

AMENDMENTS AND ORDINANCES OF THE MAYOR AND COUNCIL OF THE
TOWN OF BRASELTON TO UPDATE CERTAIN REGULATIONS AND RATES
CONCERNING WATER AND SEWER AND FOR OTHER PURPOSES

WHEREAS, the Town of Braselton is desirous of managing its water and sewer resources in recognition of their importance to the general welfare and future growth of the Town and of their importance to the environment;

NOW THEREFORE THE MAYOR AND COUNCIL HEREBY RESOLVE
AND ORDAIN AS FOLLOWS:

That the Town of Braselton adopt the document entitled “**Town of Braselton Industrial Pretreatment Program**” by reference which shall be in full force and effect as if it were set forth in its entirety herein.

That the Town of Braselton Code of Ordinances be amended by deleting Section 20-101 in its entirety and inserting in lieu thereof a new Section 20-101 to read as follows:

Section 20-101 – Rate Schedule

“Water and Sewer Rates, Charges, Deposits and Fees

The schedule of charges for water and sewer rates, fees, deposits and charges effective in the Town shall be fixed from time to time by the Mayor and Council. A current schedule of all water and sewer rates, fees, deposits and charges will be kept on file at the Clerk’s office and at the utility billing office. In particular, the rates, fees, deposits and charges recommended in that document entitled “**Town of Braselton Water/Sewer Rate and Fees Study, 2006**” as adopted by the Town Council are in full force and effect.”

That the Town of Braselton Code of Ordinances be amended by deleting Section 20-103 in its entirety and inserting in lieu of a new Section 20-103 to read as follows:

“Section 20-103 Application for water and sewer service

The customer shall make application for water and sewer service at the Public Utility office of the Town of Braselton, Georgia and at the time said application is made shall make arrangements for payment of a cash security deposit as set forth in Section 20-101.”

That the Town of Braselton Code of Ordinances be amended by deleting Section 20-104 “Connection Fees – Water and Connection Fees – Sewer” in its entirety and inserting in lieu thereof a new portion of Section 104 entitled “Connection Fees –Water and Sewer” to read as follows:

“Section 20-104 – Connection Fees – Water and Sewer

Water and Sewer tap and/or connection fees shall be fixed from time to time by the Mayor and Council as provided in Section 20-101.”

That the Town of Braselton Code of Ordinances be amended by adding a sentence to the end of Section 20-115 A. to read as follows:

“Or, a position on the sewer service waiting list for properties not meeting the above criteria may be granted by vote of the Mayor and Council.”

That the Town of Braselton Code of Ordinances be amended by deleting the fifth criteria in 20-115 B. in its entirety, and insert in lieu thereof a new fifth criteria to read as follows:

“The waste loading of the projected sewage, i.e. its projected characteristics, volume and impact on the waste water treatment capacity and capability of the Town’s treatment facility, including the applicant’s ability to comply with the Town’s Sewer Use Ordinance, Industrial Pretreatment Program and any applicable state and/or federal laws, rules, regulations or standards.”

That the Town of Braselton Code of Ordinances be amended by adding an eleventh criteria to Section 20-115 B. to read as follows:

“The location of the proposed project and the ability of the sewage collection system to accommodate the request or the willingness of the applicant to upgrade such collection system to accept the requested capacity.”

That the Town of Braselton Code of Ordinances be amended by adding a new Section to numbered Section 20-125 entitled “**Town of Braselton Sewer Use Ordinance**” as set forth in its entirety on subsequent pages.

That the Town of Braselton Code of Ordinances be amended by adding new Sections 20-126, and Section 20-127 to read as follows:

“Section 20-126 Severability

If the provisions of any section sub-subsection, paragraph or clause of these amendments or ordinances be adjudged invalid or unenforceable by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of these amendments or ordinances.”

“Section 20-127 Effective Date and Conflicting Ordinances

“These amendments and ordinances shall take effect from and after the date of their passage and ratification by the Mayor and Town Council of the Town of Braselton, Georgia. All ordinances and parts of ordinances in conflict herewith are hereby repealed.”

ORDAINED AND ENACTED at a meeting of the Town Council this 9th day of June, 2008.

Jennifer Scott, Manager and Clerk

Mayor Pat Graham