

**AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND SECTION 154-55 OF THE CITY OF ATLANTA, CODE OF ORDINANCES, SO AS TO AUTHORIZE THE COMMISSIONER OF WATERSHED MANAGEMENT TO AUTOMATICALLY REFUND DEPOSITS OR CREDITS ON CLOSED ACCOUNTS FOR WATER SERVICE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") Department of Watershed Management ("Department") as authorized by the Mayor and Council, establishes operational guidelines, rates and charges for water and sewer service supplied by the Department of Watershed Management; and

**WHEREAS**, as authorized by Section 154-55 of the City of Atlanta, Code of Ordinances, the Commissioner of the Department may require a deposit prior to and as a condition of the establishment or the restoration of water service; and

**WHEREAS**, deposits are refunded when accounts are closed and any unpaid balance is satisfied or after five (5) years of interrupted water service where the Department has not terminated service; and

**WHEREAS**, the Department desires to change the current policy of requiring a customer to request a refund before obtaining the remaining deposit or credit on the account; and

**WHEREAS**, the Department desires to amend the Code of Ordinances to authorize the Department to automatically refund deposits for water service at any address within the service area of the water department.

**THE CITY COUNCIL OF THE CITY OF ATLANTA HEREBY ORDAINS** as follows:

**Section 1.**

That Section 154-55 (f) which currently reads:

- (f) When accounts are closed, the deposit credited to such accounts shall be applied to any unpaid balance. Any credit remaining after unpaid balances are satisfied may, at the customer's request, be refunded without interest or transferred without interest to another account to serve as a deposit or a portion of the required deposit for such new account.

shall be deleted and replaced with the following:

**Section 2.**

- (f) When accounts are closed, the deposit collected for such accounts shall be applied to any unpaid balance. Any funds remaining for the account after unpaid balances are satisfied shall be refunded within sixty (60) days without interest, or upon customer

request, shall be transferred without interest to another account to serve as a deposit or a portion of the required deposit for such new account.

**Section 3.**

That Section 154-55 (g) which currently reads:

(g) Any deposit unclaimed within 12 months after the account to which it is credited is closed shall be transferred from the water and sewer revenue fund to the water and sewage renewal and extension fund.

shall be deleted and replaced with the following:

(g) Any deposit returned to the department with no forwarding address, or otherwise unclaimed within 12 months after the account to which it is credited is closed, shall be transferred from the water and sewer revenue fund to the water and sewage renewal and extension fund.

**Section 4.**

If any provision, clause, sentence or paragraph shall be held invalid, such invalidity shall not affect the other provisions or application of the provisions of this article which can be given effect without the invalid provisions or application and, to this end, the provisions of this Section are hereby declared to be severable.

**Section 5.**

That all Ordinances and parts of Ordinances that are in conflict herewith are hereby repealed to the extent of the conflict.

**Part II: Legislative White Paper:**

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** Finance/Executive

**Caption: AN ORDINANCE  
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**Council Meeting Date:** January 7, 2008

**Requesting Dept.:** Watershed Management

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to change Article III Section 154-114 in order to allow the department to automatically refund Water and Sewer customers with a credit balance without a written request from the customer and to automatically refund the remaining deposit credit balance after unpaid balances are satisfied without a written request from the customer.

**2. Please provide background information regarding this legislation.**

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**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) Source Selection:

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (*Ex. Name and number*):

Fund: \_\_\_\_\_ Account: \_\_\_\_\_ Center: \_\_\_\_\_

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

7. Method of Cost Recovery:

**This Legislative Request Form Was Prepared By: Maisha L. Wood**

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Department's Legislative Liaison Maisha L. Wood

Contact Number: x6887

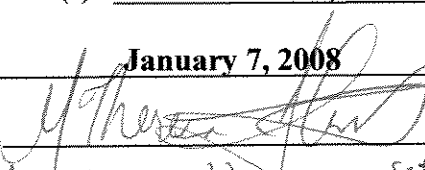
Originating Department: Watershed Management

Committee(s) of Purview: Finance/Executive

Council Deadline: December 3, 2007

Anticipated Committee Meeting Date(s): December 12, 2007

Anticipated Full Council Date: January 7, 2008

Legislative Counsel (Signature): 

Commissioner Signature Robert J. Hunter <sup>SCD</sup>

Chief Procurement Officer Signature: N/A

CAPTION


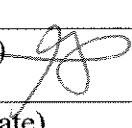
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FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_

(date) \_\_\_\_\_ (date) \_\_\_\_\_  
Received by Mayor's Office: 11/29/07  Reviewed by:   
(date) \_\_\_\_\_ (date) \_\_\_\_\_

Submitted to Council: \_\_\_\_\_  
(date)