

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA
WITH RESPECT TO **WATER AND SEWER FEES**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 5-3-71 entitled "*Installations requiring state encroachment permit*" of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

"Sec. 5-3-71. – Installations requiring state encroachment permit.

Charges for all water and sewer service installations requiring a Georgia Department of Transportation right-of-way encroachment permit shall be set in accordance with Section 2-6-2."

SECTION 2. Section 5-3-72 entitled "*Paving cut and bull head charges*" of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

"Sec. 5-3-72. - Paving cut and bull head charges.

Paving cut charges shall be set in accordance with Section 2-6-2, plus such additional amounts as the public utilities director shall determine which shall reflect the cost of labor, equipment, and other materials required for such work."

SECTION 3. Section 5-3-73 entitled "*Security deposits for new applicants -- Water*" of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

"Sec. 5-3-73. - Security deposits for new applicants—Water.

The security deposit fee for customers under section 5-3-9(h) shall be set in accordance with Section 2-6-2."

SECTION 4. Section 5-3-74 entitled "*Same -- Sewer*" of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and reserved for future use.

SECTION 5. Section 5-3-75 entitled "*Tap and meter charges*" of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

"Sec. 5-3-75. - Tap and meter charges.

- (a) Tap and meter charges shall be set in accordance with Section 2-6-2.
- (b) The public utilities director is hereby authorized to use his discretion in giving prices on sizes not referred to above and with the stipulation that at all times he shall ascertain the current cost and expense thereof when giving such quotation.
- (c) The turn-on fee shall be set in accordance with Section 2-6-2."

SECTION 6. Section 5-3-76 entitled “*Water system connection fee*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 5-3-76. - Water system connection fee.

- (a) The water system connection fee shall be set in accordance with Section 2-6-2.
- (b) Multi-family structures or mixed commercial and multi-family structures shall pay a water connection fee that corresponds to the meter size. Multi-family structures or mixed but predominantly residential multi-family structures shall pay a water connection fee that corresponds to the meter size.
- (c) The Mayor and Commission may exempt all or part of particular development projects from water system connection fees if the Mayor and Commission determine that such projects will either: (i) create substantial economic development and employment growth of benefit to the Athens-Clarke County community, or (ii) preserve existing or provide additional affordable housing resources of substantial benefit to the Athens-Clarke County community.”

SECTION 7. Section 5-3-77 entitled “*Water rates*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 5-3-77. - Water rates.

- (a) *Single-family residential rates.* – Single-family residential accounts with a ¾-inch or smaller water meter shall pay a monthly customer service fee in accordance with subsection (f) herein and a tiered rate for water that passes through the meter in accordance with subsection (b) herein.
- (b) *Tiered rates for ¾ inch single-family residential accounts.*
 - (1) The tier one rate shall be set in accordance with Section 2-6-2.
 - a. The allocation of usage billed at tier one shall be the greater of 100 gallons per day or recent historical annual average usage for the same account holder, whichever is greater. The historical average calculation shall exclude apparent leaks.
 - b. New accounts shall be allocated 100 gallons per day for tier one rates or 50 gallons per day per occupant based upon a legally binding affidavit for the number of occupants, whichever is greater. The maximum allocation for new accounts shall be 200 gallons per day. Affidavits shall not be accepted for established accounts, but an account holder with more than twelve-months of usage at the same account location may request an adjusted tier one allocation.
 - c. If more than one residence is served by the ¾-inch meter that account will be classified as multifamily.
 - (2) The tier two through tier four rates shall be set in accordance with Section 2-6-2.
- (c) *Rates for other accounts.* All commercial, industrial, institutional, multifamily and residential accounts with meters larger than ¾-inch, with the exception of irrigation-only and recycled water accounts, shall pay a monthly customer service fee in accordance with

subsection (f) herein and a uniform rate for potable water set in accordance with Section 2-6-2.

- (d) *Rates for irrigation-only accounts.* Consumers of potable water through connections solely for outdoor irrigation shall pay the tier four rate set in accordance with Section 2-6-2 for all water that passes through the irrigation-only meter. Irrigation-only accounts shall not pay a monthly customer service fee.
- (e) *Rate for recycled water.* Recycled water (i.e., nonpotable, reclaimed) accounts shall pay a monthly customer service fee in accordance with subsection (f) herein and a uniform rate equal to half the rate stated in Section 5-3-77(c) and set in accordance with Section 2-6-2 for water that passes through the recycled water meter.
- (f) *Monthly customer service fee and meter replacement fee.* The monthly customer service fee to each account shall be set in accordance with Section 2-6-2.
- (g) *Re-establishing service.* A charge set in accordance with Section 2-6-2, plus any other expense, will be made to re-establish service after water is cut off for nonpayment of an account or other violation, unless temporarily suspended during an emergency by resolution of the Mayor and Commission.”

SECTION 8. Section 5-3-78 entitled “*Fire sprinkler system(s) charges*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 5-3-78. - Fire sprinkler system(s) charges.

Charges on fire sprinkler systems shall be set in accordance with Section 2-6-2.”

SECTION 9. Section 5-3-79 entitled “*Wastewater connection fee*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 5-3-79. - Wastewater connection fee.

- (a) The wastewater connection fee shall be set in accordance with Section 2-6-2.
- (b) Multi-family structures or mixed but predominantly residential multi-family structures shall pay a wastewater connection fee that is 0.6 multiplied by the ¾-inch sewer connection fee multiplied by the number of dwelling units served by the master meter.
- (c) The Mayor and Commission may exempt all or part of particular development projects from wastewater connection fees if the Mayor and Commission determine that such projects will either: (i) create substantial economic development and employment grown of benefit to the Athens-Clarke County community, (ii) facilitate conversion of existing on-site sewage disposal systems to public sewer which conversion will substantially benefit water quality in the watershed, or (iii) preserve existing or provide additional affordable housing resources of substantial benefit to the Athens-Clarke County community.”

SECTION 10. Section 5-3-80 entitled “*Sewer rates*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 5-3-80. - Sewer rates.

Rates for wastewater discharged. Rates to be charged for wastewater discharged by customers of the Athens-Clarke County sewer system shall be set in accordance with Section 2-6-2.

SECTION 11. Section 5-3-81 entitled “*Same -- Surcharge*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 5-3-81. - Same—Surcharge.

The wastewater surcharge rates for five-day BOD, suspended solids, and oil and grease shall be set in accordance with Section 2-6-2.

Wastewater surcharges shall be charged by the Public Utilities Department's Water Business Office at the rates specified in this Section for Five-Day BOD, Total Suspended Solids, and Oil and Grease which exceed the quantities contained within Section 5-1-42 of this Ordinance. The surcharge fees will be changed in accordance with the rate schedule set pursuant to Section 2-6-2.”

SECTION 12. Section 5-3-82 entitled “*Development plan review and system evaluation fees*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 5-3-82. - Development plan review and system evaluation fees.

Fees for reviewing new development plans, for water system evaluations and for wastewater evaluations by the department of public utilities shall be set in accordance with Section 2-6-2.”

SECTION 13. Section 5-3-85 entitled “*Fire hydrant meter rental fee*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Section 5-3-85. – Fire hydrant meter rental fee. Charges for fire hydrant meter rental shall be set in accordance with Section 2-6-2.”

SECTION 14. Section 5-3-86 entitled “*Inspection fees*” of the Code of Athens-Clarke County, Georgia is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Section 5-3-86. – Inspection fees. Charges for inspection of development-installed water lines and sewers shall be set in accordance with Section 2-6-2.”

SECTION 15. All ordinances or parts of ordinances in conflict herewith are hereby repealed.