

**AN ORDINANCE TO AMEND  
THE TOWN OF BRASELTON WATER AND SEWER ORDINANCE,  
(AS AMENDED); TO MODIFY CRITERIA AND PROCEDURES FOR THE  
ALLOCATION OF SEWER CAPACITY; AND OTHER PURPOSES**

WHEREAS, on February 27, 2001 the Town of Braselton adopted that certain *Ordinance to Amend the Town of Braselton Water and Sewer Ordinance; To Create Requirements to Qualify for the Sewer Service Waiting List and to Create Criteria and Procedures for the Allocation of Sewer Capacity* which was subsequently amended on May 30, 2001, April 14, 2003 and June 13, 2011;

WHEREAS, the Mayor and Town Council are desirous of modifying the procedure in which certain capacity is allocated in order to further efficiency and growth within the Town;

NOW THEREFORE, BE IT ORDAINED AND RESOLVED by the Mayor and Town Council of the Town of Braselton and it is hereby ordained and resolved by authority of same as follows:

Section 1. The *Town of Braselton Water and Sewer Ordinance* is hereby amended by striking the sections of Section 20-115 set forth below in their entirety and adopting new sections to provide as follows:

**“Section 20-115      Sewer Service Allocation Criteria”**

The Town has established the following factors and procedures to apply for allocation of available sewage treatment capacity.

**The Application.** Any person who desires to become a new sewer customer, whether on behalf of such person or as a developer, shall make application for sewer service in accordance with Section 20-103 of this Ordinance. This provision shall also apply to any existing customer who desires to increase its sewage rate of flow by more than ten (10) percent or substantially increase or alter the pollutant characteristics of its sewage. Provided however, a request for a single family Equivalent Dwelling Unit (“EDU”) of 250 gpd shall be exempt from such application per the approval of the Town Manager.

Such persons shall specify the amount of sewer service capacity requested upon application in addition to such other information as may be requested by the Town Manager to further evaluate the request; however, an applicant shall only be allowed to receive a sewer allocation if all of the following requirements are met:

- 1) The property to be developed is located within the Town service area.
- 2) The property to be developed is properly zoned for the anticipated use.
- 3) The applicant has an ownership interest in the property to be developed.
- 4) The property to be developed is now, or will be in the future, a Town water customer unless otherwise provided by Town Council or altered by Court Order or the applicable County Service Delivery Agreement.
- 5) The applicant pays the sewer tap fees of \$3750 per EDU upon allocation of capacity.

Any applicant unable to complete the requirements within thirty (30) days of the allocation, or within such later date established by the Town's Attorney provided that good faith negotiations are proceeding in a diligent manner, shall forfeit the allocation offered to them and shall forfeit their position on the waiting list.

Section 2. All Ordinances, or parts of Ordinances, Resolutions or parts of Resolutions in conflict with the terms of this Ordinance are hereby repealed. It is hereby further provided that any Ordinance or law, which may be applicable hereto and aid in carrying out the intent, purpose and provisions hereof, shall be liberally construed to be in favor of the Town of Braselton and is hereby adopted as a part hereof. Said ordinance shall become effective on the date adopted below and any prior approved capacity allocations shall pay these revised fees if they do not pay for their allocation within 30 days of approval by the Town Manager.

APPROVED and ADOPTED by the Mayor and Town Council of the Town of Braselton, Georgia, this 8<sup>th</sup> day of March, 2021.