

1 STATE OF GEORGIA

2 CITY OF COLLEGE PARK

3 **ORDINANCE NO. 2016-21**

4 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF  
5 COLLEGE PARK, GEORGIA, AS AMENDED, TO PROVIDE FOR THE REGULATION OF  
6 UTILITY SERVICE RECONNECTION CHARGES; TO PROVIDE FOR SEVERABILITY;  
7 TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND  
8 FOR OTHER PURPOSES.

9 **WHEREAS**, the governing authority of the City of College Park, Georgia (the “City”) is  
10 the Mayor and Council thereof; and

11 **WHEREAS**, Section 10-9 of the City’s Code of Ordinances currently provides that  
12 service charges are only assessed for reconnection and restoration of disconnected utility services  
13 if such reconnection and restoration occurs outside of business hours and to accommodate the  
14 customer; and

15 **WHEREAS**, just as significant City resources are expended when reconnecting and  
16 restoring disconnected utility services outside of business hours, significant City resources are  
17 similarly expended when reconnecting and restoring disconnected utility services during  
18 business hours; and

19 **WHEREAS**, the governing authority desires to amend the City’s code of ordinances to  
20 allow the imposition of a service charge for all instances of reconnection and restoration of  
21 disconnected utility services, regardless of the hour; and

22 **WHEREAS**, the health, safety, and welfare of the citizens of College Park, Georgia, will  
23 be positively impacted by the adoption of this Ordinance.

24           **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**  
25 **THE CITY OF COLLEGE PARK, GEORGIA, and by the authority thereof:**

26           **Section 1.** Section 10-9 of the Code of Ordinances, City of College Park, Georgia is  
27 hereby amended to read as follows:

28           “Sec. 10-9. – Reconnection charges.

29           A service charge shall apply for the reconnection and restoration of disconnected water,  
30 electric or sewer service. The amount of such service charge shall be set by the mayor and  
31 council, from time to time, by resolution.”

32           **Section 2.** The preamble of this Ordinance shall be considered to be and is hereby  
33 incorporated by reference as if fully set out herein.

34           **Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the  
35 State of Georgia and the City of College Park.

36           **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
37 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their  
38 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

39           (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest  
40 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this  
41 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this  
42 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the  
43 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this  
44 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase  
45 of this Ordinance.

46 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance  
47 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
48 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the  
49 express intent of the Mayor and Council that such invalidity, unconstitutionality or  
50 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional  
51 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or  
52 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,  
53 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,  
54 enforceable, and of full force and effect.

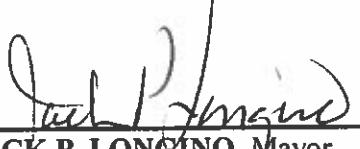
55 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby  
56 expressly repealed.

57 **Section 6.** Unless otherwise provided for herein, penalties in effect for violations of the  
58 Code or Ordinances of the City of College Park at the time of the effective date of this Ordinance  
59 shall be and are hereby made applicable to this Ordinance and shall remain in full force and  
60 effect.

61 **Section 7.** The effective date of this Ordinance shall be the date of adoption unless  
62 otherwise specified herein.

63  
64 ORDAINED this 1<sup>st</sup> day of August, 2016.

65  
66 CITY OF COLLEGE PARK, GEORGIA


67  
68   
69  
70 \_\_\_\_\_  
71 JACK P. LONGINO, Mayor

72  
73 ATTEST:

[0037-1158/232301/2]

74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91

  
\_\_\_\_\_  
MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
CITY ATTORNEY