

CITY OF HOSCHTON
STATE OF GEORGIA

ORDINANCE NO. O-23-04

AN ORDINANCE AMENDING THE HOSCHTON CODE OF ORDINANCES, CHAPTER 21, "STORMWATER MANAGEMENT," ARTICLE VI, "MS 4 STORMWATER DEPARTMENT," SECTION 21-306, "STORMWATER SERVICE FEE CHARGES TO BE ESTABLISHED;" AND SECTION 21-309, "STORMWATER SERVICE FEE BILLING, DELINQUENCIES, COLLECTIONS, ADJUSTMENTS;" TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

The City Council of Hoschton hereby ORDAINS as follows:

Section 1.

Chapter 21, "Stormwater Management," Article VI, "MS 4 Stormwater Department," Section 21-306, "Stormwater Service Fee Charges to be Established;" is amended as follows:

Section 21-306. Stormwater service fee charges to be established.

The City Council shall establish by resolution stormwater service fees (SWSFs) charges, which shall apply uniformly to property to provide funding for the cost of providing stormwater services and facilities ~~among improved properties~~ throughout the city. ~~The area of impervious area for each parcel shall be determined from county property appraisal records, aerial images, or both.~~

- ~~1. The unit rate for the SWSF charge shall be established by City Council and based on the square feet of impervious area and assigned a "Tier Classification."~~
2. All ~~p~~Properties will be billed according to the Tier Classification Stormwater Service Fee Schedule as shown in the City Schedule of Rates and Fees adopted by resolution and on file in the office of the City Clerk and on the City of Hoschton website.

Section 2.

Chapter 21, "Stormwater Management," Article VI, "MS 4 Stormwater Department," Section 21-309, "Stormwater Service Fee Billing, Delinquencies, Collections, Adjustments," paragraph 1, "Billing – Bi-annually" is amended as follows (the remainder of Section 21-309 is unaffected by this amendment:

1. Billing – ~~Bi-a~~Annually.
 - A. The billing of Stormwate Service Fee Charges shall be ~~bi~~-annually.

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- B. A bill for Stormwater User Service Fee charges may be sent through the United States postal service or by alternative means, notifying the owner of the property being billed of the amount of the stormwater fee charge, the date the payment is due and past due.
- C. The stormwater user Service fee charge will be billed and collected as deemed most effective by the City Manager.
- D. Failure to receive a bill shall not be justification for nonpayment. Regardless of the party to whom the bill is initially directed, the owner of each developed property subject to stormwater fee charges shall be obligated to pay stormwater user fee charges and any interest on delinquent stormwater user fee charge payments.”

Section 3.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

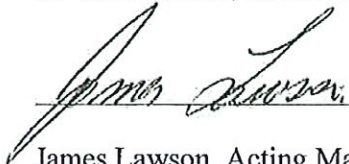
Section 4.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

Section 5.

The effective date of this ordinance shall be upon passage by the City Council.

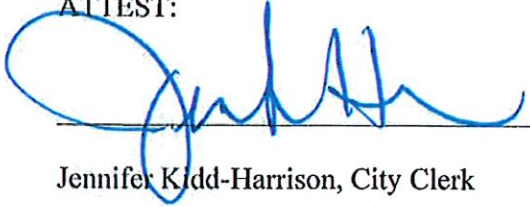
So ORDAINED, this 21st day of August, 2023.



James Lawson, Acting Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

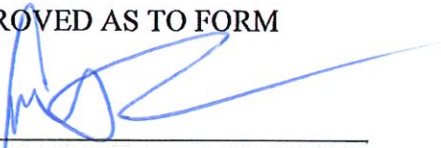
ATTEST:



Jennifer Kidd-Harrison, City Clerk



APPROVED AS TO FORM



Abbott S. Hayes, Jr., City Attorney