03- O -1954

AN ORDINANCE
BY COUNCILMEMBER CLAIR MULLER

AN ORDINACE TO INCREASE THE WASTEWATER CONNECTION FEE AND THE WATER CONNECTION FEE IN THE CITY OF ATLANTA TO FULLY RECOUP THE COSTS OF CONVEYANCE AND TREATMENT.

WHEREAS, the City of Atlanta Impact Fee Study of March 18, 1993 (STUDY) recommends that the City "employ the option available under the Georgia Development Impact Fee Act (ACT) to communities that have their own utilities of adopting water and wastewater system 'connection' fees rather than impact fees....''; and

WHEREAS, the STUDY also found that "connection fees are similar in most respects to impact fees...but the statutory requirements governing them are much more flexible"; and

WHEREAS, the STUDY summary sates that "the wastewater connection fee is very low because the City's water reclamation plants have been largely financed by the federal government" and

WHEREAS, the STUDY is now over ten (10) years old and the funds from the federal government for Atlanta's treatment plants have largely dried up and

WHEREAS, the STUDY report of October 26, 1992 states that "connection fees may be calculated to recover both system and project capital costs as well as other costs (labor, meter, access to water or wastewater line) associated with the provision of service..." and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...need not be based on the Capital Improvement Element of the Comprehensive Plan"; and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...need not be based on the adopted level of service within a designated service area"; and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...may include system improvement costs, project improvement costs and other costs, such as labor and meters, in one fee"; and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...need not be calculated considering other available revenues, such as user rates and fees"; and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...may be collected from the potential user at any time as a prerequisite of service"; and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...may be assessed without meeting notice and hearing requirements relating to impact fees"; and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...is not limited to the technical approaches set out in the ACT or in state impact fee guidelines"; and

WHEREAS, the STUDY report states that "unlike development impact fees for water or wastewater, a connection fee...may be waived without meeting the requirement that alternative funds be found"; and

WHEREAS, the STUDY of March 18, 1993 states that "the adoption of proposed impact and connection fees at the maximum level would not place Atlanta at a competitive disadvantage with surrounding communities."

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Finance Department and the Department of Watershed Management of the City of Atlanta recalculate the rates for Water and Wastewater connections to fully recover the costs of service and impacts from connection, conveyance and treatment.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.