

ORDINANCE NO. 2020-04

AN AMENDMENT TO THE ORDINANCES FOR THE CITY OF CONCORD, GEORGIA; TO CREATE A NEW SECTION TO BE ENTITLED “WATER AND SEWER CUSTOMER’S RESPONSIBILITIES AND LIABILITIES”; TO REQUIRE PAYMENT OF A FEE TO REPAIR DAMAGE TO THE CITY’S EQUIPMENT AND PROPERTY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES

The City of Concord, Georgia (“City”) does hereby amend its ordinances as follows and further establishes by rules and regulations the following:

SECTION 1: New Code Section Created. The City’s Code of Ordinances is hereby amended by crating a new Section to be entitled *Customer’s Responsibilities and Liabilities* which shall read as follows:

Sec. 5-2-11 (b-d): Customer’s Responsibilities and Liabilities.

(a) It shall be the responsibility of every City water and sewer customer to take reasonable measures to ensure that all property of the City located on the customer’s property is maintained in good and working condition. The City may assess against a customer a minimum maintenance fee of \$100.00, plus the cost of any materials required, when the City, in its sole discretion, believes that its property has been damaged as a result of the negligence of the customer, the customer’s agent, or anyone performing work or services on the customer’s property. Examples of repairs for which this fee may be assessed include, but are not limited to, re-burying a meter box, replacing a meter box lid, adjusting the position of a water meter and/or curb stop, locking and/or re-locking curb stops, and broken concrete markers.

(b) If the repairs cannot be completed in a reasonable amount of time, as determined by the City, the City reserves the right to charge the customer for any additional costs incurred by it in repairing the damage.

(c) This fee shall not cover any costs associated with the repair of water/sewer mains or service lines or hydrants which may be invoiced separately.

SECTION 2. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 3.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City 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 City 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.

C. In the event that any section, paragraph, sentence, clause or phrase 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 City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon its adoption by the City.

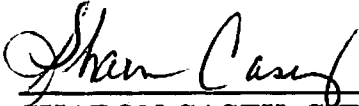
SO ORDAINED this 13 day of October, 2020.

CITY OF CONCORD, GEORGIA



JOHN STRICKLAND, MAYOR

Attest:


SHARON CASEY, CITY CLERK



FIRST READING: 9/8/2020

SECOND READING\ADOPTION: 10/13/2020