

FIRST READING December 13, 2022

SECOND READING January 17, 2023

PASSED January 17, 2023

AN ORDINANCE NO. BR2022-37

AN ORDINANCE TO AMEND SECTION 24-3 (“WATER AND SEWER SERVICE IMPROVEMENT ACCOUNT”) OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA TO REASSIGN CERTAIN DUTIES TO THE CITY ADMINISTRATOR OR HIS/HER DESIGNEE; TO INCREASE THE SURCHARGE TO BE PAID BY APPLICANTS FOR WATER AND/OR SEWER SERVICES AT A LOCATION NOT PRESENTLY SERVED OR FOR EXPANDED SERVICES TO A SITE PRESENTLY BEING SERVED; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 24 (“Utilities”), Article III (“Water Service”) and Article IV (“Sanitary Sewerage”) of the Code of the City of Blue Ridge, Georgia (“Code”) provide generally for the provision of water and sanitary sewer service within the City; and

WHEREAS, Chapter 24 (“Utilities”), Article III (“Water Service”) and Article IV (“Sanitary Sewerage”) of the Code confer upon the City Council the authority to establish the fees for new taps and service connections as well as the rates for water and sewer service; and

WHEREAS, the City Council previously established a “Water & Sewer Service Improvement Account,” the purpose of which was to pay the costs and expenses for repairing, improving, and upgrading portions of the City’s water and sanitary sewer system deemed inadequate to provide new or expanded service; and

WHEREAS, the City Council previously (by and through the adoption of Ordinance Amendment No. 2015-09-08) established a surcharge to be paid by applicants for water and/or sewer service at a location not presently served or for expanded service to locations presently served, in addition to the usual application and connection fees; and

WHEREAS, the creation of the “Water & Sewer Service Improvement Account” is now codified as Section 24-3 (“Water and Sewer Service Improvement Account”) of the Code; and

WHEREAS, with the increasing costs to construct new or expanded water and sanitary sewer infrastructure, the Mayor and City Council find it in the public interest to increase the surcharges associated with providing new and expanded water and sanitary sewer services; and

WHEREAS, City staff has recommended certain changes to Section 24-3 (“Water and Sewer Service Improvement Account”) of the Code to reassign certain duties to the City Administrator or his/her designee; and

WHEREAS, the City Council finds it in the public interest to increase the surcharge to be paid by applicants for water and/or sewer service at a location not presently served or for expanded service to locations presently served and to adopt the changes to Section 24-3 recommended by City staff.

NOW, THEREFORE, BE IT ORDAINED, AND IT IS HEREBY ORDAINED by the authority of the City Charter and general law, that (i) a new schedule for surcharges to be paid by applicants for water and/or sewer service at a location not presently served or for expanded service to locations presently is hereby adopted; and Section 24-3 (“Water and Sewer Service Improvement Account”) of the Code of the City of Blue Ridge, Georgia, is hereby amended as set forth herein:

SECTION 1.

SURCHARGE FOR APPLICANTS FOR WATER AND/OR SANITARY SEWER SERVICES AT A LOCATION NOT PRESENTLY SERVED OR FOR EXPANDED SERVICE TO A LOCATION PRESENTLY SERVED

The surcharge to be paid by applicants for water and/or sewer service at a location not presently served or for expanded service to locations presently is as set forth in the fee schedule attached as Exhibit “A” hereto and is hereby adopted.

SECTION 2.

SECTION 24-3 (“WATER AND SEWER SERVICE IMPROVEMENT ACCOUNT”) AMENDED

Section 24-3 (“Water and Sewer Service Improvement Account”) of the Code of the City of Blue Ridge, Georgia, is hereby amended as follows:

Sec. 24-3. - Water and Sewer Service Improvement Account.

(a) There is hereby created a separate account or fund of the city to be known as the Water and Sewer Service Improvement Account to be used solely and exclusively to receive for deposit the surcharges hereinafter authorized, and for payment of expenses related to repairing, improving and upgrading any portion of the system deemed by the city to be inadequate to provide new or expanded service. The ~~city administrator~~~~finance director~~ and ~~utilityies director~~ ~~billing supervisor~~ shall be the sole and exclusive judge in this regard.

(b) There is hereby imposed a surcharge to be paid by applicants for water and/or sewer services at a location not presently served, or expanded service to a site presently being served, in addition to the usual application and connection fees. The surcharges shall be in amounts as established by the mayor and council from time to time.

(c) Nothing contained herein shall require the city to provide service in areas not presently served, and the mayor and council shall be the sole and exclusive judge in this regard.

SECTION 3. SEVERABILITY.

If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to effect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Blue Ridge to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF THE CONFLICT.

All parts of prior ordinances, in conflict with the terms of this ordinance are hereby repealed to the extent of the conflict; but it is hereby provided, that any ordinance, or any provision of any ordinance, or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof, and shall be legally construed to be in favor of upholding this ordinance on behalf of the City of Blue Ridge, Georgia.

SECTION 5. EFFECTIVE DATE.

The effective date of this ordinance shall be upon its passage by the City Council.

SO ORDAINED this 17 day of January, 2023.

MAYOR AND CITY COUNCIL OF BLUE RIDGE



Mayor, City of Blue Ridge



Clerk, City of Blue Ridge



EXHIBIT "A"

Chapter 24—Utilities

24-3(b)(1)	Water and Sewer Service Improvement Account surcharge fee for water service for 3/4-inch residential meter. <u>Inside City Limits</u> <u>Outside City Limits</u>	\$1,000.00 \$1,250 \$1,500
24-3(b)(1)	Water and Sewer Service Improvement Account surcharge fee for water service for 3/4-inch commercial meter. <u>Inside City Limits</u> <u>Outside City Limits</u>	\$2,500.00 \$3,000 \$3,500
24-3(b)(1)	Water and Sewer Service Improvement Account surcharge fee for water service for one-inch meters. <u>Inside City Limits</u> <u>Outside City Limits</u>	\$5,000.00 \$5,500 \$6,000
24-3(b)(1)	Water and Sewer Service Improvement Account surcharge fee for water service for meters above one inch. <u>Inside City Limits</u> <u>Outside City Limits</u>	\$5,000.00 \$5,550 per inch \$6,000 per inch