

**Chapter 14**  
**SEWERAGE\***

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**\*Cross references**--Buildings, construction and related activities, Ch. 5; floodplain regulations, Ch. 8; public utilities systems, Ch. 13; subdivisions, Ch. 17; zoning, Ch. 22.

**State law references**--Power of city or county to provide stormwater, sewerage collection and disposal systems, Ga. Const., art. 9, sec. 2, par. 3; dumping certain wastes in storm or sanitary sewers prohibited, O.C.G.A. § 12-8-2; Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq.; adoption of ordinances, rules and regulations relating to payment for street improvements and construction of water, gas and sewer connections; payment of costs of connections, O.C.G.A. § 36-39-7; city's authority to acquire, construct, extend, operate, maintain and collect fees for water and sewage systems, O.C.G.A. § 36-34-5; Resource Recovery Development Authorities Law, O.C.G.A. § 36-63-1 et seq.; grants of state funds to municipal corporations for public purposes, O.C.G.A. § 36-40-20 et seq.; executions for collection of assessments for laying sewers, O.C.G.A. § 48-5-358.

Section 14-140A            **ARTICLE VII. CHARGES**

Section 14-141 **Basis.**

Charges for sewerage service shall be made and billed in compliance with the EPA user charge system approved by the city council by resolution prior to the effective date of the ordinance from which this section derives. The user charge system shall result in the calculation of three (3) unit charges:

(a) An administrative charge to be calculated based on the administration costs and the number of wastewater customers to be assessed on each connection for which a separate bill is issued;

(b) An operation, maintenance, and replacement fee based on the volume of water used by wastewater customers and the total operation, maintenance, and replacement costs incurred by the city to be assessed on the basis of water used per thousand gallons; and

(c) A surcharge rate may be applied to all over-strength wastes to be based on the strength and volume of such wastes and the costs of treatment. However, the utility reserves the right to

reject over-strength waste, require pretreatment, or limit quantities. If the utility agrees to accept over-strength waste, the surcharge rate shall be calculated based on strength above over-strength limit divided by the over-strength limit, times the prevailing volume rate.  
(Code 1958, § 19-70)

#### Section 14-142 Tapping pollutants.

Any user who discharges any toxic pollutants or other constituents which cause an increase in the cost of managing the effluent or the sludge of the aforementioned treatment works shall be required to pay for such increased costs.  
(Code 1958, § 19-71)

#### Section 14-143 Review of rates.

The city shall review not less often than every two (2) years the wastewater contribution of users, the total costs of operation and maintenance of the treatment works, and the approved user charge system. The city shall revise the charges for users to accomplish the following:

- (a) Maintain the proportionate distribution of operation and maintenance costs among users;
  - (b) Generate sufficient revenue to pay the total operation and maintenance costs necessary for proper operation and maintenance, including minor replacement, of the treatment works; and
  - (c) Apply excess revenues collected to adjust future rates accordingly.
- (Code 1958, § 19-72)

#### Section 14-144 Notification.

The city will notify each user at least annually, in conjunction with a regular bill or other mailing, of the rate attributable to the user charge.  
(Code 1958, § 19-73)

#### Section 14-145 Precedence.

The user charge system shall take precedence over any terms or conditions of agreements or contracts between the city and users which are inconsistent with the requirements of section 204(b)(1)(A) of the act and 40 CFR, part 35, dated September 27, 1978.  
(Code 1958, § 19-74)

#### Section 14-146 Sewer user charges.

(a) The EPA user charge, which includes charges for operations, maintenance, and replacement expenses, will be assessed for all contributions to the publicly owned treatment works. The current rates are on file in the office of the city clerk and in the office of the Thomasville Utilities administrative offices.

(b) The volume applicable will not exceed twelve thousand (12,000) gallons of water used by residential customers only.  
(Code 1958, § 19-75; Ord. of 5-25-87(1)(2); Ord. of 5-5-89, § I; Ord. of 4-9-90(3), § I; Ord. of 4-22-91(3), § I(19-75); Ord. of 4-27-92, § I; Ord. of 4-26-93, § I; Ord. of 6-23-93, § I; Ord. of 5-22-95(2), § I; Ord. of 8-26-96, § I; Ord. of 3-9-98(2), § I)

Section 14-147 Private systems.

Sewer service charges to any customer who operates a private water system, all or any part of which enters the city sanitary system, shall be by contract. Such contract charges shall be in addition to metered charges listed above.

(Code 1958, § 19-76)

Section 14-148 Sewer connection fees.

(a) Work to be done under the plumbing permit is all work on private property beyond the street right-of-way or property line. The city shall make all connections to the city sanitary sewers, do all excavation and lay all pipe necessary to construct the sewer lines from the laterals, outfalls, or main lines to the margin of the city's, state's, or county's right-of-way or the perimeter of the private property to be served, as the case may be.

(b) The regular connection fee for a six (6) inch connection directly into a city sanitary sewer main is kept on file in the office of the city clerk and in the office of the civil utilities engineer.

(c) In addition to the regular connection fee, additional charges will be made where applicable as follows:

(1) A boring charge equivalent to the contract price, if contracted, plus twenty-five (25) percent of the contract price.

(2) Extensions from existing sewer mains which are not directly adjacent to the proposed service will be charged at cost plus twenty-five (25) percent.

(d) Where sewer connections are to be made to sanitary sewer main lines in excess of eight (8) inches in diameter, such connections will only be at manholes. The cost of such manholes, if not existing, will be included in the cost of sewer connection fees in accordance with the charge schedules listed above.

(e) The city, by the passage of a proper assessment ordinance, may allow the owner to contract for a time payment plan for the sewer connection fees. In such instance the interest charge shall be at the rate of the prime interest rate as determined by the Wall Street Journal at the time of assessment plus two and one-half percent (2 ½%), and the principal and interest shall be repaid in equal monthly installments over a period never exceeding one hundred eight (108) months.

(f) When a developer or land owner pays for sewer extension construction costs, including connections, mains, laterals, manholes, lift stations, and engineering costs, and such costs are equal to or in excess of the total of the charges enumerated above, no connection fee will be collected by the city for property served by the mainlines and connection lines so financed and constructed; provided further, however, that the city will not be required to do any work in connection with such sewer extension construction, including, but not limited to, physically locating the existing tap at the time of the connection of the development to the existing sewer connections provided by the developer or land owner as set forth in this section.

(g) Where existing sanitary sewers are available to single-family residences currently using septic tanks, owners of such single-family residences will have until January 1, 1988, to pay the sewer connection fees in effect as of the effective date of the ordinance from which this section derives; provided, however, that such owners of single-family residences actually connect to the sewer system during this period. Thereafter, owners of single-family residences will pay the sewer connection fees in effect at that time.

(Code 1958, § 19-77; Ord. of 10-13-86, § I; Ord. of 5-22-95(2), § II; Ord. of 9-9-02)  
(2002 (14-148), Amended, 09/09/2002)

Section 14-149 Adjustments in billing.

The utilities superintendent shall be authorized to make equitable adjustments in billings for water and sewerage services in cases where leaks in pipes and plumbing facilities result in increased billings without fault on the part of the customer. Such adjustments shall be made based on an average of prior billings only after repairs have been made as certified by a licensed plumber, and shall be limited to three (3) months' billings.  
(Code 1958, § 19-78; Ord. of 5-22-95(1), § XI)

Section 14-150 Reserved.

**Editor's note**--Section XIV of an ordinance adopted June 23, 1997, deleted former § 14-150, relating to penalties, which derived from Code 1958, § 19-79, as amended by ordinances of 3-12-90, 11-8-93, § VI, and 5-22-95(1), § XII.

Section 14-151 Time of payment; delinquency penalty.

(a) The sewer service charges provided for in this chapter shall be due and payable in the same manner as water service charges and subject to the same delinquency penalties as water service charges.

(b) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the municipal sewerage works. Any person violating this provision shall be subject to immediate arrest under an appropriate charge.

(c) The utilities superintendent and other 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 chapter.

(Code 1958, § 19-80; Ord. of 5-22-95(1), § XIII)

Section 14-152 Cutting off water for delinquency.

Where the sewerage customer is also a water customer, the failure of such customer to pay such fees and charges shall authorize the city to cut off the water supply of such customer in the same manner that water is cut off for failure to pay water bills.

(Code 1958, § 19-81; Ord. of 5-22-95(1), § XIV)

Section 14-153 Deposits apply to sewer charges also.

All deposits made as security for the payment of water bills shall in the same manner secure and be liable for the payment of the sewer fees and charges as provided in this article.

(Code 1958, § 19-82)

Section 14-154 14-154--14-170. Reserved.