

ORDINANCE 1077

AN ORDINANCE TO AMEND CHAPTER 22 - UTILITIES; TO REMOVE EXCEPTIONS TO THE PAYMENT OF CHARGES, FEES AND DEPOSITS; TO ADJUST PAYMENTS OF OTHER RATES, FEES AND CHARGES; TO INCREASE THE THRESHOLD FOR A LEAK ADJUSTMENT DETERMINATION BY THE COMMISSION; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

The commission of the City of Brunswick hereby ordains that the Code of Ordinances of the City of Brunswick be and it is hereby amended as follows:

SECTION ONE:

Chapter 22, Article I, Section 8, Subparagraph (b) is hereby amended and shall provide as follows:

Sec. 22-10. – Application and connection to water and sewer service.

- (b) At the time of filing an application, the applicant for connection to the public sewer or water main or for water service shall pay to the utility all such charges, fees and deposit(s) as required herein. In the event that the applicant is required to reimburse the utility for actual costs, the applicant shall pay the amount estimated by the utility. An adjustment shall be made after completion of the connection if the estimate of charges is inconsistent with actual costs to the utility.

SECTION TWO:

Chapter 22, Article IV, Section 62, is hereby amended to include new language which shall provide as follows:

Sec. 22-62. – Other rates, fees and charges.

- (a) Charges for water and sewer service, tap fees, and other related fees and deposits or letters of credit, established in a rate resolution by the utility, will be as follows:
- (1) When service has been cut-off for nonpayment or other action resulting in unauthorized use, service shall not be restored until the unpaid bill, either at the present location or at any previous location at which service was supplied to the applicant, and the service fees provided by the rate resolution are satisfied, including the following cumulative fees for each action taken to prevent unauthorized use of utility services:
- A. Turn-off for delinquency and locking meter.
 - B. Removal of meter.
 - C. Removal of straight line.
 - D. Removal of unauthorized relocated meter.

E. Cutting off water at main.

- (2) Payment of the fees in paragraph (1) above shall not exempt a user from any civil or criminal action resulting from violations of this chapter.
- (b) In addition to the fees and deposits, each applicant for service shall pay in advance an Account Establishment Fee for either new service or transfer of service from one location to another.
- (c) Connection fees and deposits for a facility will be based on the facility's REUs. The amount of REUs is determined by the flow characteristics as set forth in the REU table of the utility's Rate Resolution, as amended from time to time. In the case of existing facilities with an increase in REUs, additional fees and charges will be due.
- (d) Deposits will be required, credited or refunded as set forth in the Utility's Rate Resolution.
- (e) The utility may refuse to supply service to any customer if there is a delinquent account for water and/or sewer service until the bill for all prior charges billed to that customer both at the present location or at a previous location have been paid by the customer owing the outstanding amount.
- (f) The "Rate Resolution" referenced herein shall be incorporated in its entirety wherever it is referenced. More specifically, the "Rate Resolution" refers to the Resolution entitled "Rate Resolution," approved and signed by the utility in June each year. The "Rate Resolution" shall be a public record and shall be made publicly available on the website of the Utility. Additionally, the "Rate Resolution," or copy thereof shall be made available to customers or prospective customers upon request.

SECTION THREE:

Chapter 22, Article IV, Section 63, Subparagraph (h) is hereby amended to include new language which shall provide as follows:

Sec. 22-63. – Leak Adjustments in Water and Sewer Billing.

- (h) The director's, or his designee's, determination of eligibility for a leak adjustment is a final disposition of the matter; provided, however, any leak adjustment totaling \$5,000.00 or more shall be presented by the director to the commission for final determination.

SECTION FOUR:

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION FIVE:

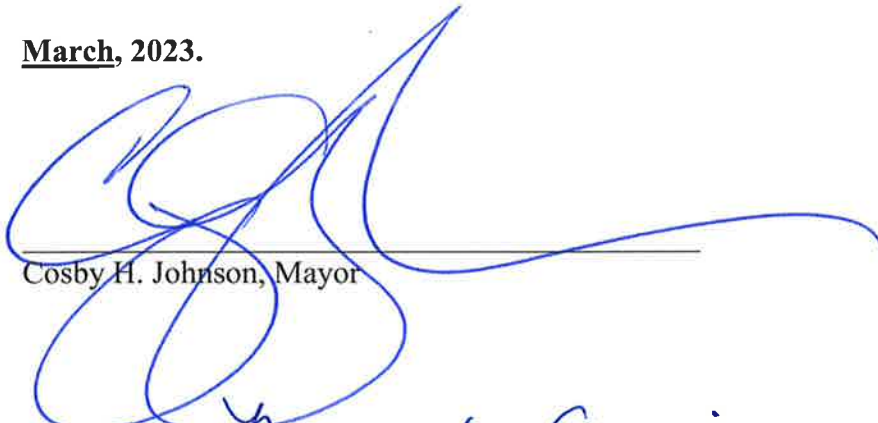
If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION SIX:

This Ordinance shall be effective immediately upon its adoption by the City Commission.

SO ORDAINED BY THE CITY COMMISSION OF BRUNSWICK THIS 1st DAY OF

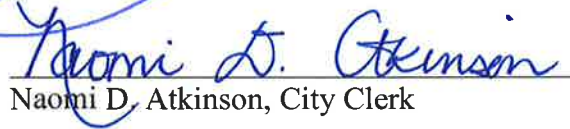
March, 2023.



Cosby H. Johnson, Mayor



ATTEST:



Naomi D. Atkinson, City Clerk