



where people matter

City of Loganville

Public Utilities
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Staff Report Department of Public Utilities

To: Honorable Mayor Baliles and Members of the City Council

Through: Danny Roberts, City Manager

From: Brandon Phillips, Director of Utilities

Date: September 8, 2022

Subject: Revision of Article II Water and Sewer Services ordinance
Section 34-35 Miscellaneous prohibited acts.

RECOMMENDATION:

Staff recommends that the City Council approve the following revisions for the Water and Sewer Services ordinance Section 34-35 Miscellaneous prohibited acts. The revisions for these ordinances are highlighted for review and also stated below.

It shall be unlawful for any consumer, person, firm, entity, on-site construction supervisor or on-site construction contractor to allow without the authorization of the city manager or designee to do any of the following:

BACKGROUND:

This ordinance revision allows Code Enforcement to properly enforce and/or cite any unauthorized users in the event of theft of city utilities.

1 CITY OF LOGANVILLE

2 ORDINANCE NO.

3 AN ORDINANCE TO AMEND DIVISION 1, ARTICLE II OF CHAPTER 34 OF THE CODE
4 OF ORDINANCES OF THE CITY OF LOGANVILLE, GEORGIA, ENTITLED
5 WATER AND SEWER SERVICES; TO PROVIDE AN EFFECTIVE DATE; AND
6 FOR OTHER PURPOSES.

7 THE COUNCIL OF THE CITY OF LOGANVILLE HEREBY ORDAINS:

8 **Section 1.** That Article II be amended by deleting Section 34-35 Miscellaneous prohibited acts in its
9 entirety and replacing it with the following:

10 Sec. 34-35. - Miscellaneous prohibited acts.

11 (a) It shall be unlawful for any consumer, person, firm, entity, on-site construction supervisor or
12 on-site construction contractor to allow without the authorization of the city manager or
13 designee to do any of the following:

- 14 (1) Connect onto a water line of the city;
- 15 (2) Disconnect a water line from a water line of the city;
- 16 (3) Connect onto a water meter of the city;
- 17 (4) Disconnect a water meter of the city;
- 18 (5) Move, remove, change or alter the location of a water meter of the city;
- 19 (6) Change, alter, or damage any water meter or water line of the city for any reason
20 including, but not limited to, preventing proper registration of water passing through
21 said water meter or line;
- 22 (7) Prevent any other person or entity from obtaining water from the city;
- 23 (8) Obstruct or otherwise interfere with the reading or maintenance of any water meter of
24 the city;
- 25 (9) Connect onto, obstruct or otherwise interfere with any property, water line, fire
26 hydrant, pumping station or any appurtenances to water facilities of the city;
- 27 (10) Create a hazardous or unsafe condition to the water facilities of the city;
- 28 (11) Remove or alter any lock on any meter of the city;
- 29 (12) Make use of pipelines, meters or other property of the city;
- 30 (13) Use water without the authorization of the city or without payment for the same; and
- 31 (14) Obtain water or any product or service from the city.

32 (b) In the event of any violation of any provision of subsection (a) of this section, the city
33 manager or designee is authorized to take any or all of the following steps:

- 34 (1) Disconnect any unauthorized line or meter;
- 35 (2) Refer the matter for theft or other violations of criminal laws of the state;

- 36 (3) Seek reimbursement for all damages and losses suffered by the city due to such
37 violation, for all time expended by employees of the city in connection with the
38 investigation of any violation of this policy, and for any damages to any pipelines,
39 fixtures, meters or other property of the city and/or Walton County caused by such
40 violation, the amount to be paid to the city under this subsection (b)(3) shall be not
41 less than \$500.00 and/or prosecution for criminal charges;
- 42 (4) Obtain sufficient payment to the city from the offender;
- 43 (5) Require the offender to pay all necessary sums to the city before the offender may
44 receive water or other services from the city.
- 45

46 **Section 2.** Should a court of competent jurisdiction deem any phrase, clause, sentence or section of this
47 Ordinance unconstitutional, such determination shall not affect the remaining provisions of
48 this Ordinance, which provisions shall remain in full force and effect.

49 **Section 3.** All ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such
50 conflict, hereby repealed.

51 **Section 4.** This ordinance shall be effective on the date of its adoption.

52

53 This ____ day of _____, 2022.

54 ATTEST:

CITY OF LOGANVILLE:

55 _____
56 City Manager Danny Roberts

Mayor Skip Baliles