

OFFICE OF SECRETARY OF STATE

I, Brian P. Kemp, Secretary of State of the State of Georgia, do hereby certify that

the sixteen pages of photocopied matter hereto attached contains a true and correct copy of an Act approved by the Governor on April 30, 2013 numbered Act number 103 (H.B. 496); all as same appear of file and record in this office.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 7th day of May, in the year of our Lord Two Thousand and Thirteen and of the Independence of the United States of America the Two Hundred and Thirty-Seventh.

B. P. Kemp

Brian P. Kemp, Secretary of State

ENROLLMENT

April 6 20 13
The Committee of the House on Information and Audits has examined the within and finds the same properly enrolled.

H.B. No. 496

General

Act No. 103

Assembly



Barbara Sims

Chairman

David Holt

Speaker of the House

Robert R. Rives

Clerk of the House

Cassidy Cagle

President of the Senate

Robert F. Curry

Secretary of the Senate

Received Chris W. Pity
Secretary, Executive Department

This 15th day of April 20 13

Approved

Nathan Deal
Governor

This 30 day of April 20 13

AN ACT

To create the Rabun County Water and Sewer Authority; to repeal conflicting laws; and for other purposes.

IN HOUSE

Read 1st time 2-27-13
Read 2nd time 2-28-13
Read 3rd time 3-13-13

And Passed

Yeas 164

Nays 3

Robert R. Rives
Clerk of the House

IN SENATE

Read 1st time 3-14-13
Read 2nd time
Read 3rd time

And Passed 3-21-13

Yeas 47

Nays 0

Passed Both Houses

Robert F. Curry
Secretary of the Senate
By: Reps. Allison of the 8th and Gasaway of the 28th

FILE COPY

AN ACT

To create the Rabun County Water and Sewer Authority; to authorize the authority to acquire, construct, equip, operate, maintain, own, and improve self-liquidating projects embracing sources of water supply, the treatment, distribution, and sale of water and related facilities to individuals, private concerns, municipal corporations, and governmental units, and the collection, treatment, and disposal of sewage waste and any related facilities; to confer powers and impose duties on the authority; to provide for the membership and for the appointment of members of the authority and their terms of office; to provide for vacancies; to authorize the authority to contract with municipal governments, counties, and others pertaining to water and sewerage facilities and to execute leases and do all things deemed necessary or convenient for the operation of such undertakings or projects; to authorize the issuance of revenue bonds of the authority payable from the revenues, tolls, fees, charges, and earnings of the authority and to pay the cost of such undertakings or projects and authorize the collection and pledging of the revenues and earnings of the authority for the payment of such bonds and to authorize the execution of trust indentures to secure the payment thereof and to define the rights of the holders of such obligations; to provide that no debt of the authority shall be guaranteed or otherwise subject to taxation except by the voluntary act of any such municipality, county, or other governmental entity; to make the bonds and other obligations of the authority exempt from taxation; to provide for the authority to condemn property; to fix the venue or jurisdiction of actions relating to any provisions of this Act; to provide for severability; to provide for other matters relating to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Short title.

This Act shall be known and may be cited as the "Rabun County Water and Sewer Authority Act."

SECTION 2.

Rabun County Water and Sewer Authority.

(a) There is created a public body corporation to be called the Rabun County Water and Sewer Authority and, by such name, style, and title, such body may contract and be contracted with, bring and defend actions, implead and be impleaded, and complain and defend in all courts of law and equity, except that the authority or the trustee acting under any trust indenture shall in no event be liable for any torts committed by any of its officers, agents, or employees.

(b) The authority shall consist of nine members, two of whom shall be appointed by the governing authority of Rabun County and the City of Clayton and one each by the governing authorities of the Cities of Tiger, Mountain City, Dillard, Tallulah Falls, and Sky Valley. The authority members shall be citizen residents of Rabun County, Georgia, but not necessarily a resident of the municipality appointing, at the option of the appointing municipality. Citizens holding elective office in the governing authorities of any of the appointing municipalities or their employees or in the governing authority of Rabun County, or its employees, shall be ineligible for appointment to or service on the authority.

(c) The initial terms of the appointed authority members shall be as follows: Three years for the first appointees of Rabun County and the City of Clayton and for the appointee of Tallulah Falls, two years for the second appointee of the City of Clayton and for the appointees of Dillard and Sky Valley, and four years for the second appointees of Rabun County and for the appointees of Tiger and Mountain City. Successor appointments' terms after the initial appointments expire shall be for three-year terms for all authority members. All properly appointed members shall serve until their successors are appointed and qualified.

(d) Immediately after the passage of this Act and the appointment of the members by the appointing government authorities, the members of the authority shall enter upon their duties and, as soon as it is practicable thereafter, shall hold an organizational meeting. The members of the authority shall elect one of their number as chairperson and another as vice

H. B. 496

chairperson. The members shall also elect a secretary, who need not be a member of the authority. Five members of the authority shall constitute a quorum, provided that the authority is fully appointed and has nine members, and, if less than nine members, then a majority of the servicing members shall constitute a quorum. No vacancy on the authority shall impair the authority of the quorum to exercise all of the rights and powers of and perform all of the duties and obligations of the authority. A majority of the governing authorities shall provide by joint resolution for the compensation for the services of the members of the authority in such amounts as they may deem appropriate; provided, however, that such members shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties. The authority may make rules and regulations and adopt bylaws for its own government. The authority shall have perpetual existence.

SECTION 3.

Vacancies.

Any vacancy in the membership of the authority shall be filled for the remainder of the unexpired term by the governing authority of the county or municipality which appointed the member who has vacated his or her membership on the authority.

SECTION 4.

Definitions.

As used in this Act, the term:

- (1) "Authority" means the Rabun County Water and Sewer Authority created by Section 2 of this Act.
- (2) "Cost of the project" means and embraces the cost of construction; the cost of all lands, properties, rights, easements, and franchises acquired; the cost of all machinery and equipment; financing charges, interest prior to and during construction, and for one year after completion of construction, the cost of engineering, architectural, fiscal, and legal expenses, and of plans and specifications, and other expenses necessary or incident to determining the feasibility or practicability of the project; administrative expenses; and such other expenses as may be necessary or incident to the financing authorized in this Act, the construction of the project, the placing of the same in operation, and the condemnation of property necessary for such construction and operation. The cost of any project may also include a fund or funds for the creation of a debt service reserve, a renewal and replacement reserve, and such other reserves as may be reasonably required by the authority with respect to the financing and operating of its projects and as may be

authorized by any bond resolution or trust agreement or indenture pursuant to the provisions of which the issuance of any bonds may be authorized. Any obligation or expense incurred for any of the foregoing purposes shall be regarded as a part of the cost of the project and may be paid or reimbursed as such out of the proceeds of revenue bonds issued under the provisions of this Act for such project.

(3) "Project" means and includes the acquisition and construction of systems, plants, works, instrumentalities, and properties:

(A) Used or useful in connection with the obtaining of a water supply and the conservation, treatment, distribution, and sale of water for public and private uses; or

(B) Used or useful in connection with the collection, treatment, and disposal of sewage and waste, together with all parts of any such system, plant, work, instrumentality, and property and all appurtenances thereto, including lands, easements, rights in land, water rights, contract rights, franchises, approaches, dams, reservoirs, generating stations, sewage disposal plants, intercepting sewers, trunk-connecting and other sewers and water mains, filtration works, pumping stations, and equipment.

(4) "Revenue bonds" and "bonds" means revenue bonds authorized to be issued pursuant to this Act, and revenue bonds may be issued by the authority as authorized in this Act without any other actions or proceedings.

(5) "Self-liquidating" means any project which, in the sole judgment of the authority, the revenues and earnings to be derived by the authority therefrom, including, but not limited to, any contractual payments, and all properties used, leased, and sold in connection therewith, together with any grant, will be sufficient to pay the cost of operating, maintaining, repairing, improving, and extending the project and to pay the principal and interest of the revenue bonds which may be issued for the cost of the project or projects.

SECTION 5.

Powers.

The authority shall have the power:

(1) To have a seal and alter the same at its pleasure;

(2) To acquire by purchase, lease, gift, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character for its corporate purposes;

(3) To acquire in its own name by purchase, on such terms and conditions and in such manner as it may deem proper, or by condemnation in accordance with the provisions of any and all existing laws applicable to the condemnation of property for public use, real property or rights of easements therein or franchises necessary or convenient for its corporate purposes, and to use the same so long as its corporate existence shall continue,

and to lease or make contracts with respect to the use of or dispose of the same in any manner it deems to the best advantage of the authority, the authority being under no obligation to accept and pay for any property condemned under this Act except from the funds provided under the authority of this Act; and in any proceedings to condemn, such orders may be made by the court having jurisdiction of the action or proceedings as may be just to the authority and to the owners of the property to be condemned, provided that no property shall be acquired under the provisions of this Act upon which any lien or other encumbrance exists, unless at the time such property is so acquired, a sufficient sum of money is deposited in trust to pay and redeem the fair value of such lien or encumbrance;

(4) To enter into an agreement with the cities or counties or with any other political subdivision or municipal corporation of this state with respect to acquiring or providing a source of water supply; providing sewerage service; preparing engineering data, plans, and specifications for a water and sewerage system; extending water mains; apportioning the costs of construction, extending and maintaining a water or sewerage system, or both; providing for the testing and inspection of facilities constructed; providing for rates to be charged for water and sewerage services furnished to users of such system; providing for the reading of meters and keeping of pertinent records; or apportioning or designating the responsibility of any functions normally maintained by a water and sewerage system at the most reasonable cost possible;

(5) To appoint, select, and employ officers, agents, and employees, including engineering, architectural, and construction experts, fiscal agents, and attorneys, and fix their respective compensations;

(6) To make contracts and leases and to execute all instruments necessary or convenient thereto, including contracts for construction of projects and leases of projects or contracts with respect to the use of projects which it causes to be erected or acquired, and any and all persons, firms, and corporations and any and all political subdivisions, departments, institutions, or agencies of this state and all special districts and all municipal corporations located in Rabun County are authorized to enter into contracts, leases, or agreements with the authority upon such terms and for such purposes as they deem advisable; and without limiting the generality of this paragraph, authority is specifically granted to municipal corporations, special districts, and counties and to the authority to enter into contracts, lease agreements, or other undertakings relative to the furnishing of water and sewerage service and facilities or either of them by the authority to such municipal corporations, special districts, and counties to the authority for a term not exceeding 50 years. As to any political subdivisions, department, institution, or agency of this state and all special districts and municipal corporations located in Rabun County

which shall enter into an agreement under the authority granted in this paragraph or in paragraph (4) of this section, the obligation to perform and fulfill such agreement shall constitute a general obligation of such entity for which its full faith and credit shall be and is pledged;

(7) To construct, erect, acquire, own, repair, remodel, maintain, add to, extend, improve, equip, operate, and manage projects, the cost of the projects to be paid in whole or in part from the proceeds of revenue bonds of the authority or from such proceeds and any grant from the United States of America or any agency or instrumentality thereof or from the State of Georgia or any agency, instrumentality, or political subdivision thereof;

(8) To make loans with, and accept grants or loans of money or materials or property of any kind from, the United States of America or any agency or instrumentality thereof, upon such terms and conditions as the United States of America or such agency or instrumentality may impose;

(9) To make loans with, and accept grants or loans of money, materials, or property of any kind from, the State of Georgia or any agency, instrumentality, or political subdivision thereof, upon such terms and conditions as the State of Georgia or such agency, instrumentality, or political subdivision may impose;

(10) To borrow money for any of its corporate purposes, to issue negotiable revenue bonds payable solely from funds pledged for that purpose, and to provide for the payment of the same and for the rights of the holders thereof;

(11) To exercise any power usually possessed by private corporations performing similar functions, including the power to make short-term loans and to approve, execute, and deliver appropriate evidence of any such indebtedness, provided that such power is in conflict with the Constitution or general laws of this state;

(12) To investigate the conditions of water and sewer plants and facilities within Rabun County and estimate, recommend, and undertake necessary improvements for each system and the costs of same, and the costs of expanding the systems in the future; and

(13) To do all things necessary or convenient to carry out the powers expressly given in this Act.

SECTION 6. Financing projects.

The authority, or any authority or body which has or which may in the future succeed to the powers, duties, and liabilities vested in the authority created in this Act, shall have power and is authorized at one time, or from time to time, to borrow money for the purpose of paying all or any part of the cost of the project or any one or more projects and to provide by

resolution for issuance of negotiable revenue bonds for that purpose. The principal and interest of such revenue bonds shall be payable solely from the special fund provided in this Act for such payment. The bonds of each issue shall be dated, shall mature at such time or times not exceeding 40 years from their date or dates, shall be payable in such medium of payment as to both principal and interest as may be determined by the authority, and may be made redeemable before maturity, at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority in the resolution providing for the issuance of the bonds. The interest rate or rates to be borne by any bonds and the time of payment of such interest shall be fixed, and with respect to any interest rate which floats in response to a variable, the method of calculation shall be fixed by the authority in the resolution providing for the issuance of all bonds. Any bonds issued by the authority shall be exempt from all laws of the State of Georgia governing usury or prescribing or limiting interest rates to be borne by bonds or other obligations.

SECTION 7.

Revenue bonds; form; denominations; registration; place of payment.

The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof, which may be at any bank or trust company inside or outside this state. The bonds may be issued in coupon or registered form, or both, as the authority may determine, and provision may be made for registration, conversion, and exchangeability privileges and for rights of redemption and may contain such other terms, covenants, assignments, and conditions as the resolution or resolutions authorizing the issuance of such bonds may provide.

SECTION 8.

Same; signatures, seals.

All such bonds shall bear the manual or facsimile signature of the chairperson or vice chairperson of the authority and the attesting manual or facsimile signature of the secretary, assistant secretary, or secretary-treasurer of the authority, and the official seal of the authority shall be affixed thereto, either manually or by facsimile. The signature of one of such officers shall be placed manually on each bond. Any coupons attached thereto shall bear the manual or facsimile signatures of the chairperson or vice chairperson and the secretary, assistant secretary, or secretary-treasurer of the authority. Any coupon may bear the facsimile signature of and may be manually signed, sealed, and attested on behalf of the

authority by those persons who at the actual time of the execution of such bonds are duly authorized or hold the proper office, although at the date of issuance of such bonds, such persons may not have been so authorized or did not hold such office. In case any officer whose signature appears on any bond or on any coupon ceases to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until such delivery.

SECTION 9.

Same; negotiability; exemption from taxation.

All revenue bonds issued under the provisions of this Act shall have and are declared to have all the qualities and incidents of negotiable instruments under the laws of the State of Georgia pertaining to negotiable instruments. Such bonds are declared to be issued for an essential public and governmental purpose and said bonds, their transfer, and the income therefrom shall be exempt from all taxation within this state.

SECTION 10.

Same; sale; price.

The authority may sell such bonds in such manner and for such price as it may determine to be in the best interest of the authority.

SECTION 11.

Same; proceeds of bonds.

The proceeds of such bonds shall be used solely for the payment of the cost of the project or projects, and unless otherwise provided in the resolution authorizing the issuance of the bonds or in any trust indenture, additional bonds may in like manner be issued to provide the amount of any deficit, which, unless otherwise provided in the resolution authorizing the issuance of the bonds or in any trust indenture, shall be deemed to be of the same issue and shall be entitled to pay from the same fund without preference or priority of the bonds first issued for the same purpose. If the proceeds of the bonds of any issue exceeds the amount required for the purpose for which such bonds are issued, the surplus shall be used for paying the principal of and the interest on such bonds.

SECTION 12.

Same; interim receipts and certificates or temporary bonds.

Prior to the preparation of definitive bonds, the authority may, under like restrictions, issue interim receipts, interim certificates, or temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter.

SECTION 13.

Same; replacement of lost or mutilated bonds.

The authority may also provide for the replacement of any bond which becomes mutilated or is destroyed or lost.

SECTION 14.

Same; conditions precedent to issuance; object of issuance.

Such revenue bonds may be issued without any other proceedings or the happening of any conditions or things other than those proceedings, conditions, and things which are specified or required by this Act. In the discretion of the authority, revenue bonds of a single issue may be issued for the purpose of any particular project. Any resolution providing for the issuance of revenue bonds under the provisions of this Act shall become effective immediately upon its passage and need not be published or posted, and any such resolution may be passed at any regular, special, or adjourned meeting of the authority by a majority of the quorum as provided in this Act.

SECTION 15.

Same; credit not pledged.

Revenue bonds issued under the provisions of this Act shall not be deemed to constitute a debt of the State of Georgia or any city or county nor a pledge of the faith and credit of such state, municipalities, or counties, but such bonds shall be payable solely from the fund provided for in this Act, and the issuance of such revenue bonds shall not directly, indirectly, or contingently obligate such state, municipality, or county to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment, and all such bonds shall contain recitals on their face covering substantially the provisions enumerated in this section.

SECTION 16.

Same; trust indenture as security.

In the discretion of the authority, any issue of such revenue bonds may be secured by a trust indenture by and between the authority and a corporate trustee, which may be any trust company or bank inside or outside this state having the powers of a trust company. Such trust indenture may pledge or assign fees, tolls, charges, revenues, and earnings to be received by the authority. Either the resolution providing for the issuance of revenue bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the acquisition of property, the construction of the project, the maintenance, operation, repair, and insurance of the project, and the custody, safeguarding, and application of all moneys; may also provide that any project shall be constructed and paid for under the supervision and approval of consulting engineers or architects employed or designated by the authority and shall be satisfactory to the original purchasers of the bonds issued therefor; may also require that the security given by contractors and by any depository of the proceeds of the bonds or revenues or other moneys be satisfactory to such purchasers; and may also contain provisions concerning the conditions, if any, upon which additional revenue bonds may be issued. It shall be lawful for any bank or trust company incorporated under the laws of this state to act as such depository and to furnish such indemnifying bonds or pledge such securities as may be required by the authority. Such indenture may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of private corporations. In addition, such trust indenture may contain such other provisions as the authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation, and repair of the project affected by such indenture.

SECTION 17.

Same; to whom proceeds of bond shall be paid.

The authority shall, in the resolution providing for the issuance of revenue bonds or in any trust indenture, provide for the payment of the proceeds of the sale of the bonds to any officer or person who or any agency, bank, or trust company which shall act as trustee of such funds and shall hold and apply the same to the purposes of this Act, subject to such regulations as this Act and such resolution or trust indenture may provide.

SECTION 18.

Same; sinking fund.

The revenues, fees, tolls, charges, and earnings derived from any particular project or projects, regardless of whether or not such fees, tolls, charges, earnings, and revenues were produced by a particular project for which bonds have been issued, unless otherwise pledged and allocated together with any grant funds, may be pledged and allocated by the authority to the payment of the principal of and interest on revenue bonds of the authority as the resolution authorizing the issuance of the bonds or the trust indenture may provide, and such funds so pledged from whatever source received, which pledge may include funds received from one or more or all sources, shall be set aside at regular intervals, as may be provided in the resolution or trust indenture, into a sinking fund which shall be pledged to and charged with the payment of:

- (1) The interest on such revenue bonds as such interest shall fall due;
- (2) The principal of the bonds as the same shall fall due;
- (3) The necessary charges of paying agents for paying principal and interest; and
- (4) Any premium upon bonds retired by call or purchase as provided in this Act. The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of the revenue bonds or in any trust indenture, surplus moneys in the sinking fund may be applied to the purchase or redemption of bonds, and any such bonds so purchased or redeemed shall immediately be canceled and shall not again be issued.

SECTION 19.

Same; remedies of bondholders.

Any holders of revenue bonds issued under the provisions of this Act or any of the coupons appertaining thereto, and the trustee under the trust indenture, if any, except to the extent the rights given in this Act may be restricted by resolution passed before the issuance of the bonds or by any trust indenture, may, either at law or in equity, by action, mandamus, or other proceedings, protect and enforce any and all rights under the laws of the State of Georgia or granted under this Act or under such resolution or trust indenture, and may enforce and compel performance of all duties required by this Act or by such resolution or trust indenture, to be performed by the authority or any officer thereof, including the fixing, charging, and collecting of revenues, fees, tolls, and other charges for the use of the facilities and services furnished.

SECTION 20.

Same; refunding bonds.

The authority is authorized to provide by resolution for the issuance of refunding bonds of the authority for the purpose of refunding any revenue bonds issued under the provisions of this Act and then outstanding, together with accrued interest thereon, and to refund any revenue bonds issued by any city, county, or authority with respect to any facilities to be acquired by the authority from any such city, county, or authority. The issuance of such revenue refunding bonds, the maturities and all other details thereof, the rights of the holders thereof, and the duties of the authority in respect to the same shall be governed by the provisions of this Act insofar as such provisions may be applicable.

SECTION 21.

Same; venue and jurisdiction.

Any action to protect or enforce any rights under the provisions of this Act or any action against such authority shall be brought in the Superior Court of Rabun County, Georgia, and any action pertaining to validation of any bonds issued under the provisions of this Act shall likewise be brought in such court, which shall have exclusive, original jurisdiction of such actions.

SECTION 22.

Same; validation.

Bonds of the authority shall be confirmed and validated in accordance with the procedure provided for in Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," as now or hereafter amended. The petition for validation shall also make party defendant to such action any municipality, county, authority, subdivision, or instrumentality of the State of Georgia, or any other party which has contracted with the authority to furnish or received the services and facilities of the water and sewerage system for which bonds are to be issued and sought to be validated and such municipality, county, authority, subdivision, or instrumentality or other party shall be required to show cause, if any exists, why such contract or contracts and the terms and conditions thereof should not be inquired into by the court and the validity of the terms thereof be determined and the contract or contracts adjudicated as security for the payment of any such bonds of the authority. The bonds when validated and the judgment of validation shall be final and conclusive with respect to such

bonds, against the authority issuing the same, and any municipality, county, authority, subdivision, instrumentality, or other party contracting with the authority.

SECTION 23.

Same; interest of bondholders protected.

While any of the bonds issued by the authority remain outstanding, the powers, duties, or existence of the authority or of its officers, employees, or agents shall not be diminished or impaired in any manner that will affect adversely the interest and rights of the holders of such bonds, and no other entity, department, agency, or authority shall be created which will compete with the authority to such an extent as to affect adversely the interest and rights of the holders of such bonds. The provisions of this Act shall be for the benefit of the authority and the holders of any such bonds, and upon the issuance of bonds under the provisions of this Act, shall constitute a contract with the holders of such bonds.

SECTION 24.

Moneys received considered trust funds.

All moneys received pursuant to the authority of this Act, whether as proceeds from the sale of revenue bonds, as proceeds of short-term loans, as grants or other contributions, or as revenues, fees, and earnings shall be deemed to be trust funds to be held and applied solely as provided in this Act.

SECTION 25.

Purpose of the authority.

Without limiting the generality of any provisions of this Act, the general purpose of the authority is declared to be that 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 municipalities of Rabun County and Rabun County and environs, including municipalities inside or outside such county, and adjoining counties; extending and improving such facilities; and doing all things deemed by the authority necessary, convenient, and desirable for and incident to the efficient and proper development and operation for such type of undertakings.

SECTION 26.

Rates, charges, and revenues; use.

The authority is authorized to prescribe, fix, and collect rates, fees, tolls, or charges and to revise from time to time and collect such rates, fees, tolls, or charges for the services, facilities, or commodities furnished, and in anticipation of the collection of the revenues of such undertaking or project, to issue revenue bonds as provided in this Act to finance in whole or in part the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of the water and sewerage system, and to pledge to the punctual payment of such bonds and interest thereon all or any part of the revenues of such undertaking or project, including the revenues of improvements, betterments, or extensions thereto thereafter made.

SECTION 27.

Tax-exempt status of authority.

The properties of the authority, both real and personal, are declared to be public properties used for the benefit and welfare of the people of the State of Georgia and not for purposes of private or corporate benefit and income, and such properties and the authority shall be exempt from all taxes and special assessments of any city, county, or the state or any political subdivision thereof.

SECTION 28.

Rules and regulations for operation of projects.

It shall be the duty of the authority to prescribe rules and regulations for the operation of the project or projects constructed under the provisions of this Act.

SECTION 29.

Powers declared supplemental and additional.

The provisions of this Act shall be deemed to provide an additional and alternative method for the doing of the things authorized by this Act and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing.

SECTION 30.

Liberal construction of Act.

This Act, being for the welfare of various political subdivisions of this state and its inhabitants, shall be liberally construed to effect the purposes of this Act.

SECTION 31.

Effect of partial invalidity of Act.

The provisions of this Act are severable, and if any of its provisions are held unconstitutional by any court of any competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 32.

Other existing powers and authority.

This Act shall not in any way take from the City of Clayton or Rabun County or any municipality located in Rabun County or in any adjoining county the authority to own, operate, and maintain water systems or issue revenue bonds as is provided by Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law."

SECTION 33.

Effective date.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 34.

Successor to existing authority.

The Rabun County Water and Sewer Authority shall be and, by this Act, is empowered to succeed to the power and authority of the existing Clayton-Rabun County Water & Sewer Authority ("existing authority") and subsequent to organization is authorized and empowered to take over the property, accounts, operation, contracts, and other powers, privileges, and obligations of said existing authority, and, upon the Rabun County Water and Sewer Authority assuming full ownership, control, and operation of the assets and responsibilities of the existing authority, the existing authority may be disbanded by joint resolution of the

the Rabun County Water and Sewer Authority and the existing authority subject to reinstatement only by similar, joint resolution, and the Rabun County Water and Sewer Authority shall continue the operation of the existing authority under the powers and responsibilities of this Act.

SECTION 35.

Repealer.

All laws and parts of laws in conflict with this Act are repealed.

APPROVED

MAR 30 2015

BY GOVERNOR

**NOTICE OF INTENTION
TO INTRODUCE LOCAL LEGISLA-
TION**

Notice is hereby given that there will be introduced at the regular 2013 session of the Georgia General Assembly of Georgia a bill (or bills) to create the RABUN COUNTY WATER AND SEWER AUTHORITY; to authorize the authority to acquire, construct, equip, operate, maintain, own, and improve and liquidating projects including: sources of water supply; the treatment, distribution, and sale of water and related facilities to individuals, private concerns, municipal corporations, and governmental units; and the collection, treatment, and disposal of sewage waste and any related facilities; to confer powers and impose duties on the authority; to provide for the membership and for the appointment of members of the authority and their terms of office; to provide for vacancies; to authorize the authority to contract with municipal governments, counties and others pertaining to water and sewerage facilities and to execute leases and do all things deemed necessary or convenient for the operation of such undertakings or projects; to authorize

the issuance of revenue bonds of the authority payable from the revenues, fees, taxes, charges, and earnings of the authority and to pay the cost of such undertakings or projects and authorize the collection and pledging of the revenues and earnings of the authority for the payment of such bonds and to authorize the execution of such undertakings to secure the payment thereof and to define the rights of the holders of such obligations; to provide that no debt of the authority shall be guaranteed or otherwise subject to taxation except by the voluntary act of any such municipality, county, or other governmental entity; to make the bonds and other obligations of the authority exempt from taxation; to provide for the authority to condemn property; to fix the venue or jurisdiction of actions relating to any provisions of this Act; to provide for severability; to provide for other matters relating to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes. This 74th day of February, 2013.
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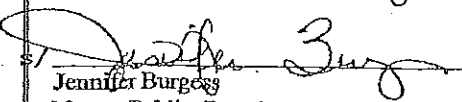
GEORGIA, FULTON COUNTY

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Stephen Allison, who on oath deposes and says that he is the Representative from District 8 and further deposes and says that the attached Notice of Intention to Introduce Local Legislation was published in the Clayton Tribune which is the official organ of Rabun County on February 14, 2013, and that the notice requirements of Code Section 28-1-14 have been met.

s/

Stephen Allison
Representative, District 8

Sworn to and subscribed before me,
this 16th day of February, 2013.


Jennifer Burgess
Notary Public, Douglas County, Georgia
My Commission Expires January 23, 2015
(SEAL)

