FIRSTREADING January 16. 2024

SECOND READING February 20, 2024

PASSED February 20, 2024

#### AN ORDINANCE NO. BR2024-02

AN ORDINANCE TO AMEND SECTION 24-3 ("WATER AND SEWER SERVICE IMPROVEMENT ACCOUNT") OF THE CODE OF THE CITY OF BLUE RIDGE, GEORGIA 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 INCREASE THE TAPS FOR WATER AND SEWER AND TO PROVIDE FOR AN EFFECTIVE DATE.

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 and increased costs associated for water and sewer taps, 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 increase the water and sewer tap fees; 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 increase the water and sewer tap fees.

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 in Exhibit A; and the water and sewer tap fee are heby increased as outlined in Exhibit B

#### **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. WATER AND SEWER TAP FEES

The water and sewer tap fees is as set forth in the fee schedule attached as Exhibit "B" hereto and is hereby adopted.

#### SECTION 3. <u>SEVERABILITY.</u>

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 4.**

## EFFECTIVE DATE.

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

SO ORDAINED this <u>36</u>

day of February 2024.

MAYOR AND CITY COUNCIL OF BLUE RIDGE

Mayor, City of Blue Ridge

Clerk, City of Blue Ridge