

PASSED: May 4, 2009

ORDINANCE NO. 2009-002

AN ORDINANCE TO ESTABLISH WATER AND SEWER RATES, RULES AND PROCEDURES FOR THE TOWN OF MAYSVILLE, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Town Council of Maysville, Georgia as follows:

CHAPTER 20: WATER AND SEWER ORDINANCE

Section	
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20-102	Extraordinary Rates
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Section 20-101 Rate Schedule

There is hereby adopted the following rate schedules for the Town of Maysville, Georgia:

Rates amended October 1, 2009

INSIDE CITY							
			2001-20,000 gallons	20,001-100,000 gallons	100,001-150,000 gallons	150,001+ gallons	
Min. Bill: 3/4" meter(1st 2000)	\$20.68		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 1" meter (1st 2000)	\$37.08		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 1 1/2" meter (1st 2000):	\$82.71		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 2" meter (1st 2000):	\$146.88		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 3" meter (1st 2000):	\$330.83		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 4" meter (1st 2000):	\$587.51		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 6" meter (1st 2000):	\$1,323.33		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 8" meter (1st 2000):	\$2,352.90		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 10" meter (1st 2000):	\$3,676.23		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56

OUTSIDE CITY							
			2001-20,000 gallons	20,001-100,000 gallons	100,001-150,000 gallons	150,001+ gallons	
Min. Bill: 3/4" meter(1st 2000)	\$29.57		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 1" meter (1st 2000)	\$53.02		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 1 1/2" meter (1st 2000):	\$118.28		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 2" meter (1st 2000):	\$210.04		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 3" meter (1st 2000):	\$473.09		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 4" meter (1st 2000):	\$840.14		Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56

Min. Bill 6" meter (1st 2000):	\$1,892.36	Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 8" meter (1st 2000):	\$3,364.65	Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56
Min. Bill 10" meter (1st 2000):	\$5,257.01	Charge/1000 gal.:	\$5.00	\$5.70	\$7.13	\$8.56

			2001- 20,000 gallons	20,001- 100,000 gallons	100,001- 150,000 gallons	150,001+ gallons
Min. Bill: 3/4" meter(1st 2000)	\$15.64	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 1" meter (1st 2000)	\$28.15	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 1 1/2" meter (1st 2000):	\$62.56	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 2" meter (1st 2000):	\$111.04	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 3" meter (1st 2000):	\$250.24	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 4" meter (1st 2000):	\$444.18	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 6" meter (1st 2000):	\$1,000.96	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 8" meter (1st 2000):	\$1,779.83	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38
Min. Bill 10" meter (1st 2000):	\$2,780.79	Charge/1000 gal.:	\$4.69	\$6.26	\$7.82	\$9.38

Section 20-102 Extraordinary Rates

The rate schedule set forth above contemplates a single user, such as a one-family dwelling, a one-farm dwelling with appurtenances, or a one-commercial operation. Any extraordinary circumstances shall be governed by special contract agreements made between the Town and the user. Multi family dwellings, such as apartments, shall be required to provide separate meters and pay those associated fees for each dwelling unit.

Special contract agreement shall address extraordinary rates; consumer responsibility, including pollutant limitations; surcharges; and such other matters as are necessary to protect the Town's sewer system and to recover the Town's expenses related to the acceptance of industrial wastes into the Town's sewer system

Section 20-103 Application for Water and Sewer Service

The customer shall make application for water and sewer service at the Town Hall of the Town of Maysville, Georgia, and at the time said application is made shall make arrangements for payment of a cash security deposit as follows:

	Home Owner	Renter
Meter Size	Water and Sewer	Water and Sewer
¾”	\$100.00	\$200.00
1”	\$165.00	\$165.00
2”	\$635.00	\$635.00
3”	\$1,440.00	\$1,440.00
4” and over	Negotiated Based on Flow	Negotiated Based on Flow

Section 20-104 Connection Fees

Water

Meter Size	Meter Fee <i>(Town supplies meter)</i>	Service Fee	Admin Fee	Total**	Tap Fee**
¾ Inch	\$90	\$750	\$25	\$865	\$775
1 Inch	*	\$1,000	\$25	*	*
2 Inch	*	\$2,500	\$25	*	*
3 Inch	*	\$3,750	\$25	*	*
4 Inch	*	\$5,000	\$25	*	*
6 Inch	*	\$10,000	\$25	*	*
8 Inch	*	\$20,000	\$25	*	*
10 Inch	*	\$30,000	\$25	*	*

*Tap/Meter Fee (if installed by the Town) to be based on actual cost of materials, labor, etc. at the time of installation

** Totals could vary depending upon the amount of services provided by the Town. Tap fees are added to the total if the Town actually performs the tap.

Sewer

Meter Size	Service Fee	Tap Fee**
¾ Inch	\$2,400	\$775
1 Inch	\$3,200	*
2 Inch	\$16,000	*
3 Inch	**\$25,000 Minimum	*
4 Inch and Larger	**	*

*Tap Fee (if installed by the Town) to be based on actual cost of materials, labor, etc. at the time of installation.

**Service Fee based on water demand or usage converted to “Equivalent Dwelling Units” multiplied by \$2,400. The term “Equivalent Dwelling Units” means any user that uses an average of 300 gallons per day.

Section 20-105 Minimum Charges

The minimum charge, as provided in the rate schedule, shall be made for such connection subscribed for. Water furnished for a given lot shall be used on that lot only and the Town of Maysville shall not under any circumstances furnish water free of charge to any person, firm or corporation.

Section 20-106 Town’s Responsibility and Liability

The Town of Maysville shall run a service line from its distribution line to the property line where the line exists or is to be constructed, and runs immediately adjacent and parallel to the property to be served.

1. The Town may, at its discretion, make connections to service other properties not adjacent to its lines upon payment of reasonable costs for the extensions of its water and/or sewer lines as may be required to render such service.
2. The Town may install its meter at or near the property line or at the Town’s option, on the consumer’s property within three (3) feet of the property line.
3. The Town reserves the right to refuse service unless the consumers lines or piping are installed in such a manner as to prevent cross-connections or back-flow.
4. Under normal conditions the consumer will be notified of any anticipated interruptions of service by the Town of Maysville.

Section 20-107 Consumer’s Responsibility and Liability

Water furnished by the Town of Maysville shall be used for the consumption by the consumer, members of his household and employees only. The consumer shall not sell water to any person or permit any other person to use said water. Water shall not be for irrigation, fire protection, nor other purposes, except when water is in available quantity without interfering with the regular domestic consumption in the area served. Disregard for this rule shall be sufficient cause for refusal and/or discontinuance of service.

1. Where the meter or meter box is placed on the premises of consumers, a suitable place shall be provided by the consumer, unobstructed and accessible at all times to the meter reader.
2. Damages to the Town’s infrastructure shall be billed to the consumer at a set rate as determined by the Mayor.
3. No Building Permit shall be issued by the Town of Maysville until such time as the property has applied for all applicable utilities from the Town of Maysville.

4. The consumer shall furnish and maintain a private cut-off valve on the consumer's side of the meter.
5. The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense, in a safe and efficient manner, and in accordance with the sanitary regulations of the State Health Department.
6. Any and all on site and off site infrastructure necessary to connect to the Town's system is the Consumer's responsibility
7. Any consumer with an automatic irrigation system shall be required to install a rain sensor shut off switch.
8. In order to be received as a consumer and entitled to receive water from the Town's water system, all applicants must offer proof that any private wells located on their property are not physically connected to the lines of the Town's water system and all applicants by becoming consumers of the Town attest they will not permit the connection of any private wells on their property to the Town's water system. The consumer shall additionally not discharge any wastewater to the sewer system not generated by the potable water furnished by the Town of Maysville's water system or another public water system approved by the Town of Maysville.
9. No private wastewater system shall be allowed in the Town of Maysville except by special agreement with the Mayor and Council.
10. New construction located inside the Town Limits and within 200 feet of a Town of Maysville gravity sewer line shall be prohibited from permitting and constructing a septic tank unless expressly approved under extenuating and special circumstances.
11. Unless otherwise provided by special contract with the Town, the consumer agrees to limit its discharge into the sewer system of that strength of sewage defined as "domestic sewage." Domestic sewage is limited to water and water carried wastes normally discharged into the sanitary sewers from dwellings, including single family homes, multi-family homes and hotels, from office buildings, and factories, and institutions but not including storm water drainage or surface water drainage and not including industrial wastes. Industrial wastes include all water, water carried solids, liquid and gas wastes resulting from any industrial, manufacturing, or food processing operation or process or from the development of any natural resource or any mixture of these fluids and domestic sewage or any mixture of these fluids with any other water or with any other liquid. The discharge of industrial wastes may be authorized under the special contract agreements provided under Section 20-102. Dilution of any waste discharged into the sanitary sewer system is prohibited whether accomplished by combining two or more waste streams or adding other liquids for the purpose of diluting the discharge.

Section 20-108 Rules for Outdoor Water Use

The "Rules for Outdoor Water Use" as set forth at Chapter 391-3-30 of the Georgia Department of Natural Resources Environmental Protection Division, as amended from time to time, are hereby adopted and incorporated by reference as a local ordinance of the Town of Maysville. Any

amendment of said rules or declaration of drought and respective response level is hereby automatically adopted by the Town without the necessity of any further action.

Section 20-109 Procedure for Violations

Users of the Town of Maysville wastewater system are subject to regular sampling of their wastewater discharge at the discretion of the Mayor. The purpose of said sampling shall be to determine if the user is in compliance with the terms of this Ordinance. In the case of any pretreatment permit issued to a user by the State of Georgia or the Town of Maysville, duly authorized officials of the Town shall have all rights of inspection and monitoring as may be provided for State officials under the terms of any such pretreatment permit or as otherwise provided by State law. If there are any changes in the operation or operational procedures of any industrial user at any time during the year causing any significant changes in flow rate, BOD, COD, or suspended solids or any other characteristic of the industrial wastes, the user shall report all such changes to the Town within ten (10) days of the change. It is the users' responsibility to perform such tests from time to time as are necessary to comply with the terms of this section.

Upon any violation of any provision regarding BOD, COD, suspended solids, oil, grease, or any provision of Section 20-107, the Town may take any or all of the following actions:

- A. Discontinue sewer service and water service to the offending premises;
- B. Apply for appropriate court action;
- C. Require pre-treatment facilities or other action to end the violation forthwith;
- D. Require the user to pay a surcharge equal to the costs to the Town for dealing with the offending matter; or
- E. Levy a penalty for the violation of this Ordinance.

Upon evidence that any applicant for water and sewer service is not likely to be able to meet or comply with the provisions and limitations of this Ordinance, such applicant shall be denied tap-on to the sewer system.

Section 20-110 Access to Premises and Extensions of System

1. Duly authorized agents of the Town of Maysville shall have access at all hours to the premises of the consumer for the purpose of installing or removing Town property, inspecting piping, reading and testing meters, or for any other purpose in connection with the water service and its facilities, and the sewer service and its facilities.
2. Extensions to the system shall be made only when the consumer shall grant or convey, or shall cause to be granted or conveyed, to the Town of Maysville a permanent easement of right-of-way across any property traversed by the water or sewer lines and the Town of Maysville has accepted such easement.

Section 20-111 Change of Occupancy

Not less than three (3) days notice must be given, in person or in writing, at the Town Hall of the Town of Maysville to discontinue water and sewer service or to change occupancy. The outgoing party shall be responsible for all water consumed and sewer discharged up to the time of departure or the time specified for departure, whichever period is longer. The new occupant shall apply for utility service within forty eight (48) hours after occupying the premises and failure to do so will make him liable for paying for the water consumed and sewer discharged since the last meter reading.

Section 20-112 Meter Reading – Billings – Collecting

Bills to customers for water and sewer service shall be mailed out on such day or days each month as may be determined as desirable by the Town. The failure of water and/or sewer users to pay charges duly imposed shall result in the automatic imposition of the following penalties:

1. Nonpayment on the due date will be subject to a penalty of ten percent (10%) of the delinquent account.
2. Nonpayment within thirty (30) days from the date due will result in the water being shut off from the water user’s property. The consumer’s current (as well as the past due) water and/or sewer bill becomes due and payable on that date, and thus ALL water/sewer bills, including any charges, must be paid in full before the consumer’s water meter will be reconnected.
3. The Town may, at its sole discretion, require additional deposit amounts in order to protect its interests and insure proper payment of water and sewer charges.
4. Failure to make payment of all charges within thirty (30) days of shut off will allow the Town, in addition to all other rights and remedies, to terminate service, and in such event, the water user shall not be entitled to receive, nor the Town obligated to supply, any water under this agreement.
5. Vacant or unoccupied property owners may continue to be entitled to receive water and sewer service. However, minimum bills and charges for gallons used must continue to be paid. Once service is terminated, any vacant or unoccupied properties shall be treated as new users and shall apply for service and pay fees and deposits as above outlined.
6. As provided for in Section 20-112(B) above, water and sewer shall not be reconnected until the customer’s delinquent bill, including penalty and disconnection charges, has been paid in full. Should such customer thereafter desire to be reconnected to the water and sewer system, reconnection charge of \$50 must be paid before service will be restored.
7. Bills shall be paid at the Town’s specified place of collection, and failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the consumer from payment of same. Disputed bills shall be paid in full, and a request for adjustment shall be filed with the Town Clerk as provided for in section 20-114.

Section 20-113 Suspension of Service

When water and sewer service is discontinued and all bills paid, the security deposit shall be refunded to the consumer by the Town.

1. Upon discontinuance of service for non-payment of bills, the security deposit will be applied by the Town of Maysville toward the settlement of the account. Any balance will be refunded to the consumer; however if the security deposit is insufficient to cover the bill, the Town may proceed to collect the balance in the usual way provided by law for collection of debts.
2. Services disconnected for nonpayment of bills will be restored only after bills are paid in full, such security deposits as may be required by the Town Clerk, and a service charge as quoted in Section 20-112 for each meter reconnected. Any customer who enters the meter box and turns on their own service shall be guilty of a violation of this Chapter and subject to the penalties located in Section 20-116.
3. The Town reserves the right to discontinue its service without notice for the following additional reasons:
 - A. To prevent fraud or abuse.
 - B. Consumer's willful disregard of the Town's rules.
 - C. Emergency repairs.
 - D. Insufficiency of water supply due to circumstances beyond the Town's control.
 - E. Legal processes.
 - F. Direction of public authorities.
 - G. Strike, riot, fire, flood, unavoidable accident.

Section 20-114 Complaints – Adjustments

If the consumer believes his bill to be in error, he shall present his claim, in person, at the Town Hall of the Town of Maysville before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest and said payment shall not prejudice his claim.

1. The Town will make a special water meter reading at the request of a consumer for a fee of twenty five dollars (\$25.00) provided, however, that if such special reading discloses that the meter was over-read, no charge will be made.
2. Water meters will be tested at the request of the consumer upon payment to the Town of a fee of fifty dollars (\$50.00)), provided, however, that if the meter is found to over-register beyond three percent (3%) of the correct volume, no charge will be made.

3. If the seal of a meter is broken by other than the Town's representative or if the meter fails to register correctly or is stopped for any cause, the consumer shall pay an amount estimated from the record of his previous bills and/or from other proper data.
4. Disputed bills shall be paid in full, and a request for adjustment shall be filed with the Town Clerk. The Mayor shall make decisions regarding the granting of adjustments on Utility Bills. Appeals of the Mayor's decisions may be made to the Mayor and Council at their regularly scheduled Town Council meeting.

Section 20-115 Penalties for Violations

Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a crime against the Mayor and Council of the Town of Maysville, and upon conviction thereof in the municipal court of said Town, shall be fined up to five hundred dollars (\$500.00) or sentenced up to six (6) months imprisonment or both. Each day's violation shall be deemed a separate violation.

Section 20-116 Severability

If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

Section 20-117 Effective Date

This ordinance shall take effect from and after the date of its passage and ratification by the Mayor and Town Council of the Town of Maysville, Georgia.

Section 20-118 Conflicting Ordinances

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 20-119 Sewer Use Ordinance

Attached hereto is "Exhibit A" and by that reference made a part of is the Sewer Use Ordinance for the Town which shall become effective as the date hereof.

ORDAINED AND ENACTED into an Ordinance at a meeting of the Town Council of the Town of Maysville this _____ day of _____, 2009.

MAYSVILLE TOWN COUNCIL

By: _____
Mayor

Councilperson

Councilperson

Councilperson

Councilperson

Attest:

Town Clerk