

Chapter 14
SEWERAGE*

Sections:

14-170A	ARTICLE VIII. ENFORCEMENT
14-171	Discontinuance of service.
14-172	Liens.
14-173	Reserved.
14-174	Existing contractors.

***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 14-170A ARTICLE VIII. ENFORCEMENT

Section 14-171 Discontinuance of service.

(a) The service under any application or contract may be discontinued for any of the following reasons:

- (1) For misrepresentation in application as to property or fixtures to be supplied, or the use to be made of the water supply or character of waste discharged into the sanitary sewerage system;
- (2) For the use of water for any other property or purpose than that described in the application;
- (3) For willful or negligent waste of water through improper or imperfect service pipes, fixtures, meters, private fire protection systems or otherwise;
- (4) For failure to protect the connections, service lines and fixtures, or to maintain them in good order;
- (5) For nonpayment of any account for water or sewer service furnished or of any scheduled fee or charge as required by the provisions of this chapter, rules and regulations promulgated pursuant to the terms hereof, or any amendments hereto;
- (6) For molesting any service pipe, meter, curb-stop-cock, seal, or any other appliance of the water and sewerage department controlling or regulating the water supply;
- (7) In case of vacancy of premises;
- (8) For violation of any provision of this chapter or amendments thereto;
- (9) For violation of any rules or regulations promulgated by the director, and under authority of the provisions of this chapter or amendments thereto;
- (10) For turning off or on water at the water main or water connection or curb stop, by a plumber, owner or other unauthorized person, or for disconnecting or removing the

meter, without the prior written consent of the utilities superintendent. Emergency cut-off of such water without damage to any city property shall not be considered a cause of discontinuance of service.

(b) The utilities superintendent shall have authority to order the temporary discontinuance of water or sewer service in any emergency, under exigent circumstances, or whenever such discontinuance is necessary to protect life, health or property or to prevent immediate interference with the city systems.

(c) In all other circumstances service shall be discontinued only after five (5) days' written notice delivered to an adult person occupying the premises served, or posted in a conspicuous place thereon, stating the reason for discontinuance and informing the user of his right to a hearing before the utilities superintendent upon such user's appearance before the utilities superintendent within such five (5) working days during regular business hours.

(Code 1958, § 19-90; Ord. of 5-22-95(1), § XV)

Section 14-172 Liens.

(a) Any charges made by the city for furnishing water and sewer services and services related thereto, including connection fees, meter installation fees, tapping fees, and charges for every kind of service necessary or incidental to the furnishing of water and sewer services, shall constitute a lien against the real property to which such services are furnished, whether such real property is located within or without the corporate limits of the city, upon the issuance and recording of an execution as follows.

(b) Should the customer fail to pay any of the foregoing charges and such charges be in default for a period of ten (10) days after the due date, the utilities superintendent shall be authorized to have an execution issued by the city clerk, which execution shall issue against the property as described on the latest ad valorem tax digest and in personam against the owner of the property, for the principal amount due plus interest at the rate of twelve (12) percent per annum from the due date and the sum of two dollars and fifty cents (\$2.50) cost for issuance of the execution. Subsequent costs shall be the same as those allowed by law relative to tax executions. The execution shall constitute a lien against the property from the time of its filing, which lien shall rank on a parity with and be of equal dignity to other liens for special tax assessments.

(Code 1958, § 19-91; Ord. of 5-22-95(1), § XVI)

Section 14-173 Reserved.

Editor's note--Sec. 14-173, pertaining to punishment, which derived from Code 1958, § 19-92, is superseded by Sec. 14-124(r)--(u).

Section 14-174 Existing contractors.

Any and all contracts, franchises and regulations now in force and effect between the city and any person for the operation of buses are recognized and accepted according to the terms and provisions therein stipulated and until amended by proper ordinance or resolution.

(Ord. of 6-23-97, § XV)