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STATE OF GEORGIA

CITY OF HAMPTON

ORDINANCE NO. 2021-561

AN ORDINANCE TO AMEND CHAPTER 86 – ARTICLE IV – FEES, RATES AND CHARGES. SECTION 86-143. ELECTRIC METER INSTALLATION AND CONNECTION FEE BE REPEALED AND REPLACED; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

THE COUNCIL OF THE CITY OF HAMPTON HEREBY ORDAINS:

**Section 1.** That Chapter 86, ARTICLE IV. SECTION 86-143 – ELECTRIC METER INSTALLATION AND CONNECTION FEE BE REPEALED AND REPLACED to be repealed and replaced.

**Section 2.** That Chapter 86, ARTICLE IV. SECTION 86-143 – ELECTRIC METER INSTALLATION AND CONNECTION FEE as replaced shall read:

**Sec. 86-143. Electric utility installation for development, electric meter installation and connection fee.**

The owner, or his agent, shall make application for development utility installation and electrical permits for connection to the city's electrical system on forms furnished by the city. Said applications shall be submitted with any development plans, site plans, specifications or other information requested by the city. Prior to the installation of development utility services and installation and connection of any electric meter to the city's electric system, the owner, or his agent, shall pay a fee as provided in the schedule of fees and charges, which is on file with the office of the city clerk. Said fees shall, from time to time, be adjusted by resolution approved by the mayor and council.

- (1) *Development Electrical Utility Installation Fee.* The development electrical utility installation fee shall be a nonrefundable fee which shall consist of the underground electrical material, transformers, lights, poles, photo control cells, and the like in order to provide underground power and street lights within residential and non-residential development. Fees shall be applied uniformly within use classification as indicated in schedule of fees. Said fees shall apply to all persons or entities seeking development electrical utility installation.
- (2) *Electric Meter Installation and Connection Fee.* The electric meter installation and connection fee shall be a nonrefundable fee which shall consist of the cost of the meter, materials, labor, and connection to the city's electrical system. Fees shall be applied uniformly within use classifications. Use classifications shall consist of residential, commercial, or office/institutional, and industrial/manufacturing. Said fees shall apply to all persons or entities seeking electrical service from the city for new structures as well as any person or entity seeking electrical services from the city for a structure which was remodeled, expanded or otherwise in need of a new meter. Fees shall not apply to structures damaged by acts of God, such as lighting and fire or smoke damage not caused by arson.
- (2) The property owner shall not own the meter. The city or its designated representative shall install and connect the meter.
- (3) Any aggrieved applicant for installation and connection of an electric meter under this section may appeal the denial of an application or imposition of the fee to the mayor and city council whose determination shall be final.

(Ord. No. 254, § 2, 10-10-06)

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

**Section 4.** This Ordinance shall take effect immediately upon its adoption. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Hampton, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

**Section 5.**

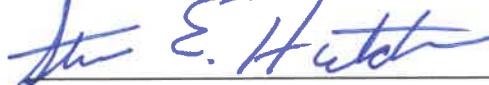
- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause and phrase of this Ordinance is severable from every other, section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

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

SO ORDAINED, this 12 day of OCT, 2021.

CITY OF HAMPTON, GEORGIA



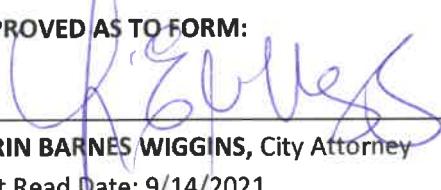
STEVE HUTCHISON, Mayor

ATTEST:



MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:



L'ERIN BARNES WIGGINS, City Attorney

First Read Date: 9/14/2021

Second Read/Adoption Date: 10/12/2021