject to a civil penalty not to exceed one thousand dollars (\$1,000.00) for each such violation. Actions to recover the penalty provided for in this section shall be brought by the city at the request of any person in the circuit court in and for the city in which the cause or some part thereof arose. All penalties recovered in such actions shall be paid into the gas renewal and extension fund of the city utilities department. This section does not affect any civil remedies for personal injury or property including underground utilities damage, except as otherwise specifically provided for in this section.”

#### SECTION TWENTY-EIGHT

BE IT ORDAINED that Section 13-208(1), Article vi, Chapter 13 of the Code of Ordinances of the City of Thomasville, captioned “Civil penalties.” is hereby amended to read as follows:

“Section 13-208. Prevention and Mitigation of Identity Theft.

(1) In the event that any City employee responsible for or involved in restoring an existing covered account or accepting payment for a covered account becomes aware of red flags indicating possible identity theft with respect to existing covered

accounts, such employee shall use his or her discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his or her discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee shall immediately report such red flags to the Customer Service Manager. If, in his or her discretion, such employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to the Customer Services Manager, Customer Services, who may in his or her discretion determine that no further action is necessary. If the Customer Services Manager, Customer Services, in his or her discretion determines that further action is necessary, a City employee shall perform one or more of the following responses, as determined to be appropriate by the Assistant City Manager, Customer Services:

- a. Contact the customer;
- b. Make the following changes to the account if, after contacting the customer, it is apparent that someone other than the customer has accessed the customer's covered account:
  - i. change any account numbers, passwords, security codes, or other security devices that permit access to an account; or
  - ii. close the account;
- c. Cease attempts to collect additional charges from the customer and decline to sell the customer's account to a debt collector in the event that the customer's account has been accessed without authorization and such access has caused additional charges to accrue;
- d. Notify a debt collector within 24 hours of the discovery of likely or probable identity theft relating to a customer account that has been sold to such debt collector in the event that a customer's account has been sold to a debt collector prior to the discovery of the likelihood or probability of identity theft relating to such account;
- e. Notify law enforcement, in the event that someone other than the customer has accessed the customer's account causing additional charges to accrue

or accessing personal identifying information; or

- f. Take other appropriate action to prevent or mitigate identity theft.”

SECTION TWENTY-NINE

BE IT FURTHER ORDAINED all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION THIRTY

BE IT FURTHER ORDAINED that the provisions of this ordinance shall be made a part of the official codified ordinances of the City of Thomasville.

SECTION THIRTY-ONE

This ordinance was introduced and read at a lawful meeting of the Council of the City of Thomasville held on August 24, 2020, and read the second time, passed and adopted in like meeting held on September 14, 2020.

SO ORDAINED, this the 14<sup>th</sup> day of September, 2020.

\_\_\_\_\_  
Greg Hobbs, Mayor

ATTEST:

\_\_\_\_\_(SEAL)  
Felicia Brannen, City Clerk