

PASSED 04072025

RESOLUTION NO. 2025-06

TEMPORARY SUSPENSION EXTENSION RESOLUTION

A RESOLUTION TO PROVIDE ON A TEMPORARY BASIS, A SUSPENSION EXTENSION AS TO ALLOWING NEW WATER AND SEWER CONNECTIONS UPON THE SYSTEM OF THE CITY OF JASPER, GEORGIA ("CITY"); TO PROVIDE THE SPECIFIC PURPOSES TO BE ACHIEVED BY THE TEMPORARY SUSPENSION EXTENSION; TO PROVIDE THAT THE INTEREST OF THE PUBLIC REQUIRES THIS TEMPORARY SUSPENSION EXTENSION DUE TO A LACK OF CURRENT PERMIT AND OPERATIONAL CAPACITY OF THE WATER AND SEWER DISTRIBUTION AND COLLECTION SYSTEM OF THE CITY OF JASPER, GEORGIA; TO PROVIDE THAT THE SUSPENSION EXTENSION SHALL BE TEMPORARY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Jasper, Georgia is authorized and directed by Section 1.13(22) of its Charter to have the general purpose of acquiring, equipping, constructing, maintaining, and operating adequate water supply, treatment, and distribution facilities and sewerage collection, treatment, and distribution facilities; making such facilities and the services thereof available to public and private consumers and users located in the City and surrounding community and doing all things deemed by the City Council necessary, convenient, and desirable for and incident to the efficient and proper development and operation for such type of undertaking;

WHEREAS, the City Council of the City of Jasper, pursuant to the authority granted to it by its Charter, and the authority of its water and sewer use regulations, as amended, may take those actions as is appropriate to operate its water and sewerage system on a sound basis, and in a fair and equitable manner;

WHEREAS, due to growth in its service area, the City, as of the effective date of this resolution, has approached the maximum water service and sewage treatment capacity and

distribution and collection capacity available under its current infrastructure and its current permits and imposed a temporary suspension of new water and sewer connections through September 8, 2025, except for certain vested applicants;

WHEREAS, the City Council of the City of Jasper pursuant to the capacity evaluations attached to this resolution as Exhibits 1 and 2 (and incorporated herein), in light of nearing both the water capacity and the plant capacity for the water system and the sewerage treatment system and the distribution and collection capacity as well as being at capacity allowed under its current permits, desires to conserve the remaining capacity of the systems, in order to prevent unjust hardship in certain cases, and allow for the equitable and fair treatment of all applicants for water and sewer taps to the systems of the City and therefore finds that an extension to the temporary suspension is appropriate.

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the authority of the City Charter, and the legal authority possessed by the City of Jasper, Georgia, as follows:

SECTION 1. RECITALS.

The foregoing recitals are hereby incorporated by reference into this resolution, as if they were set out fully herein.

SECTION 2. TEMPORARY SUSPENSION EXTENSION.

The City Council of the City of Jasper, Georgia does hereby impose a temporary suspension extension as to the consideration of all new water and sewerage treatment applications for connection to the water and sewerage systems of the City of Jasper, Georgia, as of the effective date of this resolution. The temporary suspension extension shall be for a time period of 365 days from the ending date of the original suspension of September 8, 2025 (which remains in effect) and continue until September 8, 2026. The temporary suspension extension shall apply to all

applications for water or sewerage treatment capacity not presently filed and submitted to the City as of the date of this Resolution and/or that were submitted during the original suspension period of September 9, 2024 through September 8, 2025. The staff of the City may continue to receive applications for water or sewerage capacity, but the staff shall indicate to the applicants that the City Council has imposed the temporary suspension extension, and no new connections will be granted during the time of the original temporary suspension and the temporary suspension extension, unless the Jasper City Council determines there is a vested right situation as provided hereinafter. The Jasper City Council acknowledges that those parties who have vested rights to receive connections (either by pre-sold capacity or prior City commitments) to the water or sewerage treatment system of the City of Jasper are relieved of the effect of the suspension and the extension. Applications made prior to the effective date of this resolution, but which were not approved by the Jasper City Council, shall have no vested rights to receive connections.

SECTION 3. PUBLIC PURPOSE OF THE SUSPENSION EXTENSION.

The temporary suspension extension is to allow the City of Jasper a reasonable interim period of time, being an additional 365 days, to increase the functional capacity of its water and sewerage treatment distribution systems, increase the permitted capacity, secure new raw water sources and investigate the necessary and appropriate connection fees and rates to fund necessary future capital improvements. The suspension extension also has the public purpose of protecting the remaining capacity of the water and sewerage treatment systems and distribution and collection systems, and protecting the functional ability of the systems to provide service to current customers. The suspension extension also has the purpose of allowing the City to treat all applicants for capacity in a fair and equitable manner, and recognize undue hardship to some applicants, and the vested rights of others to connections. Therefore, the Jasper City Council finds

that it is appropriate for this temporary suspension extension to be imposed, and the Jasper City Council has narrowly tailored this suspension extension to achieve these purposes.

SECTION 4. APPLICATIONS DURING THE TEMPORARY SUSPENSION EXTENSION.

During the Temporary Suspension Extension as well as the remaining time period of the original suspension, the City Staff will continue to receive water and wastewater treatment applications which applications will not be reviewed or considered during the original suspension and the Temporary Suspension Extension. Any water or wastewater treatment applications so described, submitted as a preliminary engineering application, received during the original suspension and the Temporary Suspension Extension (hereinafter the “Interim Applications”) will be marked as received with the appropriate date and time of delivery to the City Staff. Upon receipt, City Staff will delivery of a copy of the dated Interim Application to the applicant and place the original Interim Applications on file until such time as the original suspension and the Temporary Suspension Extension is terminated. During the pendency of the original suspension and the Temporary Suspension Extension, the City is not to review or consider the filed Interim Applications in any way. Upon the termination of the original suspension and the Temporary Suspension Extension, City Staff and the City Council, in accordance with established policy, will consider the Interim Applications in the order received. Only after all Interim Applications have been considered will any new, non-Interim applications be considered.

City Staff is directed that any water and/or wastewater application forms requested during the original suspension and the Temporary Suspension Extension will bear the following language on the first page of said application:

TEMPORARY SUSPENSION NOTICE

The Jasper City Council has placed a Temporary Suspension on the consideration of all new water or sewerage treatment applications for connection. No new water or sewerage treatment applications so described will be reviewed or considered by the City during the pendency of the Temporary Suspension. The submission of this water or sewerage treatment application does not vest the applicant with any right to capacity and should not be considered an approval by the City of the application, its form, or its content. A copy of the Temporary Suspension resolution and the Extension thereof, dated September 9, 2024 and April 7, 2025, is available at the offices of the City, located at 200 Burnt Mountain Road, Jasper, Georgia.

Acknowledged by Applicant: _____

FOR STAFF USE ONLY

Application received by City this _____ day of _____, _____, at _____ a.m./p.m.
Received by: _____

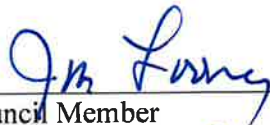
SECTION 5. EFFECTIVE DATE.

This resolution shall be effective upon passage.

SO RESOLVED, this 7th day of April, 2025.

**THE CITY COUNCIL OF THE
CITY OF JASPER, GEORGIA**

By:  _____
Mayor

By:  _____
Council Member

By:  _____
Council Member

By:  _____
Council Member

By: B. [Signature]
Council Member

By: John C. [Signature]
Council Member

Attest:

Lorrie Waters
City Clerk Lorrie Waters



RDS/lle/12918/4919-0405-0478



Goodwyn Mills Cawood

6120 Powers Ferry Road NW
Suite 200
Atlanta, GA 30339

T (770) 952-2481
F (770) 955-1064

www.gmcnetwork.com

March 13, 2025

Brandon Douglas, City Manager
City of Jasper, Georgia
200 Burnt Mountain Road
Jasper, Georgia 30143

Re: Water/Sewer Connection Availability

Dear Mr. Douglas:

During a recent meeting, GMC was asked to review the availability to connect new water and sewer customers to the city's existing utilities. Per that conversation we have analyzed the available data to determine this availability. Outlined below is our summary of this analysis:

Surface Water Withdrawal Permitting

- Surface Water Permit from Long Swamp Creek 3.20 MGD
 - Surface water Permit Conditions:
 - Tier 1 (Base) – 1.0 MGD Max Day & 0.8 Monthly Avg.
 - Tier 2 – 1.0 MGD Max Day & Monthly Avg – 7Q10 ≥ 4.0 cfm
 - Tier 3 – 3.2 MGD Max Day & Monthly Avg – M7Q10s are met

Water Treatment Plant Capacity/Limitations

- Existing WPT Permitted Capacity (Includes Wells) 2.33 MGD
- Raw Water Intake Pumping Capacity 1.50 MGD

Water System Current Peak Production Capability

- WTP - Max Daily Flow 2.33 MGD
- Cherokee County Meter (Peak) 0.187 MGD
- Pickens County Meters (Peak) 0.280 MGD
2.797 MGD

Demand Peaks in 2024

- WTP - Max Daily Flow 2.18 MGD
- * Cherokee County Meter (Peak) 0.187 MGD
- *Pickens County Meters (Peak) 0.280 MGD
2.647 MGD

*Demand peaks for Cherokee County and Pickens County are based upon peak demand days for 2024. This is assuming that this quantity is near the max available through the existing connections.

Available Capacity

Based upon the peak production capability of 2.797 MGD and the peak demand in 2024 of 2.647 MGD it appears that the available capacity, without depleting the daily production is 0.150 MGD or 150,000 gallons. Considering the number of residential and

Exhibit #1



commercial developments already approved and the projected 270,000 GPD demand, the city is already 120,000 gallons per day in the negative.

While this sounds alarming, the single day peak loss will not significantly impact the ability of the Jasper distribution system to provide adequate supplies for domestic use and fire protection. If conditions persist, over a period or several days, the condition could endanger this capability.

Current Recommendation

Considering the above conditions, GMC recommends that the city continue to maintain a moratorium on future developments connections to the water system. The continued connections of these large and small development could create a condition in which the city simply could not provide adequate water, thus violating EPD permits.

Long Term Recommendations

The options for the long term are two-fold. First would be to increase the permitted pumping capacity from the Water Treatment Plant. With a treatment capacity of 3.11 MGD and a permitted capacity of 2.33 MGD, modifications to the plant could produce an additional 0.78 MGD daily.

The second option, and likely the less expensive option, is to work with existing or new suppliers to increase these flows. GMC is currently working on plans to provide an improved connection with Cherokee County. The long-term solutions will be a connection with the Ellijay/Gilmer County Water & Sewer Authority. The estimated flow from this connection is in excess of 1.0 MGD.

Please take a look over the above information and contact me if you have questions or need additional information.

Sincerely,

GOODWYN, MILLS, CAWOOD, LLC

Charles A. Welch
Sr. Client Manger

PASSED September 9, 2024

RESOLUTION NO. 2024-16

TEMPORARY SUSPENSION RESOLUTION

A RESOLUTION TO PROVIDE ON A TEMPORARY BASIS, A SUSPENSION AS TO ALLOWING NEW WATER AND SEWER CONNECTIONS UPON THE SYSTEM OF THE CITY OF JASPER, GEORGIA ("CITY"); TO PROVIDE THE SPECIFIC PURPOSES TO BE ACHIEVED BY THE TEMPORARY SUSPENSION; TO PROVIDE THAT THE INTEREST OF THE PUBLIC REQUIRES THIS TEMPORARY SUSPENSION DUE TO A LACK OF CURRENT PERMIT AND OPERATIONAL CAPACITY OF THE WATER AND SEWER DISTRIBUTION AND COLLECTION SYSTEM OF THE CITY OF JASPER, GEORGIA; TO PROVIDE THAT THE SUSPENSION SHALL BE TEMPORARY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Jasper, Georgia is authorized and directed by Section 1.13(22) of its Charter to have the general purpose of acquiring, equipping, constructing, maintaining, and operating adequate water supply, treatment, and distribution facilities and sewerage collection, treatment, and distribution facilities; making such facilities and the services thereof available to public and private consumers and users located in the City and surrounding community and doing all things deemed by the City Council necessary, convenient, and desirable for and incident to the efficient and proper development and operation for such type of undertaking;

WHEREAS, the City Council of the City of Jasper, pursuant to the authority granted to it by its Charter, and the authority of its water and sewer use regulations, as amended, may take those actions as is appropriate to operate its water and sewerage system on a sound basis, and in a fair and equitable manner;

WHEREAS, due to growth in its service area, the City, as of the effective date of this resolution, is rapidly approaching the maximum water service and sewage treatment capacity and

distribution and collection capacity available under its current infrastructure and its current permits;

WHEREAS, the City Council of the City of Jasper, in light of nearing both the water capacity and the plant capacity for the sewerage treatment system and the distribution and collection capacity as well as being at capacity allowed under its current permits, desires to conserve the remaining capacity of the system, in order to prevent unjust hardship in certain cases, and allow for the equitable and fair treatment of all applicants for water and sewer taps to the systems of the City.

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the authority of the City Charter, and the legal authority possessed by the City of Jasper, Georgia, as follows:

SECTION 1. RECITALS.

The foregoing recitals are hereby incorporated by reference into this resolution, as if they were set out fully herein.

SECTION 2. TEMPORARY SUSPENSION.

The City Council of the City of Jasper, Georgia does hereby impose a temporary suspension as to the consideration of all new water and sewerage treatment applications for connection to the water and sewerage system of the City of Jasper, Georgia, as of the effective date of this resolution. The temporary suspension shall be for a time period of 365 days from the date of passage of this resolution by the City Council of the City of Jasper, Georgia. The temporary suspension shall apply to all applications for water or sewerage treatment capacity not presently filed and submitted to the City as of the date of this Resolution. The staff of the City may continue to receive applications for water or sewerage capacity, but the staff shall indicate to the applicants that the City Council has imposed the temporary suspension, and no new capacity will be granted

during the time of the temporary suspension, unless the Jasper City Council determines there is a vested right situation as provided hereinafter. The Jasper City Council acknowledges that those parties who have vested rights to receive connections (either by pre-sold capacity or prior City commitments) to the water or sewerage treatment system of the City of Jasper are relieved of the effect of the suspension. Applications made prior to the effective date of this resolution, but which were not approved by the Jasper City Council, shall have no vested rights to receive connections.

SECTION 3. PUBLIC PURPOSE OF THE SUSPENSION.

The temporary suspension is to allow the City of Jasper a reasonable interim period of time, being 365 days, to increase the functional capacity of its water and sewerage treatment distribution system, increase the permitted capacity, secure new raw water sources and investigate the necessary and appropriate connection fees and rates to fund necessary future capital improvements. The suspension also has the public purpose of protecting the remaining capacity of the water and sewerage treatment system and distribution and collection systems, and protecting the functional ability of the system to provide service to current customers. The suspension also has the purpose of allowing the City to treat all applicants for capacity in a fair and equitable manner, and recognize undue hardship to some applicants, and the vested rights of others to connections. Therefore, the Jasper City Council finds that it is appropriate for this temporary suspension to be imposed, and the Jasper City Council has narrowly tailored this suspension to achieve these purposes.

SECTION 4. APPLICATIONS DURING THE TEMPORARY SUSPENSION.

During the Temporary Suspension, the City Staff will continue to receive water and wastewater treatment applications which applications will not be reviewed or considered during the pending Temporary Suspension. Any water or wastewater treatment applications so described, submitted as a preliminary engineering application, received during the Temporary Suspension

(hereinafter the "Interim Applications") will be marked as received with the appropriate date and time of delivery to the City Staff. Upon receipt, City Staff will delivery of a copy of the dated Interim Application to the applicant and place the original Interim Applications on file until such time as the Temporary Suspension is terminated. During the pendency of the Temporary Suspension, the City is not to review or consider the filed Interim Applications in any way. Upon the termination of the Temporary Suspension, City Staff and the City Council, in accordance with established policy, will consider the Interim Applications in the order received. Only after all Interim Applications have been considered will any new, non-Interim applications be considered.

City Staff is directed that any water and/or wastewater application forms requested during the Temporary Suspension will bear the following language on the first page of said application:

TEMPORARY SUSPENSION NOTICE

The Jasper City Council has placed a Temporary Suspension on the consideration of all new water or sewerage treatment applications for connection. No new water or sewerage treatment applications so described will be reviewed or considered by the City during the pendency of the Temporary Suspension. The submission of this water or sewerage treatment application does not vest the applicant with any right to capacity and should not be considered an approval by the City of the application, its form, or its content. A copy of the Temporary Suspension resolution, dated September 9, 2024, is available at the offices of the City, located at 200 Burnt Mountain Road, Jasper, Georgia.

Acknowledged by Applicant: _____

FOR STAFF USE ONLY

Application received by City this ____ day of _____, _____, at _____ a.m./p.m.
Received by: _____

SECTION 5. EFFECTIVE DATE.

This resolution shall be effective upon passage.

SO RESOLVED, this 9th day of September, 2024.

**THE CITY COUNCIL OF THE
CITY OF JASPER, GEORGIA**

By: [Signature]
Mayor

By: [Signature]
Council Member

By: [Signature]
Council Member

By: [Signature]
Council Member

By: [Signature]
Council Member

By: _____
Council Member

Attest:

[Signature]
Interim City Clerk ~~Terrie Waters~~
Kimberly Golden



RDS/lle/12918/4886-7349-5009