**ORDINANCE NO.**

**AN ORDINANCE TO AMEND CHAPTER 70 (UTILITIES), ARTICLE II. WATER, SECTION 70.31 (METERS) OF THE CODE OF ORDINANCES, CITY OF SENOIA, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, the Mayor and Council shall have full power and authority to provide for the execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers, agencies, or employees granted by the Charter OF THE City of Senoia or by Georgia law; and

**WHEREAS**, the municipal government of the City of Senoia (hereinafter “City”) and

all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be the legislative body of the City; and

**WHEREAS,** amendments to any of the provisions of the City’s Code of Ordinances may be made by amending such provisions by specific reference to the section number of the City’s Code; and

**WHEREAS**, existing ordinances, resolutions, rules and regulations of the City and its

agencies now lawfully in effect not inconsistent with the provisions of the City’s charter shall

remain effective until they have been repealed, modified or amended; and

**WHEREAS**, every official act of the Mayor and Council which is to become law shall be by ordinance; and

**WHEREAS,** the governing authority of the City finds it desirable to amend and update the relevant ordinances pertaining to water meters and the City’s water distribution system.

**NOW THEREFORE, BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SENOIA, GEORGIA THAT:**

**Section One.** Chapter 70 (UTILITIES), Article II, Section 70-31 (Meters) of the City Code of Ordinances is hereby amended 70-31 (a) (d) to read as follows:

Sec. 70-31. - Meters.

1. As used in this Article II, the term “Consumer” means the one who uses the water supplied by the department.
2. Every regular consumer of water shall be supplied with a meter by the city, which meter shall be under the exclusive control of the city, for which the consumer shall deposit an amount as determined by the mayor and council and filed in the city clerk's office. This amount shall be refunded by the city if any consumer discontinues the use of city water, less all charges which may stand against that consumer.
3. Water meters shall be located at the property line adjacent to a street or alleyway or at any other location as determined by the city. The person in whose name the service is rendered shall be responsible for water rents.
4. Supply From One Service-- No more than one house or building shall be supplied from one service connection except by special permission of the council. Whenever two or more parties, or two or more residential, office, commercial, or industrial users or consumers are supplied from one pipe connecting with a service main, each such user or consumer shall have a separate meter.

**Section Two.** Codification and Certify. This Ordinance adopted hereby shall be codified and certified in a manner consistent with the laws of the State of Georgia and the City.

**Section Three.** Severability.

1. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, constitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section Four.** Repeal of Conflicting Ordinances. All ordinances and parts of ordinances

in conflict herewith are hereby expressly repealed.

**Section Five.** Effective Date. The effective date of this Ordinance shall be the date of

adoption unless otherwise stated herein.

**ADOPTED** this \_\_\_\_\_\_ day of April, 2023, by the City Council of the City of Senoia, Georgia.

 CITY OF SENOIA, GEORGIA

 BY:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 William “Dub” Pearman III, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (SEAL)

First Read: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Second Read: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_