

CHAPTER 20: WATER SERVICE

Section

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§Ordinance #228 adopted 11-9-15

Section 20-101 Use of city utilities required; non-city utility systems prohibited; penalty.

The owner of all houses, buildings or properties used for human occupancy, business, employment, recreation or any other purposes, situated within the city and abutting on any street, road, alley, easement or right-of-way in which there is now located, or may in the future be located, a public water or sanitary sewer line owned and operated by the city, is hereby required at the owner's expense to connect such house, buildings or properties directly with the city water line and sewer line within 90 days after the date of official notice to do so.

No person, corporation or other entity shall construct, install, maintain or use any other water distribution system or a sanitary sewer system, which is not owned and operated by the City of Danielsville, without the expressed written consent of the city water superintendent, as authorized by the mayor and council.

Violation of this section shall be punished in accordance with Section 20-121 of this Code.

Section 20-102 Connections required; inspections.

- (a) It shall be unlawful for any person to tap or make connection with the City water system, or after the tap or connection has been properly made to make any change or put in additional taps or connections with the City system without first obtaining permission of the water superintendent.
- (b) It shall be the duty of the superintendent of the City water department to inspect at any time all connections with the water works system of the City. If the users of water fail or refuse to keep their part of the equipment in order, the superintendent shall have the right to cut off the water for such users.

Section 20-103 Meter required; installation.

No person shall consume water from the city water system unless the water shall first pass through a water meter which shall measure the volume of water to be consumed. The city shall install meters required by this section at the expense of the consumer. The water meter shall be and remain the property of the City of Danielsville. Each dwelling unit to be serviced by city water shall be individually metered, including multiple-use structures (ex. apartments, duplexes, and office or retail spaces).

Section 20-104 Repair and maintenance of water system.

The Mayor and Council shall have the power and authority to contract for the repair or expansion of the City's water system.

Section 20-105 Water Rate and Charges.

Water rates and charges, including, but not limited to, usage charges, deposits for service and tap fees, shall be determined from time to time by the Mayor and Council. In an effort to ensure the city's infrastructure remains stable and operational for the safety and welfare of its citizens, an annual cost increase is hereby enacted. Beginning January 1, 2018, the current water and sewer rates set in September, 2012, will increase 5%, and each January 1st thereafter, will increase 3% annually. Failure to pay such rates and charges shall constitute a lien upon the property to which water service is rendered by the City. The amount of the lien shall include the principal balance together with all interest, penalties, and filing fees. Such lien shall have the same priority of lien as ad valorem taxes.

A. Water Rate Schedule: *(effective 1/2018)

WATER		
USAGE	INSIDE CITY	OUTSIDE CITY
0 – 2,000	\$10.50 Base Fee	\$ 27.30 Base Fee
2,001 – 6,000	\$ 3.41/ Thousand Gal.	\$ 6.83/ Thousand Gal.
6,001 – 15,000	\$ 4.78/ Thousand Gal.	\$ 8.19/ Thousand Gal.
15,000 – 35,000	\$ 9.56/ Thousand Gal.	\$13.65/ Thousand Gal.
Over 35,000	\$ 9.56/ Thousand Gal.	\$17.75/ Thousand Gal.

B. Fire Riser Fees: The City of Danielsville does access riser fees in structures equipped with fire riser and sprinkler systems. (Amended 9/2012)

FIRE RISER/SPRINKLER RATES	
3"	\$ 115.00/Month
4"	\$ 185.00/Month
6"	\$ 225.00/Month
8"	\$ 265.00/Month
Over 8" to be determined.	

C. Water Tap Fees: Upon the application for a new tap and service connection to the city water supply by any consumer, the applicant shall pay to the City Clerk a water tap fee (See Water Tap Fee Schedule below). This includes residential, commercial, and/or industrial water connections. A water tap fee shall be charged for each new water meter connected to the city water line system, even if several meters are connected by a single "tap" during connection to the same city water line. The water tap amount includes meter, meter box, tap, pipe from the main to the curb box, supplies and materials, and labor. Water Superintendent and/or his designees shall not install any tap until all fees are paid in full. *NOTE: If boring is necessary, additional costs/fees will apply (see item "D" for more information).

WATER TAP FEE SCHEDULE

<u>Description/Type:</u>	<u>Based on Meter Size of:</u>	<u>Water Tap Fees (Based on Short Side)</u>
Residential Water Tap Fee - Inside City	3/4" or 1" Meter	\$1,000.00
Residential Water Tap Fee - Outside City	3/4" or 1" Meter	\$1,500.00
Commercial/Industrial Water Tap Fee - Inside City	2" Meter	\$1,500.00
Commercial/Industrial Water Tap Fee - Outside City	2" Meter	\$3,000.00

(All prices shown above relate to the meter size(s) shown. If a larger meter is required, please contact Water Superintendent for quote. If the connection requires state encroachment permit, see Section 20-106)

D. Actual Cost of Boring: Customer shall, in addition to the tap fee, pay the actual cost of boring underneath streets,

sidewalks, driveways, or utility lines if underground boring is required to connect the customer to the existing city water lines. NOTE: Water Superintendent and/or his designees shall not install any tap until all fees are paid in full.

- E. Application for Water Service: The consumer shall make application for water service at the city clerk's office on an approved form set forth by city council. At the time of application, all applicants shall provide a valid driver's license or state issued picture ID, a copy of loan closing paperwork or rental/lease agreement, sign service acknowledgement, sign ServLine Program agreement, pay a security deposit and a service/connect fee in full prior to the connection of services, and remit in full any unpaid balances or liens shown as outstanding with the city. Beginning on July 1, 2012, when any person, business, or corporation applies to the City of Danielsville for water (and/ or sewer) service, the Application Form for Water Service shall provide appropriate spaces for the applicant to indicate if the property is inside or outside the city limits of the City of Danielsville, and if the applicant is the owner or a renter of the real property where the water (and/or sewer) service is to be established. (Amended 9/2012) Disclosure of the foregoing information is required from the consumer/applicant. The information contained on the application shall be used only for the purpose of determining whether to accept the application or to assist the city in the collection of any charges for utilities. If the applicant refuses to supply the required information, the city council, may reject the application.
- F. Health & Safety Inspection. All applicants for utility services must follow the inspection procedures as follows:
- (1) Upon completing the application for utility services and paying security deposit and/or service charges; the applicant will be required to schedule a Health & Safety Inspection prior to the connection of utilities. The Health & Safety permit fees will be set from time to time by city council
 - (2) The applicant or property owner must call 24 hours in advance to schedule a Health & Safety inspection with the city inspector. The applicant or his designee must be present with the city inspector during the inspection unless the city inspector has made prior arrangements with the applicant.
 - (3) Any and all code violations on the inspection report prepared by the city inspector must be completed and in compliance before utility services are activated.
 - (4) Once all code violations are in compliance and no code violations are present; the city inspector will release the property for utility connection and occupancy.
- G. Security (Water) Deposits: All consumers shall make a security deposit of One-Hundred Dollars (\$100.00). The security deposit shall be applied towards any outstanding utility bills of consumer when service is discontinued. If any funds remain, they will be refunded to the consumer. NOTE: In the event an applicant has left property served by the City of Danielsville Water System with a prior or pending utility bill, the applicant shall be required to pay said bill and shall be required to pay a deposit double the deposit set out in this paragraph before water and/ or sewer service is established. (Amended 9/2012)
- 1) The rate schedule set forth above contemplates a single user, such as a one-family dwelling, one-farm dwelling with appurtenances, or one-commercial operation.
 - 2) Extraordinary circumstances, such as, but not limited to, multiple dwelling units, industrial users, developments that place a heavy burden on the City water or sewer system, and fire protection shall be governed by special contract agreements made by the Mayor and City Council on recommendation of the city's engineer.
 - 3) The City Council shall have authority to amend or change these rates by motion, ordinance, or resolution as they see fit or as circumstances require.
 - 4) The Clerk shall keep a ledger of all deposits for water and / or sewer service. Such funds shall be treated as restrictive funds. The Water Fund must maintain an account balance sufficient to cover all restrictive funds in the account.
- H. Initial Service/Connection Fee: Each consumer subscribing to use the water service of the City of Danielsville shall pay a service fee of Seventy-Five Dollars (\$75.00) times the number of connections desired. This fee is a one-time fee and is non-refundable. (Amended 9/2012)
- I. Surety Agreements for Utility Service To Rental Property: In the event the applicant is a renter, the applicant will be required to have the owner of the real property or his power of attorney submit a notarized affidavit (Utility Indemnification Agreement) that the owner understands that if the renter applicant leaves the rental property with an outstanding balance for utility services, the owner will be required to bring the utility bill current before utility services will be re-established to the property. Failure to pay shall constitute a lien upon the property to which water

service is rendered by the City. The amount of the lien shall include the principal balance together with all interest, penalties, and filing fees. Such lien shall have the same priority of lien as ad valorem taxes. The Water Department of the City of Danielsville will not establish water and/or sewer service for a new applicant for service until any bill due after July 1, 2012 for service to said property is paid in full.

- I. Minimum Bill: 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, except for fire protection, the City of Danielsville shall not under any condition furnish water free of charge to anyone. Consumers, who request to have their meter locked-out by the City of Danielsville due to certain circumstances, will not incur a minimum bill.
- J. Due Date of Bill: All utility bills are mailed on the last (business) day of each month and are due upon receipt. Last date to pay without incurring a late fee penalty is the 15th of each month. If the 15th falls on a non-business day, the last date to pay is extended to the next business day.
- K. Penalty for Late Payment: Any bill paid after the 15th is subject to a late charge of fifteen percent (15%) which will be added to the bill. If the 15th falls on a non-business day, the penalty date will be extended appropriately. Penalty amounts may be adjusted from time to time by the Mayor and Council.
- L. No Exemptions from Payment: The Mayor and Council of the City of Danielsville shall not be exempt from payment for services furnished by the City to them individually at their residences, nor shall they be exempt from any other charge or tax.
- M. Service Interruption: When any bill for utility services becomes Forty Five (45) days old, service shall be disconnected [meter will be locked-out] and the owner of the real property notified. The fee for a first reconnection to the same customer for an overdue water bill shall be Seventy-five Dollars (\$75.00). The fee for a second or additional reconnection within a twelve month period to the same customer shall be One Hundred Dollars (\$100.00). Continual service interruption may cause an additional security deposit to be required prior to reconnection of the services. All account balances including reconnection fees shall be paid in full to have the services restored. Consumers failing to reconnect the services within sixty (60) days after the original bill date, shall have their accounts treated as a discontinuance of services and may be subject to termination of agreement.

Section 20-106 Installations requiring state encroachment permit.

There shall be a charge of \$100.00 for all water (and/or sewer) service installations requiring a Georgia Department of Transportation right-of-way encroachment permit.

Section 20-107 Bulk Water Sales/Fire hydrant meter rental fee.

The City of Danielsville will allow the sale of bulk water from fire hydrant meters furnished by the city; based on the condition of the city's water supply at the time of a consumer's request. The water superintendent shall deny the sale of bulk water if the sale will place a strain on the city's water supply and cause its customer base to become jeopardized.

The consumer shall make application for bulk water service at the city clerk's office on an approved form set forth by city council. At the time of application, all applicants shall provide a picture ID, and pay a rental deposit of Four-Hundred Dollars (\$400.00). The rental deposit shall be refunded to the consumer when the meter has been returned undamaged and all bulk water costs have been satisfied. If meter is damaged, the consumer will be responsible for the replacement or repair cost. The deposit amount may be adjusted from time to time by the Mayor and Council as needed.

The current rate for bulk water sales is \$13.00/per 1,000 gallons. The rate may be adjusted from time to time by the Mayor and Council as needed.

It shall be unlawful for any person to obtain water from any fire hydrant that is serviced by the city water department without first obtaining permission from the water department.

Section 20-108 Towers; tanks.

(a) It shall be unlawful for any person to paint or mark upon any portion of any City of Danielsville water tower.

(b) It shall be unlawful for any person to enter upon the lots on which such towers or tanks are located and to climb or attempt to climb any portion of water towers or tanks and a notice shall be erected at the base of each water tower or tank with a warning setting out the terms and punishment provided by Section 20-121.

Section 20-109 Meter Location.

All utility meters shall be located at the curb side within the city's right of way of the property owner. If circumstances arise preventing the meter to be located at the curb side within the city's right of way, approval of the city council is required prior to installation.

- a) It is unlawful for any person, partnership, business, corporation or any other legal entity to locate on their property any utility meter of the City that cannot be conveniently read by the City's water department meter readers.
- b) It is specifically stated that free and continuous access shall be available to the City Water Department Meter Readers and it is unlawful for any person to construct any walls, fences or any other devices or forms of construction so as to restrict the City Water Department Meter Readers from having free and open access to said meters.
- c) It is unlawful for any person, partnership, business, corporation or other legal entity to place any City utility meters into any location that is guarded by dogs, security devices or any other form of protection that would limit the meter reader's ability to have free and open access to the meters.
- d) It is the duty of each person, partnership, business, corporation or other legal entity upon the construction and location of any meter to have the location of the utility meter approved by representatives of the water department.
- e) The City through its representatives in the water department shall be authorized to notify by certified mail, of the fact that access is not available to the meters, and the persons, partnerships, businesses, corporations or entities will be given thirty (30) days in which to relocate the water meters to an appropriate, convenient place for the meter reader to have such access in order to read the meters.
- f) Any person, partnership, business, corporation or other entity found guilty of violating any of the provisions of this section shall have utility service disconnected to the location until the violation of this section is corrected, at which time said service shall be reconnected. The cost of reconnection for the service shall be in the amount of seventy-five dollars (\$75.00) and the violating party shall bear the cost of said reconnection fee.

Section 20-110 Wells.

- a) No person shall dig, drill or extend any well in the City without first having obtained permission from the City Council to do so.
- b) All drilling operations shall be conducted in accordance with state standards and shall be conducted in such a manner that the water supply of the City is protected from contamination.
- c) The City shall have the right to place a meter on every well dug, drilled, extended or already existing within the City from which water enters the public sewer system. Sewer charges for the handling of such water shall be imposed on the basis of the City sewer rate schedule.
- d) To be considered as a consumer and entitled to receive water from the city'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 city's water system and all applicants, by becoming consumers of the city covenant, agree that so long as they continue to be consumers of the city they will not permit the connection of any private wells on their property to the city's water system.

Section 20-111 Cross-Connections and Backflow Prevention Devices.

- a) The superintendent of the water and sewer department or his designee is authorized to discontinue water service to prevent contamination/pollution of the public water supply/system, due to the possible cross-connections, or when necessary to protect the water supply/system or individual properties from emergency cross-connection or backflow situations.
- b) The superintendent of the water and sewer department and/or the Building Inspector and their designees are further authorized to require the installation of a suitable backflow prevention device(s) at the customer's/owner's service connection(s) or other areas as needed to prevent contamination or the risk thereof for the public water system. This requirement will be at the owner's/customer's expense.
- c) The superintendent of the water and sewer department and/or the Building Inspector and their designees shall reserve the right to periodically inspect and test any backflow-prevention device(s) and/or require the customer/owner to provide annually a certificate of certification stating that the backflow prevention devices does operate properly as designed. Inoperative or faulty device(s) shall be promptly repaired/replaced by the customer/owner or water service shall be

terminated.

- d) Any person(s) found guilty of violating this section shall be subject to a fine and/or imprisonment including additional fees to cover the cost of the following:

(1) The total cost incurred by the City of Danielsville to repair or replace facilities damaged as a result of the violation of Section 20-106 Cross-Connections and Backflow Prevention

(2) Any injury or damage to person or property and/or loss of service resulting from the violation of Section 20-106 Cross-Connections and Backflow Prevention.

Section 20-112 Access to Premises and Extensions of System.

1. Duly authorized agents of the City of Danielsville shall have access at all hours to the premises of the consumer for the purpose of installing or removing city property, inspecting piping, reading and testing meters, or for any other purpose in connection with the water 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 City of Danielsville a permanent easement of right-of-way across any property traversed by the water lines.

Section 20-113 City's Responsibility and Liability.

The City of Danielsville shall run a service line from its distribution line to the consumer's meter to be served. The city shall install all water meters; unless prior permission has been given by the water superintendent. The water meter shall be and remain the property of the City of Danielsville.

1. The city may make connections to service other properties not adjacent to its lines upon payment of reasonable costs for the extension of its distribution lines as may be required to render such service.
2. The city reserves the right to refuse service unless the consumer's lines or piping are installed in such a manner as to prevent cross-connections or back-flow.
3. Under normal conditions the consumer will be notified of any anticipated interruptions of service by the City of Danielsville.

Section 20-114 Consumers Responsibility and Liability.

Water furnished by the City of Danielsville shall be used for consumption by the consumer, members of his household and employees only. The consumer shall not sell water to any other person or permit any other person to use said water. Water shall not be used for irrigation, fire protection, nor other purposes, except when water is available in sufficient 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 a consumer, a suitable place shall be provided by the consumer therefor, unobstructed and accessible at all times to the meter reader.
2. The consumer shall furnish and maintain a private cut-off valve on the consumer's side of the meter.
3. 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.
4. In order to be received as a consumer and entitled to receive water from the city'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 city's water system and all applicants becoming consumers of the city covenant and agree that so long as they continue to be consumers of the city they will not permit the connection of any private wells on their property to the city's water system.

Section 20-115 Utility apparatus; Theft and Diversion of Services.

The City of Danielsville hereby adopts O.C.G.A. § 16-7-25. Damaging, injuring, or interfering with property of public utility companies, municipalities, or political subdivisions

- (a) It shall be unlawful for any person intentionally and without authority to injure or destroy any meter, pipe, conduit, wire, line,

post, lamp, or other apparatus belonging to a company, municipality, or political subdivision engaged in the manufacture or sale of electricity, gas, water, telephone, or other public services; intentionally and without authority to prevent a meter from properly registering the quantity of such service supplied; in any way to interfere with the proper action of such company, municipality, or political subdivision; intentionally to divert any services of such company, municipality, or political subdivision; or otherwise intentionally and without authority to use or cause to be used, without the consent of the company, municipality, or political subdivision, any service manufactured, sold, or distributed by the company, municipality, or political subdivision.

(b) Where there is no evidence to the contrary, the person performing any of the illegal acts set forth in subsection (a) of this Code section and the person who with knowledge of such violation receives the benefit of such service without proper charge as a result of the improper action shall be presumed to be responsible for the act of tampering or diversion.

(c) This Code section shall be cumulative to and shall not prohibit the enactment of any other general and local laws, rules, and regulations of state or local authorities or agencies and local ordinances prohibiting such activities which are more restrictive than this Code section.

(d) Any person who violates this Code section shall be guilty of a misdemeanor.

HISTORY: Ga. L. 1897, p. 69, § 1; Penal Code 1910, § 783; Ga. L. 1916, p. 153, § 1; Code 1933, §§ 26-3801, 26-3802; Ga. L. 1957, p. 490, §§ 1-5; Code 1933, § 26-1507, enacted by Ga. L. 1976, p. 773, § 1; Ga. L. 1978, p. 1658, § 1.

It shall be unlawful for any person to:

- 1) Cut, remove or in any manner make ineffective any seal, locking band or lock on any utility meter;
- 2) Restore utility service by any means after service has been terminated, or to obtain water or other utility service without making the proper deposit with a utility or receiving proper authorization from a utility;
- 3) Obtain water or other utility service by use of jumper wires, or by any other means which bypass a metering device either partially or completely;
- 4) Damage or tamper in any manner with any part of a metering device belonging to a utility;
- 5) Change or alter the normal installed position of a metering device in any fashion which causes the normal accurate recording of utility service received to be altered and inaccurate;
- 6) Obtain water or other utility service by use of a metering device which is not authorized by a utility;
- 7) Interfere with the automatic registration, recording and transmission of water consumption or other utility service when readings are recorded and/or transmitted electronically;
- 8) Fraudulently obtain, or attempt to obtain, service from a utility by using a false name or identification;
- 9) Fraudulently obtain, or attempt to obtain, service from a utility by placing the account in the name of someone else after the service has been disconnected for nonpayment or theft of service while the person in whose name the service was in when disconnected is still living at the location of the service; or
- 10) Receive water service or other utility service without proper authorization from a utility.
- 11) No person shall knowingly receive the benefit of acts of diversion of, or tampering with the water or other utility service without the proper charge.

Proof that any of the acts before specified in this section was done on premises in possession of an accused, or that the accused received the benefit of any such act, shall be prima facie evidence that the accused committed such act or aided and abetted in the commission thereof.

Section 20-116 Penalty for Theft and Diversion of Services.

Alleged violations of this section shall be tried in the municipal court of the City of Danielsville. Any person found guilty of violating this article shall be punished as provided by a fine not to exceed \$1,000.00 or imprisonment for a term not exceeding six months, or any combination thereof. Each day any violation of this code section shall continue shall constitute a separate offense.

In addition to any penalties for violation of this article, any person found guilty of violating any portion of code section 20-115 will be required to make full restitution to the utility for the cost of the services obtained in violation of this section, for damage to equipment of a utility and for all associated costs of the investigation. In calculating the amount of restitution to be paid, the court is

authorized to consider the following evidence:

- 1) The cost of the service received as a result of violating this section shall be computed by the utility;
- 2) The cost of any damage to utility equipment shall be based on the actual costs. Costs may be computed and updated annually; and
- 3) Investigative and any associated costs will be computed and updated annually by the utility.

Furthermore, the violator shall be subject to the penalty of having their water service discontinued or refused after notice and hearing by the city council.

Section 20-117 Change of Occupancy.

If a change in occupancy, including tenants of rental property, occurs in any existing residential or commercial building or structure, a health and safety inspection shall be required prior to the establishment of utilities. Property owners who hold investment/rental properties serviced by the city are required to have a Health & Safety Inspection each time a new tenant moves in; regardless if the property owner holds the city utilities in his/her name. The property owner or the tenant may submit application for the required Health & Safety permit. However, failure to obtain the required inspection will result in penalties and/or fines against the property owner, pursuant to Section 20-121 of this ordinance.

In the event a user in good standing, as to the payment of all charges, assessments, and taxes properly assessed by the city to such user, is merely relocating and is to continue to receive the same utility service from the city, the user shall not be assessed the service/connect fee as provided by section 20-105 (H) for the first relocation. Any subsequent relocation by such user shall bear the service/connect fee.

Section 20-118 Meter Reading/Billing/Payment.

The City of Danielsville shall perform the reading of meters on such day or days of each month as may be determined as desirable by the city. At this time, the city reads meters once a month; usually around the 24th-26th of each month. Bills to customers for water service shall be mailed out on such day or days of each month as may be determined as desirable by the city. At this time, the city mails the bills on the last business day of each month. Payment of bills shall be payable to the City of Danielsville. Failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the consumer from payment of same.

Section 20-119 Discontinuance of Service.

Consumers discontinuing service should provide not less than three (3) days' notice, in person or in writing, at the City Hall of the City of Danielsville. It is the policy of the city to lock out utility meters upon being notified by the consumer of discontinuing services. When water service is discontinued and all bills paid, the security deposit shall be refunded to the consumer by the city. The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longer. If the outgoing party fails to notify the city to discontinue the utility services, the outgoing party shall be responsible for all consumption up to the time that the city is able to confirm the property is vacated and the meter can be locked out.

Discontinuance of service for non-payment of bills, and the consumers failure to reconnect the services within sixty (60) days after the original bill date, will allow the city to set the account to final status, apply the security deposit toward settlement of the account, file possible liens for any outstanding balances, and in addition to all other rights and remedies, to terminate agreement. Termination of agreement shall cause the city to remove the utility meter and cap all utility connections. All fees associated with such termination will be included in outstanding balance due and possible liens filed. In these situations, setting of another meter shall carry fees associated with new tap fees. In the case of rental properties, the city will notify the landlord that their tenant has had service interrupted and continued discontinuance of services shall place the utility meter in jeopardy.

The city reserves a right to discontinue its service without notice for the following additional reasons:

- To prevent fraud or abuse.
- Consumer's willful disregard of the city's rules.
- Emergency repairs.
- Insufficiency of water supply due to circumstances beyond the city's control.
- Legal processes.
- Direction of public authorities.
- Strike, riot, fire, flood, unavoidable accident.

Section 20-120 Complaints/Adjustments. *§Ordinance #232 adopted 04-14-2016 replaced Section 20-120 of §Ordinance #228 of 11-9-15*

If the consumer believes his bill to be in error, he shall present his claim, in person, at the city clerk's office of the City of Danielsville 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.

The city will make a special water meter reading at the request of a consumer to verify the reading. The city may, at its discretion, charge a fee set by city council for a special water meter reading; however, if such special reading discloses that the meter was over-read, no charge will be made.

Water meters will be tested at the request of the consumer upon payment to the city of the actual costs of making the test, provided, however, that if the meter is found to over-register beyond three percent (3%) of the correct volume, no charge will be made.

If the seal of a meter is broken by other than the city'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.

The intent of this policy is to provide aid to customers who experience a financial burden due to unavoidable or "without fault of the customer" leaks. The leak must be underground, within walls, under the floor, concealed or have no apparent explanation and be without fault of the customer. It shall not cover leaking faucets or commodes, leaking pools, negligent acts such as leaving water running and apparent leaks.

Commercial or Multi-line Meters.

Unavoidable Leaks - The city will consider an adjustment upon application by the customer to the city clerk's office. In order to verify the leak, the customer must furnish to the city an invoice and a certification from the contractor stating that the leak has been found and repaired with the nature and location of the leak; or the customer must provide a similar letter, to the city's satisfaction, that the customer has repaired the leak, the nature and location of the leak along with receipts for plumbing materials used. The city reserves the right to verify, to its satisfaction, that the leak has been repaired before it grants the adjustment. This may require the customer to be at the service address to assure the city that no water is being used while the city verifies the meter is not showing a leak. Customers will be allowed only one (1) adjustment per 12 month period per customer account. It is possible for a leak to cross over billing periods, so it may be necessary to adjust two month's bills for one leak. The city will then adjust the customer's bill as follows:

The City Clerk is authorized to adjust the customer's water bill, after Mayor's approval, during a month when an unavoidable leak occurs on the customer's water line, such that the water bill for the month of the unavoidable leak will be adjusted by taking the 6-month average consumptions total and subtracting the difference between the average and the actual gallons used; this adjusted figure (overage) will be removed from the sewer portion only when calculating the customer's bill (since the water doesn't pass thru the sewer system). The water "used" (gallons) must be paid for in the water portion of the bill. If the customer doesn't have sewer on their bill, no adjustment will be made. (Amended 5/14/12)

Residential Single Line Meters.

Unavoidable Leaks - Effective June 1, 2016, the City of Danielsville will implement a Leak Protection Service for our residential customers with a single line meter. (Until the effective date shown, residential single-line metered customers will receive adjustment for unavoidable leaks the same as a commercial or multi-line metered customer.) Our commercial customers and residential customers **not** served by a single line meter will not be eligible for this program and will continue to make their leak adjustment requests thru the city clerk's office as outlined under Commercial or Multi-Line Meters.

The city council may negotiate with an independent contractor the terms, conditions and consideration to be paid for the services sought under such a contract; and it shall be presumed that any consideration agreed upon between the city and such independent contractor shall be in the best interest and welfare of the citizens of this city.

The leak protection service will be at a cost as established from time to time and will be billed monthly to the customer on their water bill. Residential single line meter customers are automatically enrolled for this service. If a residential customer chooses not to participate in the program, they must contact our leak protection customer service department and decline service. If a residential customer has declined, and decides they want back in the program, there will be a 30 day waiting period, and they are responsible for any leak that may occur during those 30 days. Price schedule is available at the city clerk's office.

Residential customers eligible to participate in the leak protection program, must make requests for billing adjustments thru our

leak protection customer service department and will be responsible for paying their 12-month average bill amount within the city's usual payment terms. The excess/overage **will not** accrue any penalty as long as the customer has filed their request for billing adjustment with our leak protection customer service department.

Customers who decline to participate in leak protection program will not be eligible for a leak adjustment; they will be responsible for the entire leak.

The leak protection program will pay up to \$1,000 of an excess water bill resulting from a qualifying leak. A qualified leak is identified as: must be underground, within walls, under the floor, concealed or have no apparent explanation and be without fault of the customer. Adjustments on water bills will NOT be made on the following:

- a. Residential customers who do not have their own water meter.
- b. Commercial or Industrial Customers.
- c. Premises left or abandoned without reasonable care for the plumbing system.
- d. Leaks on irrigation systems or irrigation lines, leaks on any water lines coming off the primary water service line, plumbing leaks in any structure other than the primary residence.
- e. Excess water charges not directly resulting from a qualifying plumbing leak.
- f. Filling of swimming pools or leaks in swimming pools; and
- g. Watering of lawns or gardens.

Amounts in excess of \$1,000 will be the responsibility of the customer. Adjustments are limited to one (1) leak adjustment per twelve (12) months.

The city also provides a Line Protection Service for residential single line metered customers. This service will be at a cost as established from time to time and will be billed monthly to the customer on their water bill. Customers are NOT automatically enrolled for this service and must contact our Leak Protection Customer Service to enroll. Eligible repairs are covered up to \$10,000 with no deductible. Price schedule is available at the city clerk's office.

Swimming Pools - The city does allow special adjustment for residential customers who wish to fill their private pools. The customer must contact the city clerk's office and make application prior to the filling of a pool. The city will adjust the customer's account by the gallons used to fill the pool on the sewer portion only of the bill. All gallons used must be paid for in the water portion of the bill. Our commercial customers and residential customers **not** served by a single line meter will not be eligible for this special adjustment.

Section 20-121 Penalty of Ordinance.

Any person found guilty of violating any section of the Danielsville Water Ordinance shall be punished as provided by a fine not to exceed \$1,000.00 or imprisonment for a term not exceeding six months, or any combination thereof. Each day any violation of this code section shall continue shall constitute a separate offense. The violator's water service and other utilities may be either refused or discontinued after notice and hearing by the city council.