



AN ORDINANCE
BY COUNCILMEMBERS FELICIA A. MOORE AND CEASAR C. MITCHELL

Clair Muller *Head Shack* *Carla Smith*
Felicia Moore *C. C. Mitchell* *Dem Jones*
A. J. [unclear] *Ray Norwood* *C. T. Martin*
Chita [unclear] *Am [unclear]* *Sarah [unclear]* *Anthony [unclear]*

AN ORDINANCE AMENDING ORDINANCE 03-0-2212 BY ADDING A NEW SECTION 6 TO ESTABLISH A REDUCTION IN WATER AND SEWER RATES COMMENSURATE WITH ANY REVENUES REALIZED FROM THE MUNICIPAL OPTIONS SALES TAX; RENUMBERING ALL SUCCESSIVE SECTIONS ACCORDINGLY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council adopted 03-0-2212 on January 5, 2004 and the Mayor approved 03-0-2212 on January 9, 2004, which ordinance amended Chapter 154 Article III, Division 3, Sections 154-111 and 154-112 (Water Rates and Charges) and Chapter 154 Article V, Division 3, Sections 154-276 and 154-277 (Sewer Rates and Charges) to increase the water and sewer rates for the City of Atlanta, Georgia to be charged all residents, premises and facilities served by the Water and Sewer System of the City; and amended Chapter 154 Article III, Division 3, Section 154-118 to enact a water and wastewater systems security surcharge for the City of Atlanta, Georgia to be placed on water billings for all domestic, commercial, industrial and other users of the City of Atlanta Water System to pay for the cost of providing security services and to put in place security infrastructure and upgrades; and for other purposes; and

WHEREAS, House Bill 709, effective April 23, 2004, authorized the City of Atlanta to call for the imposition of a Municipal Option Sales Tax (MOST); and

WHEREAS, this City Council did authorize and the Mayor did approve the call for the imposition of the MOST on May 7, 2004; and

WHEREAS, the citizens of the City of Atlanta would benefit from a substantial reduction in rates, as additional revenues are realized by the City as generated by the MOST.

WHEREAS, the City Council further mandated in Section 5 of 03-0-2212 that the rates be annually reviewed and accordingly revised and recalculated so as to reduced the rates for all metered customers in appropriate proportion to the extent that the City of Atlanta receives additional funds from the sources or achieves cost savings through valve engineering and rate refinement efforts.

WHEREAS, the City Council hereby seeks to restate and reaffirm it commitment to rollback the water and sewer rates as funds ate received from other resources.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS

SECTION 1: that Ordinance 03-0-2212 be amended by adding a new Section 6 to read as follows:

SECTION 6: that in the event that the City of Atlanta is successful in the passage and imposition of a Municipal Options Sales Tax (MOST), as provided for under House Bill 709, the revenues generated and received from the one per cent (1%) sales tax shall be applied to reduce the City of Atlanta's water and sewer rate structure on a dollar for dollar basis.

SECTION 2: That the remaining successive provisions of Ordinance 03-0-2212 be renumbered accordingly.

A true copy,
Rhonda Daughin Johnson
Municipal Clerk, CME

ADOPTED as amended by Council
APPROVED by the Mayor

June 7, 2004
June 8, 2004