

**Ordinance no. \_\_\_\_\_**

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. Chapter 24 - UTILITIES. ARTICLE II. - RATES, CHARGES, BILLING AND COLLECTION PROCEDURES. Sec. 24-21. - Schedule of charges, etc. is hereby amended by deleting the same in its entirety, and replacing it as follows:

1.

**Sec. 24-21. Schedule of charges, etc.**

- (a) All fees and charges for water, gas, sewer service, stormwater, telecommunications and electricity, and regulations incidental thereto shall be determined by the council and kept on file in the office of the city clerk. Such fees, charges, and incidental regulations are hereby incorporated in this section as if set out at length herein and shall include, but shall not be limited to, fees, charges and incidental regulations for:
  - (1) Connection and reconnection.
  - (2) Cut-on and cutoff.
  - (3) Electrical service: Industrial, commercial, residential, general service, water heating, and security lighting.
  - (4) Advance payments.
  - (5) Temporary cut-in fees.
  - (6) Water, sewer and gas taps and service line.
  - (7) Sewer facilities and service and surcharges.
  - (8) Storm drains.
  - (9) Water service: Inside city and industrial, outside city, and private fire protection.
  - (10) Gas service: Residential, high load factor, commercial, industrial, and interruptible.
  - (11) Private fire protection apparatus.
  - (12) Stormwater service: Residential, non-residential.
  - (13) Telecommunication service: Residential, non-residential.
  - (14) Additional charges.
    - a. Connection of customer utilities during office hours—Fifty dollars (\$50.00) per trip.
    - b. Reconnection of customer utilities after 5:00 p.m. on weekdays, or anytime on weekends or holidays—One hundred dollars (\$100.00) per trip.

- c. Meter tampering—Three hundred dollars (\$300.00) per meter plus any material and labor costs if meter is damaged.
- d. Returned check fee—Fifty dollars (\$50.00) per check plus postage, bank and court processing fees.
- e. Re-install meter—Fifty dollars (\$50.00) per meter plus any other material and labor costs.
- f. Gas customers that are heat only and, in the judgment of the city, terminate their account in the summer to avoid payment of monthly base rate charges year-round will be required to pay a service charge for reconnection of ten (10) times the monthly base charge for the applicable rate before service will be reconnected. This service charge will be in addition to any other applicable charges for the reestablishment of service.
- g. Residential accounts:
  - 1. *Applicability.* The policies and procedures contained in this section shall be applied equitably and uniformly to all residential customers regardless of the county or community in which the service address lies and without regard to city limits. Likewise, all charges and rates are applied equitably and uniformly to all residential customers regardless of the county or community in which the service address lies and without regard to city limits.
  - 2. *Establishing new account.*
    - i. An application for utility service shall be completed and submitted by the applicant prior to service being established. An advance payment, the total of which shall not exceed three-twelfths of the estimated charges for utility service for the ensuing twelve (12) months, shall be required of the applicant to establish an account, or of the customer seeking to re-establish an account upon disconnection of service for nonpayment; except as provided for herein.
    - ii. For residential accounts meeting the following credit ratings prior to service being turned on, determined from the customer's individual credit information obtained from an independent credit reporting agency; the advance payment requirements are as follows:
      - A. Credit score of seven hundred (700) or higher, no advance payment is required.
      - B. Credit score between six hundred-forty (640) and six hundred-ninety-nine (699), an advance payment of two-twelfths of the estimated charges for utility service for the ensuing twelve (12) months shall be required of the applicant to establish an account. \*Not to exceed \$500
      - C. Credit score below six hundred-forty (640), an advance payment of three-twelfths of the estimated charges for utility

service for the ensuing twelve (12) months shall be required of the applicant to establish an account. \*Not to exceed \$500

- iii. Upon discontinuance of service, the advance payment amount in excess of any unpaid bills for utility service shall be promptly refunded to the customer.
  - iv. Customers who have had their service disconnected for nonpayment one (1) time in a twelve-month period will be charged standard reconnection fees and a ten-dollar (\$10.00) service charge for a new credit check. They will be required to pay an advance payment if their credit rating has fallen below seven hundred (700).
  - v. The customer shall receive a receipt, which may be in the form of an approved application or other form of documentation displaying, among other information, the following:
    - A. Name of customer;
    - B. Amount of advance payment;
    - C. Date of receipt;
    - D. Municipal utility name;
    - E. Statement that the advance payment collected is non-interest bearing to customer;
    - F. Address to where service is to be rendered; and
    - G. Statement of terms under which the advance payment may be refunded or applied to the customer's account.
3. *Service charges and rates.* Applicable service charges and rates, which may change from time to time, and are established by ordinance and are contained in the City of Cartersville Code of Ordinances, Minutes and Ordinance Books of the City of Cartersville, which are available to the public upon request.
4. *Meter reading and billing.* Unless contractually obligated otherwise, all meters are read monthly and all active accounts are billed monthly. Bills may be mailed to the service address, to another mailing address, to an email address or to a personal cell phone, as requested by the customer whose name in which the account is established.
5. *Service disconnection.*
- i. *Reasons for disconnection.* Utility service may be disconnected for one (1) or more of the following reasons:
    - A. At the request of the customer;
    - B. When service to the customer constitutes an immediate hazard to persons or property;
    - C. By order of the Georgia Public Service Commission, any court, or any other authorized public agency;

- D. Violation of applicable City of Cartersville ordinances, rules and regulations;
  - E. A bill for past service is not paid within fifteen (15) days after the bill has been issued.
- ii. *Limitations on disconnection.* Prior to disconnecting or interrupting service for nonpayment, the following information will be provided to the account holder:
- A. Written notice of the pending disconnection of the proposed disconnection at least five (5) days prior to the date of disconnection. Such notice, which may be displayed on the most recent customer's bill and not necessarily provided as a separate or supplemental notice, will include:
    - (i) The earliest date for the proposed disconnection;
    - (ii) The amount due and the reason for the proposed disconnection;
    - (iii) A telephone number the customer may call for information about the proposed disconnection; and
    - (iv) The proposed procedure for preventing disconnection of service.

Customer service will make available whatever information it has concerning any programs through which a customer may apply for assistance in paying past due gas bills.

- iii. *Disconnection during illness.* Special consideration will be given where utility service may not be disconnected for past due residential accounts when the customer provides verifiable documentation from a medical professional (licensed medical doctor) that the utility customer is experiencing a serious illness, or has experienced a serious accident, where disconnection of utility service would be detrimental to the customer's health. However, if such accommodation is granted, the customer will not be relieved of the obligation to pay all past due bills for utility service. Accommodation under this policy will be at the discretion of the Assistant City Manager.
- iv. *Seasonal gas restrictions.* Gas service to residential customers will not be disconnected or interrupted during winter months, November 1 - March 31 if:
- A. The customer has a payment agreement in effect and is current under the terms of the agreement;
  - B. The customer agrees to pay all bills by the due date for current service. If a payment agreement extends beyond the current service due date, the customer agrees to pay for current service

by the due date during the term of the agreement. If the customer fails to comply with the payment agreement, service may be terminated;

- C. The forecasted local low temperature for the ensuing twenty-four-hour period is below thirty-two (32) degrees Fahrenheit.

6. *Customer's right to appeal.*

- i. If a customer disputes a bill, he or she should approach customer service with an inquiry as soon as possible. If the customer is not satisfied with the response from customer service, he or she may prepare a written complaint and appeal to management. If the customer is still dissatisfied, he or she may appeal to the elected body governing the utility.
- ii. Special provision for residential customers receiving natural gas service outside of Bartow County: Only after exhausting all local and direct measures of appeal have not satisfactorily resolved the dispute, the customer may submit a written request, or orally to be followed by a request in writing, that the Georgia Public Service Commission investigate the dispute either before or after service has been terminated.
- iii. Nothing herein shall relieve the customer of being current with said account and continuing to remit payment for service received while the accuracy of a disputed bill is being investigated or appealed. If a disputed bill is determined to be in error, no late fees, penalties, or interest shall accrue and the same shall be refunded where applicable.

7. *Leak Protection.*

- i. Effective April 1, 2022, the City of Cartersville will implement our new Leak Adjustment Policy in association with ServLine by HomeServe that will provide eligible customers\* Water and Sewer customers with Water and Sewer Service Leak Coverage. Eligible customers\* have been automatically enrolled with the Water and Sewer Service Leak Coverage and will be billed for this coverage on the 1st of every month and dated for their applicable billing cycle date if their account is active on that date and will be eligible for one (1) leak adjustment within a 12-month period. Residential customers have the option to decline this leak coverage by calling the ServLine Customer Service phone number or submitting a signed Water and Sewer Service Leak Coverage Decline Form to Customer Service.
- ii. The City has also partnered with the National League of Cities Service Line Warranty program that will provide Residential Homeowners the option to purchase Exterior Water and Sewer Service Line Coverage and/or Internal Plumbing and Drainage

coverage through Service Line Warranties of America (SLWA). Homeowners can find more information in mailers to be sent out periodically or by contacting the SLWA Customer Service.

- h. Commercial and industrial customers will be required to pay an advance payment of two (2) times their average estimated monthly utility bill, prior to service being connected or provide an insurance bond or letter of credit renewed annually to the city which provides for immediate payment upon notification by the city.
  - i. City customers who pay for utility bills and other utility invoices with a credit or debit card will be charged a flat convenience fee of three dollars and ninety-five cents (\$3.95) per transaction.
  - j. Customers that have a past-due balance after disconnection are subject to collections and are required to pay for postage, notices, collection fees, court processing fees, and attorney's fees.
  - k. Notices generated on past-due utility bills will be assessed a processing fee of five dollars (\$5.00).
- (b) The effective date for all items with the exception of Leak Protection shall be January 1, 2022. The effective date for Leak Protection shall be April 1, 2022.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention and any ordinance or part thereof not amended shall remain in effect and be unchanged.

**BE IT AND IT IS HEREBY ORDAINED.**

FIRST READING: \_\_\_\_\_  
SECOND READING: \_\_\_\_\_

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MATTHEW J. SANTINI, MAYOR

ATTEST: \_\_\_\_\_  
JULIA DRAKE, CITY CLERK