

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LAWRENCEVILLE,
GEORGIA, CHAPTER 30 SOLID WASTE FOR THE PURPOSE OF AMENDING BILLING DATES AND
CHAPTER 38 UTILITIES TO ADOPT A NEW ORDINANCE RELATED TO PUBLIC UTILITIES**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia be amended as follows:

Section 1:

By deleting Sections 30-12(2) in its entirety and inserting in lieu thereof, the following:

Sec. 30-12. Residential fees.

(2) All garbage bills will follow the schedule set forth in Chapter 38.

Section 2:

By deleting Sections 30-26(d) in its entirety and inserting in lieu thereof, the following:

Sec. 30-26. Commercial Fees.

(d) All garbage bills will follow the schedule set forth in Chapter 38.

Section 3:

By deleting Sections 38-1 to 38-32 in their entirety and inserting in lieu thereof, the following:

Chapter 38 – UTILITIES

ARTICLE I. - IN GENERAL

Sec. 38-1. – Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them respectively:

Statement Date means the Date the bill is calculated by the City.

Sec. 38-2. - Application for utility service.

Application for the use of city utilities shall be made to the City by the owner or agent of the property to be benefited, designating the location of the property and stating the purpose for which the utility may be required. The city manager or designee shall

prescribe the forms, information, and processes necessary for obtaining an application for utility service. An application fee of \$50.00 shall be charged for processing utility service applications.

Sec. 38-3. – Billing.

The City Manager or designee may set billing schedules for various customers to ensure efficiency in government operations and collection of fees. The utility bills shall be due 21 days from the statement date. Disconnection of services for non-payment may occur 45 days from statement date.

Sec. 38-4. – Deposit.

The City Manager or designee may set deposit schedules, fees, and procedures for various customers to ensure efficiency in government operations and collection of fees.

Sec. 38-5. – Interest and late fees.

The bill is past due if it remains unpaid 21 days from the statement date. A late fee of 1.5% of the past due balance shall be applied no earlier than 21 days from the statement date. This date shall be known as the penalty date.

Sec. 38-6. - Time limit for disconnection.

At the expiration of 24 days from the penalty date specified on the utility bills submitted by the City of Lawrenceville to its customers, the City of Lawrenceville shall terminate the utility service to the premises which utilized the service. Disconnection by the City may occur if any portion of a bill remains unpaid 24 days from the penalty date specified on the utility bills submitted by the City of Lawrenceville to its customers.

Sec. 38-7. - Notice of disconnection.

No utility service may be disconnected for non-payment unless:

- (1) The customer has been given written notice of the proposed disconnection at least five days prior to the date of disconnection. The date of the disconnection must be a business day when a representative is available to receive payment from the customer.
- (2) Such notice shall be:
 - a. Served upon the customer by the U.S. mail, electronic means, or other means that are available to the general public.
- (3) Such notice shall state:
 - a. The earliest date for the proposed disconnection;

- b. The amount due and the reason for the proposed disconnection;
- c. A telephone number and email, which the affected consumer may contact for information about the proposed disconnection.

Sec. 38-8. - Restrictions on disconnection.

- (a) The City shall not discontinue gas or electric service to a residential customer between November 15th and March 15th if the forecasted local temperature is below 32°F for a 48-hour period beginning at 8:00 a.m. on the date of the proposed disconnection;
- (b) The City shall not discontinue electric service to a residential customer if, prior to 8:00 A.M. on the date of the scheduled disconnection, a National Weather Service Heat Advisory or Excessive Heat Warning is in effect, or is forecasted to be in effect by the National Weather Service;
- (c) Service shall not be disconnected for nonpayment of a bill to a residential customer who has a serious illness which would be aggravated by the disconnection - provided that the customer:
 - 1. Notifies the City of this condition in writing. The customer may also notify the City orally, but must send the City a written notice within 10 days of the oral notification.
 - 2. Within 10 days of providing initial notice to the City, a written statement from a physician, county board of health, hospital or medical clinic identifying the illness, its expected duration, and certifying that the illness would be aggravated by such disconnection must be received by the City.

Sec. 38-9. – Restoring Service.

The City shall reconnect service if the past due balance is paid within 10 days of when service was disconnected for nonpayment. The customer will be charged a reconnection fee of \$60.00. Reconnection will occur no earlier than the day after payment of outstanding balance. Same day restoration may be requested and if available, then the same-day reconnection fee of \$65.00 shall be charged, in addition to the \$60.00 reconnection fee. If payment for past due balance is more than 10 days after service was disconnected for nonpayment, customer must sign up for new service and may be subject to application fees, credit screening, new terms of service, outstanding balances and a connection fee of \$60.00.

Sec. 38-10. – Administrative fines.

- (a) The City Manager or designee may issue administrative fines for the following infractions:
 - 1. Meter tampering and meter repair;
 - 2. Hydrant tampering and repair;

3. Valve tampering and repair;
4. Unauthorized use.

- (b) Any person tampering with utility infrastructure will be responsible for the cost of repairs including materials, labor, and city staff and equipment time.
- (c) When the City Manager or designee finds that a person has violated, or continues to violate, any provision of this article, the city may issue a fine in an amount not to exceed \$1,000.00. Such fines shall be assessed on a per-violation, per-day basis. Fines may be assessed for each day during the period of violation.
- (d) Unpaid charges, fees, fines, and penalties shall, after 30 calendar days, be assessed an additional penalty of ten percent of the unpaid balance, and interest shall accrue thereafter at a rate of ten percent per month. A lien against the person's property shall be sought for unpaid charges, fines, and penalties.
- (e) Persons desiring to dispute administrative fines must file a written request to the City Manager for the city to reconsider the fine within 14 days of being notified of the fine. Where a request has merit, the City Manager or designee may convene an administrative hearing on the matter.
- (f) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the person in violation.

Sec. 38-11. - Prohibitions.

- (a) Unauthorized connections. No person shall connect to, tap on, or discharge service from any line or main belonging to the city without first obtaining the permission of the City Manager or designee through permits or other means to do so, and paying the required deposits or account initiation fees, tap fees, system development charges, and connection charges.
- (b) Meter tampering. No person shall break, alter, change the reading of, or tamper with the mechanism of any meter of the city without the authority of the City Manager or designee.
- (c) Bypassing meter. No person shall attach any line, pipe, device or mechanism of any kind or type to any line, pipe or main, in such a manner as to cause any service to flow through, by or around any city meter without the meter properly measuring and recording the quantity thereof.

- (d) Taking service by any method to avoid payment. No person shall attach any line, pipe, device or mechanism of any type or kind to any city utility line, pipe or main, in such a manner as to take service to avoid payment.
- (e) Obstructing meter. No person shall cover a meter with dirt or other material so that the cover or the meter is not visible to city personnel, meter inspectors, meter readers or contract personnel contracted to read meters.
- (f) Unauthorized reconnection. No person shall reconnect or turn on any utility connection, where the connection has been disconnected by City personnel or authorized contractor personnel for nonpayment of bills, or for other purposes.
- (g) Preventing access or obstructing valves. No person shall remove or cover a utility valve with any material so that it is not visible or direct access to the valve is denied to City personnel or other personnel authorized by the City.
- (h) Damage of distribution system. No person shall damage, destroy, deface, impair the function of, or otherwise vandalize any portion of the City utility distribution systems or appurtenances.

Sec. 38-12. - Unauthorized use of utility.

The procedures under this chapter will not be required when there is an unauthorized use of the utility service, bad checks, safety hazards, or building code violations.

Sec. 38-13. - Maintenance of access to metering devices.

- (a) Owners and lessees of property shall be responsible to maintain access to City utility meters located on property owned or leased by them, clear of obstructions so that the meter may be accessed, read, and maintained easily by City employees.
- (b) All meter set assemblies shall be maintained free from any landscaping obstructions in an area not less than three feet in front of and two feet to either side of the meter set assembly. Landscaping obstructions include, but are not limited to, rocks, bushes, fences, or other manmade or natural structures that restrict access to the meter set assembly.
- (c) The City may relocate the meter away from an obstruction if the City, in its discretion, deems relocation to be the least expensive alternative or an appropriate alternative to removing the obstruction. The costs of relocating the meter shall be billed to the owner or lessee as part of their regular utility bill.

- (d) Subject to the provisions set forth in this chapter, and in addition to the remedies provided in this section, the City is authorized to disconnect utility service to any property should the owner or lessee fail to remove any obstruction to the meter after receiving notice of the obstruction as set forth in this section.
- (e) Employees or contractors of the City may trim or remove any plant within ten feet of the front or five feet of the side of a transformer, gas meters, gas mains, water main, water box or fire hydrant which poses any safety hazard or threatens to interrupt service to City customers.

Sec. 38-14. - Planting and utility maintenance near transformers, water mains, water boxes and fire hydrants, gas valves and other utility components.

- (a) No shrub, bush, flower, tree or other plant shall be planted within ten feet of the front or five feet of the side of a City transformer, water main, water box, or fire hydrant.
- (b) Employees or contractors of the City may trim or remove any plant within ten feet of the front or five feet of the side of a transformer, gas meters, gas mains, water main, water box or fire hydrant which poses any safety hazard or threatens to interrupt service to City customers.

Secs. 38-15 -- 38-32. - Reserved.

IT IS SO ORDAINED, this _____ day of June, 2020.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk