

ORDINANCE NO. _____ 2018
(Water and Sewer Rates - LMW)

**AN ORDINANCE ESTABLISHING NEW WATER AND
SEWER RATES AND FOR OTHER PURPOSES
FOR THE CITY OF TEMPLE, GEORGIA**

WHEREAS, the City of Temple has been studying for several months the need to increase water and sewer rates for the use of those utility services within the City; and

WHEREAS, these studies reveal that the present rate structure is not adequate to pay the current debt service, and related charges, for providing water and sewer service to the citizens of Temple; and

WHEREAS, the present bonded indebtedness of the water and sewer utility system of the City of Temple require that rates and related charges be sufficient to accomplish a minimum charge to cover the debt service on the system; such that the rate of charge should be at least 1.05 times **above** the expenses for operating the system and presently the current rates of charge are insufficient to properly accomplish, as legally required, the debt service payments for the system; and

WHEREAS, the Carroll County Water Authority has recently significantly increased the rate of charge for raw water to the City of Temple, which is an additional reason that the rate structure must be changed; and

WHEREAS, after this study and review by the City Council, it is the desire of the Mayor and Council to effectuate a change in the rate structure commencing with the April, 2018 billing cycle;

WHEREAS, the Utility Code of the City needs to be revised and modernized;

NOW, THEREFORE, be it ordained and established by the City Council of the City of Temple, and it is hereby ordained and established by said authority as follows:

Section 1. Definitions

The following words, terms, and phrases, when used in this Code and specifically this Division thereof, shall have the meanings described to them in this Section; except where the context clearly indicates a different meaning:

(a) Base Rate – the minimum rate of charge for water and sewer services for the City of Temple per month, as described in Exhibit “A” to this Ordinance.

(b) Hydrant Use – after receiving written permission from the City, the metered use from a City fire hydrant or similar outlet, accomplished on a short-term, non-continuous basis.

(c) Senior Rate – the rate of charge for water and/or sewer rates for any user of residential services for the City of Temple who are age 65 or above.

(d) Small Business – any person, business, or other entity that operates and/or uses utility services in the City of Temple for not only small amounts of water; but also for ancillary commercial, industrial, or related business uses that are metered. The usages normally should not be more than 10,000 gallons per month.

(e) Unit – any household, family unit, apartment, industrial plant, factory, office or other place of doing business. A separate unit shall, as may be practicable, be placed on separate meters. If water is supplied to more than one party through a single tap, then each individual party shall pay the unit charge and the unit rate charges for any multi-rate meter service. Any place of business shall be considered a commercial unit for purposes of this Section.

Section 2. Water and Sewer Rate Structure

The Code of the City of Temple as contained in Chapter 36, Division 2 entitled “Water and Sewer Rates” shall stand amended by deleting said section in its entirety. In lieu thereof shall be a new Division 2, which shall hereafter read as follows:

“DIVISION 2 – WATER AND SEWER RATES

There is hereby established a new rate structure for general water and sewer utility services, and uses of these services in the City of Temple. These rates are as set forth in Exhibit “A”, attached hereto and made a part hereof by reference.

Section 3. Meters Furnished, Owned By City

All meters shall be furnished and owned by the City. Any unauthorized use, tampering or alteration of a meter, box, and all associated apparatus shall be unlawful and punishable as provided by either state law, or the general punishment section 1-13 of the Code of the City of Temple.

Section 4. Ownership Of Meters; Meter Failures

The stop cock, box, meter and any related apparatus at or near the curb, or other portion of the City right-of-way, shall be purchased by the property owner based upon the schedule of tap fees presently established, or hereinafter modified, by the City. The tap fees are established as set forth in Exhibit “B” attached hereto and made a part hereof by reference. All apparatuses installed by the City for meters remain the property of the City. Should the meter be damaged, fail to properly register or otherwise be defective, the customer shall be charged the average daily consumption for the three previous meter readings before the apparatus was

damages. The City shall, as soon as practicable, place the City owned meter apparatuses back in a good condition of repair.

Section 5. Water Service Security Deposits

The City shall collect a deposit for all occupants of any water unit, as defined by this Division, prior to furnishing such premises with any water from the City water system. The deposit fee schedule is attached hereto as Exhibit "C" and incorporated in this Section by reference.

Section 6. Water Service Application

Said application shall be made by the owner, lessee, or authorized agent for the commencement, reinstatement or transfer of water service. The person making application for water service shall be liable for all applicable charges for sewer, water, garbage or other included services which may be a part of the City service utility fees. The applicant shall be the only person authorized to discontinue water service to the location. No applicant shall be permitted to apply for service in the name of a third party, unless the applicant is an employee, authorized agent, or relative of said third party.

Section 7. Water Shortages; Restrictions

The City Council, City Administrator, or other appropriate designated federal, state or local official, on behalf of the City, may place necessary restrictions upon the types, times, and methods of use of water within the City system as may be appropriate in times of shortage, scarcity, drought, contamination of the system or other similar emergency. Any person who fails or refuses to comply with such restrictions shall be guilty of a violation of this Section and punishable pursuant to the provisions of federal, state and/or local laws or ordinances

concerning this conduct. In addition to this punishment, after notice to the appropriate applicant for water service, service to the unit may be discontinued.

Section 8.

The Provisions of Section 36-20 entitled “Tampering With, Damage To Or Destruction Of Meters; Violations And Penalties and Section 36-21 entitled “Water Restriction Violations And Penalties” shall stand amended by striking from these respective Sections the fines and replacement charges for conduct in violation of either Section 20 or Section 21. On and after the adoption of this ordinance, fines and replacement charges shall be accomplished as follows:

(a) Charges by the City for damage or destruction to meters or similar violations of these ordinances shall be based upon the time and expense of lock replacement, repair of damages and/or similar utility expenses incurred by the City in remedying any damage, destruction, tampering with or similar violations of the utility provisions of the Code.

(b) As to fines, violation of these Sections, this Ordinance or related utility ordinances - fines shall be as generally set forth in the provisions of Section 1-13 of the Code of the City of Temple and levied by the Municipal Court or its authority.

Section 9.

The provisions of this Ordinance shall be cumulative to the present ordinances in existence in the City of Temple. The only repealer and deletion shall be of Division 2 related to water and sewer rates. Therefore, the codifiers of the Municipal Code of Georgia shall use their

discretion, as granted by this Ordinance, in connection with the inclusion of this Ordinance within the general Chapter 36 entitled "Utilities".

Section 10:

All laws and parts of law in conflict herewith are specifically repealed.

Section 11:

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this enactment are severable, and if any phrase, clause, sentence, paragraph or section hereof shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this enactment, since the same would have been enacted by the City Council without the incorporation herein of any such unconstitutional phrase, clause, sentence paragraph or section.

ADOPTED AND APPROVED by the City Council of the City of Temple this the _____ day of _____, 2018. Councilmembers _____
_____ voting "Aye" and
_____ voting "No".

BY: _____
HONORABLE MICHAEL C. JOHNSON
MAYOR, CITY OF TEMPLE

ATTEST: _____
KRISTIN ETHEREDGE, CLERK
CITY OF TEMPLE

(seal)

EXHIBIT "A"

2018 WATER & SEWER RATE STRUCTURE

Exhibit A

2018 Water & Sewer Rate Structure

City of Temple

RESIDENTIAL

WATER		SEWER	
\$7.50 BASE RATE (Senior \$5.00)		\$17.50 BASE RATE (Senior \$9.00)	
Water Usage Rates (per 1000 gallons)		Sewer Usage Rates (per 1000 gallons)	
0 – 6500 gal	\$5.50	0 – 6500 gal	\$5.50
6500+	\$6.00	6500+	\$8.00

COMMERCIAL

WATER		SEWER	
BASE RATES		BASE RATES	
0 – 10,000 gal	\$80.00	0 – 10,000 gal	\$125.00
10,001 – 25,000	\$110.00	10,001 – 75,000	\$225.00
25,001 – 75,000	\$215.00	75,001 – 100,000	\$625.00
Over 75,001	\$275.00	Over 100,000	\$775.00

Water Usage Rates (per 1000 gallons)		Sewer Usage Rates (per 1000 gallons)	
0 – 25,000	\$5.50	0 – 25,000	\$7.50
25,001 – 50,000	\$7.50	25,001 – 50,000	\$10.50
50,001 – 75,000	\$8.50	50,001 – 75,000	\$11.50
Over 75,000	\$9.50	Over 75,000	\$12.50

SMALL NON-RESIDENTIAL*
Doubled Residential Base Rates: \$7.50 & \$17.50

WATER	SEWER
\$15 BASE RATE	\$35 BASE RATE

*Base Rates are double the residential base rates and Usage Rates are the same as commercial

GARBAGE & RECYCLING

GARBAGE	RECYCLING
\$12.50 per cart	FREE

HYDRANT USE*

\$1000 Deposit	\$5.00 BASE RATE
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*Usage Rates are the same as commercial

EXHIBIT "B"

SCHEDULE OF TAP FEES

Exhibit B

Water and Sewer Tap Fees

City of Temple

Water Tap Inside City	Sewer Tap Inside City
3/4" 1,500.00	4,000.00
1" 2,300.00	5,500.00
2" 3,000.00	6,500.00
4" 6,000.00	8,500.00
6" 8,000.00	10,000.00
Outside City	Outside City
3/4" 2,400.00	To be determined
1" 4,000.00	To be determined
2" 5,000.00	To be determined
4" 9,000.00	To be determined
6" 14,000.00	To be determined

Sewer Tap Fees are based on size of the water tap purchases.

Effective: September 10, 2007

EXHIBIT "C"

DEPOSIT FEE SCHEDULE

Exhibit C

Deposit Fee Schedule

City of Temple

Residential	\$125
Small Business	\$150
Residential Tenants/Leasees/Other	\$175
Commercial	\$200