

WATER AND SEWER ORDINANCE
FOR THE CITY OF HAMPTON, GEORGIA

ORDINANCE NO. 77

SECTION 1 - GENERAL PROVISIONS:

1.01 Access of City Agents to Premises.

Duly authorized agents of the City 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 either the water service and its facilities or the sewer service and its facilities.

1.02 Extensions to Water and Sewer Systems - Easement Required.

Extensions to the water and sewer system shall be made only when the consumer shall grant or convey, or shall cause to be granted or conveyed to the City a permanent easement or right-of-way across any property traversed by the water and sewer lines.

1.03 Minimum Charges.

The minimum charge 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 shall not under any condition furnish water free of charge to anyone.

1.04 Rate Schedule - Special Contracts.

A. The schedule of water and sewer rates shall be as fixed from time to time by the Mayor and Council.

B. Extraordinary circumstances, such as industrial users and fire protection, shall be governed by special contract agreements made by the Mayor and Council.

1.05 Meter Reading - Billing and Collection of Charges.

A. Bills to customers for water and sewer service shall be mailed out on such day or days of the month as may be determined as desirable by the City. Bills shall be paid at the City Hall, and a failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the consumer from payment of same.

B. The failure of water and/or sewer users to pay charges duly imposed shall result in the automatic imposition of the following penalties:

1. All bills shall be due on or before the tenth day of the month following the issuance thereof;

2. Nonpayment within ten (10) days from the due date will be subject to a penalty of ten percent (10%) of the delinquent account.

3. Nonpayment within twenty (20) days from the due date will be subject to a penalty of twenty percent (20%) of the delinquent account, and will cause the commencement of the procedure for termination of water service as provided in Section 1.06.

1.06 Termination of Service - Conditions and Procedure.

A. The Mayor shall be empowered to terminate water service for the failure of customers and property owners of the City to pay their water bills. The Mayor, prior to the termination of water service for nonpayment of water bills, shall direct the City Clerk to issue the following notice to the customer and/or property owner:

Dear Customer: Your water/sewer bills for the month(s) of _____ have not been paid. Your present amount due the City for water/sewer service is \$_____. Delinquent payment penalties have been assessed in the amount of \$_____. If your bill is in error, or if you have a legitimate complaint to file with the City concerning your water bill, you must appear before the City Clerk on _____ at _____ o'clock ____M. to discuss any discrepancies that might exist. Failure to appear before the Clerk will result in the termination of water/sewer service to you on _____.

B. If the customer and/or property owner fails to pay the bill and penalties prior to the hearing, and/or the customer and/or property owner fails to appear for the hearing set forth in the notice, the Mayor shall be authorized to terminate the water service on the date specified in the notice.

C. If the customer and/or property owner and the Clerk are unable to resolve any discrepancies that might appear in the bill, the customer and/or property owner shall have ten (10) days from the date of the hearing in which to file for injunctive relief in the Superior Court of Henry County, Georgia. If no injunction is filed within that time, the water/sewer service to the customer shall be terminated.

1.07 Suspension of Service.

A. When water and sewer service is discontinued and all bills paid, the security deposit shall be refunded to the consumer by the City. Upon discontinuance of service for nonpayment of bills, the security deposit will be applied by the City toward settlement of the account. Any balance will be refunded to the customer; however, if the security deposit is insufficient to cover the bill, the City may proceed to collect the balance as provided in Section 1.09.

B. Service disconnected for nonpayment of bills will be restored only if the bills are paid in full and a security deposit has been paid together with a re-connection of service charge for each meter reconnected. The security deposit and re-connection charge shall be fixed from time to time by the Mayor and Council.

C. The City reserves the right to discontinue its service without notice for the following additional reasons:

1. To prevent fraud or abuse;
2. Consumer's wilful disregard of the City's rules;
3. Emergency repairs;
4. Insufficiency of water supply due to circumstances beyond the City's control;
5. Legal processes;
6. Direction of public authorities; or
7. Strike, riot, fire, flood, unavoidable accident.

1.08 Complaints and Adjustments - Meter Testing.

A. If the consumer believes his bill to be in error, he shall present his claim, in person, at the City Hall before the bill becomes delinquent. Such claim, if made after the bill becomes 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.

B. Settlement of claims and adjustments of bills are subject to the following additional provisions:

1. The City will make a special water meter reading at the request of the consumer for a fee as fixed from time to time by the Mayor and Council; provided, however, that if such special reading discloses that the meter was overread, no charge will be made.

2. 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.

3. 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.

1.09 Liability of Property Owner.

Each owner of property shall be liable and responsible for the full payment of all water and/or sewer services furnished to their property. The charges to be made for services rendered shall be made against the owners, occupants, tenants or lessees of the buildings or premises receiving the services from the City. Where an owner of the property located in the City to whom water and/or sewer services are furnished leases his property to another, the owner shall be liable for the payment of the water and/or sewer services furnished to his tenant and it shall be the owner's responsibility to see that all bills incurred by the tenant for water and/or sewer services are paid. In addition to the right of termination of water and/or sewer services as provided herein, if enforcement of payment is necessary, the costs of such enforcement, including attorney's fees, shall be the expense of the firm, corporation, owner of lessee liable for the payment of water and/or sewer services, and collection may be made by processes or procedures of law now available or which may hereafter be available, expressly including the right to cause a fi. fa. to be issued, levied and collected in the same manner as ad valorem taxes are now issued and collected.

1.10 Discontinuance or Change of Service - Notice to City by Consumer.

Not less than three (3) days' notice must be given in person or in writing at the City Hall to discontinue water and sewer service. Not less than three (3) days' notice must be given in person or in writing at the City Hall of the change of ownership, lessee or occupant of any property in the City. The owner of the property shall be responsible for the collecting and paying of any past due water and/or sewer bills incurred by the party from which the property was purchased. Failure to pay any past due water and/or sewer bills shall result in the new owner being liable for paying said bills. The owner of the property shall be responsible for the collection and payment of any water and/or sewer bills due the City from their lessee or occupant of their property. Failure to collect and pay any water and/or sewer bills shall result in the owner of the property being liable for the payment of said bills.

SECTION 2 - WATER SERVICE.

2.01 Digging, Drilling or Boring Well for Water - Mayor and Council Consent Required.

No property owner, occupant, tenant or lessee will be allowed to dig, bore or drill within the city limits for the purpose of obtaining water for residential, commercial or industrial purposes without first filing an application with the City, paying an inspection fee as fixed from time to time by the Mayor and Council, and obtaining a written consent from the Mayor and Council. Any person, firm or corporation installing a private well shall execute an agreement with the City stating that should facilities become available to the subject property that said person, firm or corporation, his/her/its heirs, administrators, executors, transferees, successors and assigns, shall agree to connect onto the City water facilities and pay the required tap-on fees and deposits at the time those facilities are made available to said property owner. If water service is available to the property, wells will not be allowed, except for irrigation purposes. However, the well must be approved by the City before installation thereof.

2.02 Application for Water Service - Security Deposit.

The consumer shall make application for water and sewer service in person at the City Hall and at the same time shall make a cash security deposit of \$135.00 for water and electrical service.

2.03 Connection Fee - Charges.

Each consumer subscribing for the use of the water service of the City shall pay a nonrefundable connection fee as fixed from time to time by the Mayor and Council.

2.04 Connection Expenses.

A. All costs and expenses instant to the connection of the water service from the owner's building to the City's meter shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may be directly or indirectly occasioned by the connection of the building to the water system.

B. The connection to the City's water line, together with the installation of the meter, shall be made by the City.

C. The owner shall bear all costs and expenses (labor, materials, etc.) for the construction of the water line from the owner's property line to the nearest existing water line of the City that has sufficient capacity to serve the owner unless otherwise approved by the Mayor and Council.

D. The City reserves the right to install its meter at or near the property line or, at the City's option, on the customer's property within three (3) feet of the property line.

E. The City reserves the right to refuse service unless the customer's lines and pipings are installed in such a manner as to prevent cross-connections or backflow.

2.05 Consumer's Responsibilities and Liabilities.

A. Water furnished by the City shall be used for consumption by the consumer, members of their 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 of this rule shall be sufficient cause for refusal and/or discontinuance of service.

B. The consumer has the following additional responsibilities and duties:

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, which is unobstructed and accessible at all times to the meter reader;

2. The consumer shall furnish and maintain a private cutoff 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 with the sanitary regulations of the State Department of Human Resources;

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, by 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.

2.06 Turning On Of City Water By Persons Other Than City Personnel.

The City shall tag each water meter for the purpose of controlling the use of City water. It is unlawful for any person other than the authorized City water personnel to turn on, turn

off, or otherwise tamper with meters or connection facilities of the water system of the City.

2.07 Violation of Section 2.06 - Penalty.

Any person who shall violate the provisions of Section 2.06 shall be guilty of a misdemeanor and shall be tried in the Municipal Court of the City. If such person is convicted, they shall be punished as provided in Section 6.

2.08 Damage to Waterworks Prohibited - Penalty.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover or tamper with any meters, connections or equipment which are a part of the City water system. Any person violating this provision shall be tried in the Recorder's Court of the City and if convicted shall be punished as provided in Section 6; and, in addition, shall be responsible for the full costs of repairing or correcting any damage caused to the water system of the City.

SECTION 3 - SEWAGE DISPOSAL

3.01 Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used in the article shall be as follows:

"BOD (denoting Biochemical Oxygen Demand)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Centigrade (20 degrees C.), expressed in milligrams per liter.

"Building Drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (5') outside the inner face of the building wall.

"Building Sewer" means the extension from the building drain to the public sewer or other place of disposal.

"City" means the City of Hampton, its Mayor and Council members, and any authorized agent. It shall also mean the area inside the city limits and any area outside the city limits where the City has jurisdiction over the sewer lines.

"Combined Sewer" means a sewer intended to serve as a sanitary sewer and a storm sewer, or as an industrial sewer and a storm sewer.

"Garbage" means solid wastes from the preparation, cooking and disposing of food and from the handling, storage and sale of produce.

"Industrial Wastes" means the liquid wastes from the industrial processes, as distinct sanitary sewage.

"Natural Outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

"pH" means the logarithm of the reciprocal of the hydrogen ion concentration in milligrams per liter.

"Person" means an individual, firm, company, association, society, corporation or group.

"Properly Shredded Garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") in any dimension.

"Public Sewer" means a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

"Sanitary Sewer" means a sewer which carries sewage and to which stormwaters, surface waters and groundwaters are not intentionally admitted.

"Sewage" means a combination of the water-carried wastes from residences, business building, institutions and industrial establishments, together with such groundwaters, surface waters and stormwaters as may be present.

"Sewage Treatment Plant" means any arrangement of devices and structures or lagoons used for treatment of sewage presently owned or afterward acquired by the City.

"Sewer" means a pipe or conduit for carrying sewage.

"Sewerage Works" means all facilities for collecting, pumping, treating and disposing of sewage.

"Shall" is mandatory; "May" is permissive.

"Slug" means either or all of the following:

- (a) Any discharge of wastewater from whatever source which is more than three (3) times the quantity of the average eight (8) hour flow discharges during the normal operational mode of said source and lasting longer than

ten (10) minutes;

- (b) Any discharge of wastewater from whatever source which contains over two (2) times the average eight (8) hour concentration of any toxic substance whatsoever found in normal flows during normal operation mode; or
- (c) Any discharge of wastewater from whatever source which contains more than two (2) times the average eight (8) hour concentration of BOD or suspended solids.

"Storm Sewer" or "Storm Drain" means a sewer which carries stormwater and surface waters and drainage, but excludes sewage and polluted industrial wastes.

"Suspended Solids" means solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

"Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

3.02 Violations and Penalties.

A. Any person found to be violating any provision of this section, except Section 3.03, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall violate the provisions of Section 3.03, or who shall continue any violation hereof beyond the time limit provided for in Section 3.07 hereof, or who shall continue any other violation hereof beyond the time limit provided for in subsection A above, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in Section 6. Each day in which such a violation shall continue shall constitute a separate offense and violation.

3.03 Damage to Sewerage Works Prohibited.

No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the municipal sewerage works. Any person violating this provision shall be tried in the Recorder's Court of the City and if convicted, shall be punished as provided in Section 6; and, in addition, shall be responsible for the full costs of repairing or correcting any damage caused to the sewer system of the City.

3.04 Inspectors - Power and Authority.

Duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this section. All City employees will observe all company safety rules while on private properties.

3.05 Waste Disposal - Unlawful Methods Designated.

A. It is unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner, upon public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectional waste.

B. It is unlawful to discharge to any natural outlet within the City or in any area under the jurisdiction of the City any sanitary sewage, industrial wastes or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this section.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

3.06 Sewer Service - Application Requirement - Security Deposit.

The consumer shall make application for water and sewer service in person at the City Hall, and at the same time shall make a cash security deposit as fixed from time to time by the Mayor and Council for sewer service.

3.07 Connection to Public Sewer Required.

The owner of any houses, buildings or properties used for human occupancy, employment, recreation or other purpose within the corporate limits of the City and located within two hundred feet (200') of a line of public sanitary sewer, now in existence or afterwards constructed, to which such house, building or property may be connected, so that sewage will flow therefrom and into such sewerage line by gravity, is hereby required at his own expense to install suitable toilet facilities directly with the line of public sanitary sewer, in accordance with the provisions of this section, within sixty (60) days after the date of official notice to do so.

3.08 Building Sewers and Connections - Permit Required - Application and Fees.

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the City.

B. There shall be two classes of building sewer permits:

1. For residential and commercial service; and
2. For service to establishments producing industrial wastes.

C. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent to the judgment of the City. A permit and inspection fee as fixed from time to time by the Mayor and Council shall be paid to the City at the time the application is filed.

3.09 Connection Fees and Expense.

A. The owner shall pay the City a standard tap-on fee as fixed from time to time by the Mayor and City Council.

B. All costs and expenses incident to the connection of the building sewer from the owner's building to the City property line shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may be directly or indirectly occasioned by the connection of the building sewer. Any connection from the City property line into the public sewer shall be made by the City.

C. In addition to the payment of costs and expenses by the owner as provided for above, the owner shall bear all costs and expenses (labor, materials, etc.) for the construction of sewer from the property line of the owner to the nearest existing sewer line, unless otherwise approved by the Mayor and City Council.

3.10 Separate Connections For Every Building.

A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another or on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

3.11 Use of Old Building Sewers With New Buildings Permitted When.

Old building sewers may be used in connection with new buildings when they are found, on examination and test by the City, to meet all requirements of this section.

3.12 Construction Specifications and Requirements.

A. Pipe Material Specifications. The building sewer shall be cast iron soil pipe; ASTM Specification A74, latest revision, or equal; ductile iron pipe, American National Standards Institute (ANSI) Specification A21.51, latest revision, or equal; or polyvinyl chloride (PVC) sewer pipe, ASTM Specification D3034, latest revision. All joints shall be tight and waterproof.

Any part of the building sewer that is located within ten (10) feet of a water service pipe shall be constructed of cast iron soil pipe and ductile iron pipe with bolted mechanical joints. This also may be required by the City where the sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building shall be of cast iron soil pipe, except that plastic pipe may be accepted if laid on a suitable concrete bed or cradle as approved by the City.

B. Pipe Size and Slope. The size and slope of the building sewer shall be subject to the approval of the City but in no event shall the diameter be less than four inches (4"). The slope of such four inch (4") pipe shall not be less than one-eighth-inch (1/8") per foot.

C. Elevation - Placement - Grade. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to and within three feet (3') of any bearing wall. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings.

D. Use of Lifts. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewerage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

E. Excavation - Pipelaying and Backfill. All excavations required for the installation of a building sewer shall be open trenchwork unless otherwise approved by the City. Pipelaying and backfill shall be performed in accordance with ASTM Specification C12, except that no backfill shall be placed until the work has been inspected. All open trenchwork shall conform to current requirements of the Federal Occupational Safety and Health Act (OSHA).

F. Joints and Connections Generally. All joints and connections shall be made gastight and watertight. Joint materials and workmanship shall in all cases comply with the pipe manufacturer's recommendations.

G. Connection of Building Sewer to Public Sanitary Sewer. All work involving connection of building sewers to a public sewer shall be performed by a qualified, experienced sewer contractor, approved by the City. The connection of the building sewer into the public sewer shall be made at the Y branch, if such branch is available at a suitable location. If the public sewer is twelve inches (12") in diameter or less and no properly located Y branch is available, the contractor shall install a Y branch in the public sewer at the location specified by the City. Where the public sewer is greater than twelve inches (12") in diameter and no properly located Y is available, a neat hole may be cut into the public sewer to receive the building sewer, which shall enter in the downstream direction at an angle of about forty-five degrees. A forty-five degree ell ("L") may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the City.

H. Connection of Sources of Surface Water Runoff to Public Sanitary Sewer. No person shall cause the connection of downspouts, exterior foundation drains or other sources of surface runoff or groundwater to a building sewer which is in turn connected directly or indirectly to a public sanitary sewer.

I. Protection of Public From Hazard During Work - Restoration of Public Property After Completion of Work. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

J. Work Safety Standards. All applicable provisions, rules, regulations and statutes of the Federal Occupational Safety and Health Act (OSHA) shall be met by persons, firms or corporations constructing any building sewer or appurtenances within the jurisdiction of the city.

K. Inspection. The applicant of the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer.

3.13 Stormwater and Other Unpolluted Drainage.

A. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the City. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the City, to a storm sewer or natural outlet.

B. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

3.14 Objectionable and Harmful Items.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit;

B. Any water or waste which may contain more than one hundred (100 milligrams per liter of fat, oil or greases or any other substance which may solidify between thirty-two degrees Fahrenheit and one-hundred fifty degrees Fahrenheit (zero degrees Celsius and sixty-five degrees Celsius);

C. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

D. Any garbage that has not been properly shredded;

E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage works;

F. Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewerage works;

G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;

H. Any waters or wastes containing suspended solids or dissolved solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;

I. Any noxious or malodorous gas or substance capable of creating a public nuisance. Concentrations of hydrogen sulfide, sulphur dioxide and nitrous dioxide are hereby limited to a maximum of 1.0 milligrams per liter;

J. Any waters containing strong acid, iron-pickling wastes or concentrated plating solutions, whether neutralized or not;

K. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with state and federal regulations;

L. Any materials which exert or cause excessive discoloration;

M. Any unusual volume of flow or concentration of wastes constituting slugs as defined herein;

N. Any waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other receiving waters.

O. Water or wastes discharged to the public sewer system from the manufacturing process of any industry shall be subject to special and specific review and approval by the City. Such manufacturing process discharges shall conform in every regard to current rules and regulations of the Environmental Protection Division of the Department of Natural Resources of the State of Georgia and of the Federal Environmental Protection Agency. Separate industry-operated pretreatment facilities may be required to reduce industrial pollutants to acceptable levels. Failure to achieve and maintain required levels of industrial pollutant removal may result in significant surcharges, fines or penalties.

3.15 Sewage.

No sewage, as defined herein, shall be discharged directly or indirectly onto any street or other surface, nor into any storm sewer, stream or body of water.

3.16 Liquid Wastes Containing Grease, Oil and Sand - Construction and Maintenance of Interceptors.

A. Grease, oil and sand interceptors shall be provided when, in the opinion of the City, they are necessary for the proper

handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units.

B. All interceptors shall be of a type and capacity approved by the City and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, and shall be watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

C. When installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

3.17 Certain Discharges Conditioned on Review and Approval - Preliminary Treatment Facilities Required When.

A. The admission into the public sewers of any water or wastes with the following characteristics shall be subject to the review and approval of the City:

1. Having a five (5) day biochemical oxygen demand greater than three hundred (300) milligrams per liter;
2. Containing more than three hundred fifty (350) milligrams per liter of suspended solids;
3. Containing any quantity of substance having the characteristics described in Section 3.14; or
4. Having an average daily flow greater than two percent (2%) of the average daily sewage flow to the city.

B. Where necessary, in the opinion of the City, the owner shall provide at his expense such preliminary treatment as may be necessary to do the following:

1. Reduce the biochemical oxygen demand to three hundred (300) milligrams per liter and the suspended solids to three hundred fifty (350) milligrams per liter;
2. Reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 3.14; or
3. Control the quantities and rates of discharge of such water or wastes.

C. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City, and no construction of such facilities shall be commenced until said approval is obtained in writing.

D. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

3.18 Industrial Wastes Containing Incompatible or Toxic Pollutants - Pretreatment Standards.

Any industrial user who purposes to discharge incompatible or toxic pollutants into the sewer system shall meet pretreatment requirements of best practical treatment, in accordance with federal regulations as set forth in 40 C.F.R. 128.

3.19 Special Agreements To Accept Industrial Wastes of Unusual Strength.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern, whereby an industrial waste of unusual strength or character may be accepted by the city for treatment subject to payment therefor by the industrial concern.

3.20 Control Manhole for Sampling and Measuring Discharges.

When required by the City, the owner of any property served by a building sewer carrying industrial waste shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the City. The manhole shall be installed by the owner at his expense, and the owner at his expense shall maintain the same so as to be safe and accessible at all times.

3.21 Standards for Testing Discharges.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 3.14 and 3.17 shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, and shall be determined at the control manhole provided in Section 3.20, or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

3.22 Private Systems Permitted When.

Where a public sanitary sewer is not available under the provisions of Section 3.07, the building sewer shall be connected to a private sewerage disposal system complying with the provisions of this article.

3.23 Permit Requirements.

No property owner, occupant, tenant or lessee will be allowed to construct a privately owned sewage disposal system without first filing an application with the city, paying an inspection fee as fixed from time to time by the Mayor and Council, and obtaining a written consent from the Mayor and Council. Any person, firm or corporation installing a private sewage disposal system shall execute an agreement with the city stating that should sewage facilities become available to the subject property that said person, firm or corporation, his/its heirs, administrators, executors, transferees, successors and assigns, shall agree to connect onto the city sewage disposal facilities and pay the required tap-on fees and deposit at the time those facilities are made available to the property owner.

3.24 Inspection Requirements.

A permit for the private sewerage disposal system shall not become effective until the installation is completed to the satisfaction of the City. The City shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the City when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the City.

3.25 Construction Specifications.

The type, capacities, location and layout of a private sewerage disposal system shall comply with all recommendations of the State Department of Natural Resources. No permit shall be issued for any private sewerage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 28,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

3.26 Operation and Maintenance at Owner's Expense.

The owner shall operate and maintain the private sewerage disposal facilities in a sanitary manner at all times at no expense to the city.

3.27 Compliance with Health Officer Requirements.

No statement contained in this chapter shall be construed to interfere with any additional requirements, that may be imposed by the county health officer.

3.28 Abandonment When Public Sewer Becomes Available.

At such time as a public sewer becomes available to a property served by a private sewerage disposal system, as provided in Section 3.07, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewerage disposal facilities shall be abandoned and filled with suitable material.

SECTION 4 - WATER AND SEWER CONNECTION FEES

4.01 Development Impact Fee Act

The State of Georgia has adopted the Development Impact Fee Act which includes certain requirements for cities regarding the imposition of tap-on or connection fees for water and sewer systems. The City has undertaken a study of both its water and sewer system tap on fees with consideration to such requirements of the Development Impact Fee Act.

4.02 Water Connection Fee

A. The owner or his agent shall make application for connection to the City's water system on forms furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City. Prior to the connection of any use or building to the City's water system, a fee shall be paid as follows:

1. Fee. The water tap on fee shall be a non-refundable connection fee which shall consist of the total of a water system impact fee plus the cost to the City of connecting the building to the water system. The water system impact fee shall be determined from the Impact Fee Schedule shown on Exhibit "A", attached hereto and incorporated by reference herein. For uses not listed on Exhibit A, the water system impact fee shall be determined by multiplying the per-gallon-per-day fee shown on Exhibit A times the average daily water consumption of the proposed use in gallons per day. The cost of water connection shall be the actual cost of the connection to the City, including all direct and indirect costs of materials, labor and equipment, as determined by the Mayor from time to time.

2. Collection of Connection Fees. All fees for connection to the water system shall be paid as a prerequisite for approval of said connection to the water system. The following shall control the collection of said fees:

a. The City may accept a deposit reflecting the estimated cost to the City of connecting the use to water, pending final determination of actual costs after the work has been completed.

b. Impact Fee Schedule - Fees paid on the basis of the Impact Fee Schedule shown on Exhibit A, attached hereto and incorporated by reference herein, to which the direct cost of connection has been added, shall be non-refundable and constitute full and complete payment unless the City determines that the average daily usage exceeds the amount of usage contemplated under the fees set forth in Exhibit A. If the City determines that the average daily usage exceeds said amount, the City shall bill the owner of the property an additional impact fee, which fee shall be due within thirty days of receipt of said bill.

c. Fees Calculated on Average Daily Usage Basis:

(1) For water impact fees proposed to be calculated on the basis of average gallon-per-day usage instead of the Impact Fee Schedule, the applicant shall present credible evidence prepared, certified and sealed by a knowledgeable Professional Engineer (P.E.) registered in the State of Georgia acceptable to the City, or other person acceptable to the City, regarding the projected water usage of the proposed use. Such evidence shall be based on other similar uses, historical water usage by the same type of use, engineering calculations based on accepted standards and practices, or other data or procedures acceptable to the City.

(2) The payment of an impact fee calculated on the basis of average daily usage may be accepted by the City as a conditional payment, pending actual water usage experienced by the use over a twelve month period of full operation or occupancy.

(3) Impact fees paid under the above-stated calculation are non-refundable. If there is any expansion or increase in the average daily usage, additional impact fees shall be collected by the City based upon the amount of the impact fee that is in existence as of the date of the determination

of the expansion or the increased daily usage. The additional fee shall be due within thirty days of receipt of said bill.

d. Appeals - The Mayor or his designee shall have the authority to interpret this Ordinance and the calculation of appropriate connection fees, including both impact fees and direct connection costs to the City. Any aggrieved applicant for connection to the water system may appeal the decision of the Mayor to the City Council, whose determination shall be final.

4.03 Sewer Connection Fee

A. The owner or his agent shall make application for connection to the City's sewer system on forms furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City. Prior to the connection of any use or building to the City's sewer system, a fee shall be paid as follows:

1. Fee. The sewer tap on fee shall be a non-refundable connection fee which shall consist of the total of a sewer system impact fee plus the cost to the City of connecting the building to the sewer system. The sewer system impact fee shall be determined from the Impact Fee Schedule shown on Exhibit "B", attached hereto and incorporated by reference herein. For uses not listed on Exhibit B, the sewer system impact fee shall be determined by multiplying the per-gallon-per-day fee shown on Exhibit B times the average daily water consumption of the proposed use in gallons per day. The cost of sewer connection shall be the actual cost of the connection to the City, including all direct and indirect costs of materials, labor and equipment, as determined by the Mayor from time to time.

2. Collection of Connection Fees. All fees for connection to the sewer system shall be paid as a prerequisite for approval of said connection to the sewer system. The following shall control the collection of said fees:

a. The City may accept a deposit reflecting the estimated cost to the City of connecting the use to sewer, pending final determination of actual costs after the work has been completed.

b. Impact Fee Schedule - Fees paid on the basis of the Impact Fee Schedule shown on Exhibit ~~EA~~ attached hereto and incorporated by reference herein, to which the direct cost of connection has been added, shall be non-refundable and constitute full and complete payment

unless the City determines that the average daily usage exceeds the amount of usage contemplated under the fees set forth in Exhibit B.A If the City determines that the average daily usage exceeds said amount, the City shall bill the owner of the property an additional impact fee, which fee shall be due within thirty days of receipt of said bill.

c. Fees Calculated on Average Daily Usage Basis:

(1) For sewer impact fees proposed to be calculated on the basis of average gallon-per-day usage instead of the Impact Fee Schedule, the applicant shall present credible evidence prepared, certified and sealed by a knowledgeable Professional Engineer (P.E.) registered in the State of Georgia acceptable to the City, or other person acceptable to the City, regarding the projected water usage of the proposed use. Such evidence shall be based on other similar uses, historical water usage by the same type of use, engineering calculations based on accepted standards and practices, or other data or procedures acceptable to the City.

(2) The payment of an impact fee calculated on the basis of average daily usage may be accepted by the City as a conditional payment, pending actual water usage experienced by the use over a twelve month period of full operation or occupancy.

(3) Impact fees paid under the above-stated calculation are non-refundable. If there is any expansion or increase in the average daily usage, additional impact fees shall be collected by the City based upon the amount of the impact fee that is in existence as of the date of the determination of the expansion or the increased daily usage. The additional fee shall be due within thirty days of receipt of said bill.

d. Appeals - The Mayor or his designee shall have the authority to interpret this Ordinance and the calculation of appropriate connection fees, including both impact fees and direct connection costs to the City. Any aggrieved applicant for connection to the sewer system may appeal the decision of the Mayor to the City Council, whose determination shall be final.

SECTION 5 - RATES

WATER RATE SCHEDULE

<u>Gallons Of Water Metered</u>	<u>Monthly Charge</u>
0 - 3,000	\$4.00 Per Month Minimum Charge
3,000 - Above	\$1.25 Per Thousand Gallons

SEWER RATE SCHEDULE (Based upon the amount of water used)

A charge of 66 2/3% of amount billed for water used with a minimum charge of \$2.60.

SECTION 6 - PENALTIES

A. Any consumer, person, firm or corporation who, without the authorization of the City:

1. Connects onto a water or sewer line of the City;
2. Disconnects a water or sewer line from a water or sewer line of the City;
3. Connects onto a water meter of the City;
4. Disconnects a water meter of the City;
5. Moves, removes, changes or alters the location of a water meter;
6. Changes, alters or damages any water meter or water line so as to prevent proper registration of water passing through said water meter or line;
7. Obtains water;
8. Prevents any other person from obtaining water;
9. Obstructs or otherwise interferes with the reading or maintenance of any water meter;
10. Obstructs or otherwise interferes with any water or sewer line, fire hydrant, pumping station or any appurtenances to water facilities of the City;
11. Creates a hazardous or unsafe condition to the water or sewer facilities of the City;
12. Deposits any unauthorized material into the sewer system;

EXHIBIT A

**IMPACT FEE SCHEDULE
City of Hampton, Georgia**

Actual tap-on fee for a particular building or development is calculated as the impact fee shown on the table below times the number of units authorized by the permit, plus the cost of meter installation.

SERVICE CONNECTION*

Use	Water Only	Sewer Only	Water and Sewer	Unit
BASE COST - 1 EDU	\$122.42	\$1,000.00	\$1,122.42	each
Residential	\$122.42	\$1,000.00	\$1,122.42	per household
Hotel/Motel	\$40.80	\$333.30	\$374.10	per room
Service Station	\$938.56	\$7,666.70	\$8,605.26	each
Car Wash	\$367.26	\$3,000.00	\$3,367.26	per wash bay
Laundromat	\$163.22	\$1,333.30	\$1,496.52	per washing machine
Restaurant - Fast-food & take-out	\$18.36	\$150.00	\$168.36	per seat
Restaurant - Full Service w/tableware	\$40.80	\$333.30	\$374.10	per seat
Retail stores & Shopping Centers	\$0.04077	\$0.33300	\$0.37377	per 1000 s.f.
Industrial/Commercial/ Offices (no food services) - No showers	\$10.20	\$83.30	\$93.50	per employee
Industrial/Commercial/ Offices (no food services) - With showers	\$14.29	\$116.70	\$130.99	per employee
Alternate Impact Fee Calculation: Multiply the Per-gallon-per-day Fee times the average daily water consumption of the use.				
Per-gallon-per-day Fee	\$0.40810	\$3.33330	\$3.74140	per average gpd

*Not including the direct cost to the City of water meter installation or sewer connection.

13. Operates a sewer system or septic tank system within the City without proper authorization from the Mayor and Council;

14. Discharges any unauthorized materials or chemicals into the sewer system;

15. Violates any provision of this ordinance;

shall be subject to a minimum fine of \$250.00, to a maximum fine of \$1,000.00 and/or imprisonment in the City Jail for a minimum of thirty days to a maximum of twelve months. Each day a violation occurs shall constitute a separate offense.

SECTION 7 - REPEALING PROVISIONS

A. Any Ordinance in conflict herewith is hereby specifically repealed, in particular Ordinance No. 24, Ordinance No. _____ and any amendments thereto.

B. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable; and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, that unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the Mayor and Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

First Reading: SEPTEMBER 14, 1993

Second Reading: OCTOBER 12, 1993


SO ORDAINED, THIS 12TH DAY OF OCTOBER, 1993.



MAYOR



COUNCIL MEMBER



COUNCIL MEMBER

B. B. Wynn
COUNCIL MEMBER

Catherine Williams
COUNCIL MEMBER

Alice Pendley
COUNCIL MEMBER

Erwin Rayford
COUNCIL MEMBER

ATTEST:

Clara Hayes
CITY CLERK