

ORDINANCE NO. 2023- 08

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PHENIX CITY, ALABAMA, CHAPTER 82 UTILITIES; ARTICLE II WATER AND SEWER RATES AND CHARGES; SECTION 82-20 WATER SCHEDULE OF RATES AND CHARGES; SECTION 82-21 SANITARY SEWER SCHEDULE OF RATES AND CHARGES; AND SECTION 82-22 PAYMENT OF BILLS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PHENIX CITY, ALABAMA**, that the Code of Ordinances of the City of Phenix City, Chapter 82 Utilities; Article II Water and Sewer Rates and Charges; Section 82-20 Water Schedule of Rates and Charges; Section 82-21 Sanitary Sewer Schedule of Rates and Charges; and Section 82-22 Payment of Bills, be amended as shown in Exhibit "A" effective June 29, 2023 and Exhibit "B" effective March 1, 2024 attached hereto and incorporated herein by reference.

**EXHIBIT "A"  
Effective June 29, 2023**

**SCHEDULE OF WATER & SANITARY SEWER SERVICE RATES  
AND REGULATIONS OF  
THE CITY OF PHENIX CITY, ALABAMA**

The following schedule of rates and regulations regarding the furnishing of water and sewer from the City of Phenix City water system and sanitary sewer system is hereby established and declared to be effective June 29, 2023:

**SECTION 82-20 - WATER CHARGES**

A) Customer Charge: \$12.54

B) Water Usage: The water usage fee shall be based on the gallons of water used per month. The following rates are per 1000 gallons of water usage.

<u>Usage</u>	<u>Rate per 1000 Gallons</u>
First 1,500 Gallons	No Charge
Over 1,500 Gallons	\$3.99

C) Wholesale Water To Other Utility Systems: The water usage fee shall be based on the gallons of water used per month. The following rates are per 1000 gallons of water usage.

<u>Usage</u>	<u>Rate per 1000 Gallons</u>
All	\$2.26

D) Industrial Water Usage: The water usage fee shall be based on the gallons of water used per month. The following rates are per 1000 gallons of water usage.

<u>Usage</u>	<u>Rate per 1000 Gallons</u>
First 1,500 Gallons	No Charge
Over 1,500 Gallons	\$2.67

E) Water Tap Fees:

<u>Meter Size</u>	<u>Fee</u>
3/4"	\$833.18
1"	\$1,110.9

The fees for 1" and smaller services shall be for service installation, complete, in place, including tapping charge

and supply line from main to meter.

All service installations 1 ½ inches and greater shall be furnished and installed by the Owner/Developer/Contractor at the Owner/Developer/Contractor's expense and shall conform to Phenix City Utilities Department specifications/requirements.

Owner/Developer/Contractor shall furnish and install all tapping saddles, tapping valves, and/or corporation stops as required. All material shall conform to Phenix City Utilities Department specifications/requirements. Prior to installation of any material Owner/Developer/Contractor shall furnish to Phenix City Utilities Department two copies of submittal data. Submittals will be reviewed by Phenix City Utilities Department and approved or returned with required changes noted. Only upon receipt of approved submittals shall any material be installed upon or within Phenix City's water distribution system.

F) Pavement Cutting and Boring Fees: If pavement must be cut or bored under for any service, a fee of \$20 per foot of pavement cut or bored under will be charged with a minimum charge of \$300.00 will be charged to the customer or developer.

G) Water System Development Fees:  
(For water services installed after 1998 and no system development fees were paid)

<u>Meter Size</u>	<u>Capacity Factor</u>	<u>System Development Charge</u>
3/4" or 5/8"	1.00	\$2,221.80
1"	1.67	\$3,710.41
1 ½"	2.80	\$6,221.04
2"	5.33	\$8,887.20
3"	10.00	\$17,774.40
4"	15.60	\$27,772.50
6"	33.33	\$57,766.80
8"	53.24	\$92,204.70
10"	76.67	\$138,862.50

For meter sizes greater than 10" the fee shall be determined through an analysis of projected needs for the customer involved.

H) Meter Set and/or Meter Pit Fees: In cases where, at the time when application for water service is made, the service installation has been completed with the exception of the metered setting or meter setting and pit, and supply lines has been installed to such extent that the meter can be set in the proper location, the charges for the completion of the service installation are:

<u>Meter Size</u>	<u>Meter Set Fee</u>	<u>Meter Pit Fee</u>
3/4"	\$450.00	\$40.00
1"	\$575.00	\$40.00

All meters 1 ½ inches and greater and their pits shall be furnished and installed by the Owner/Developer/Contractor at the Owner/Developer/Contractor's expense and shall conform to Phenix City Utilities Department specifications/requirements.

Owner/Developer/Contractor shall furnish and install all tapping saddles, tapping valves, and/or corporation stops as required. All material shall conform to Phenix City Utilities Department specifications/requirements. Prior to installation of any material Owner/Developer/Contractor shall furnish to Phenix City Utilities Department two copies of submittal data. Submittals will be reviewed by Phenix City Utilities Department and approved or returned with required changes noted. Only upon receipt of approved submittals shall any material be installed upon or within Phenix City's water distribution system.

I) Meter Reset and/or Meter Pit Fees: In cases where, the service installation has been completed and a request is



made to move or reset the location of the water meter, the charges for completion of the service installation shall be:

Meter Size	Meter Reset Fee	Meter Pit Fee
¾"	\$625.00	\$40.00
1"	\$875.00	\$40.00

For meter resets for water services 1 ½ inches and greater, the Owner/Developer/Contractor at the Owner/Developer/Contractor's expense shall furnish and install the new water service at the new location and turn off the previous water service at the main (corporation stop) and cut and cap the previous water service at the main. All work shall conform to Phenix City Utilities Department specifications/requirements.

Owner/Developer/Contractor shall furnish and install all tapping saddles, tapping valves, and/or corporation stops as required. All material shall conform to Phenix City Utilities Department specifications/requirements. Prior to installation of any material Owner/Developer/Contractor shall furnish to Phenix City Utilities Department two copies of submittal data. Submittals will be reviewed by Phenix City Utilities Department and approved or returned with required changes noted. Only upon receipt of approved submittals shall any material be installed upon or within Phenix City's water distribution system.

- J) Service Fees: Each new customer requesting garbage, water or sewer service from the system (regardless of whether the premises to which service is to be furnished had been previously connected with the system), shall pay to the City a connection fee to cover the cost of adding the customer to the system. Fees for connection shall be:

Service Type	Fee
Full Service (Water, Sewer, Garbage)	\$110.00
Water & Sewer	\$90.00
Water Only	\$75.00
Sewer Only	\$75.00
Garbage Only	\$27.50
Sprinkler System	\$50.00

- K) Private Fire Protection: As consideration for the willingness of the City to provide standby water service for private fire protection, monthly charges for provision of such services shall be as set forth herein below. Such charges shall be applicable where water is supplied to fire lines and/or sprinkler systems for fire protection purposes only, and under the following conditions:

1. The fire flow supply line is separate from any other water lines entering the establishment; and
2. There are no cross-connections between fire protection and potable water system within the establishment; and
3. The fire flow supply line entering the establishment is not metered; and
4. An approved backflow preventer is installed in the fire flow supply line entering the establishment; and
5. The property owner/customer maintains said backflow preventer in proper working condition; and
6. The property owner/customer provides the City at least every twelve (12) months with passing test results for said backflow preventer.

Fire Flow Connection Size	Monthly Charge
6"	\$8.33
8"	\$16.67
10"	\$26.17
12"	\$41.67

- L) Beautification Projects in Subdivision Common Areas: In common areas for beautification projects the water tap fee will be reduced one-half of the listed costs of each size meter and the breaking pavement charge will not be added to the cost of the tap if the following conditions are met:

1. The project must be located in an R-1 zone and placed in common areas of the subdivision and it must be

for beautification projects only. Beautification shall mean any addition of shrubbery or grasses that require water on a continued basis for growth.

2. The tap application must be placed in the name of a responsible homeowner who agrees to be charged for the tap application fee, the deposit, the monthly water charges, and any additional charges incurred.
3. The application will list two (2) other homeowners in that subdivision who will be responsible for the payment of any future bills that might occur in case the original owner moves out of the subdivision.

**SECTION 82-21 - SANITARY SEWER CHARGES**

A) Customer Charges

1. Standard: \$17.00
2. Commercial & Industrial: \$27.75

B) Sewage Usage: The sewer usage fee shall be based on all water usage. The following rates are per 1000 gallons of water usage.

<u>Usage</u>	<u>Rate per 1000 Gallons</u>
First 1,500 Gallons	No Charge
Over 1,500 Gallons	\$4.25
 Maximum Residential Sewer Usage Charge Per Month	 \$55.20

There shall be no Maximum Sewer Usage Charge for Commercial or Industrial Use.

C) Sewer Tap Fees Where City Installs Tap (based on size of water meter):

3/4" or 5/8" diameter	\$606.00
1" diameter	\$937.50

All sanitary taps associated with water services larger than 1 inch shall be furnished and installed by the Owner/Developer/Contractor at the Owner/Developer/Contractor's expense and shall conform to Phenix City Utilities Department specifications/requirements.

Owner/Developer/Contractor shall furnish and install all materials as required. All material shall conform to Phenix City Utilities Department specifications/requirements. Prior to installation of any material Owner/Developer/Contractor shall furnish to Phenix City Utilities Department two copies of submittal data. Submittals will be reviewed by Phenix City Utilities Department and approved or returned with required changes noted. Only upon receipt of approved submittals shall any material be installed upon or within Phenix City's sanitary system.

D) Sanitary System Development Fees (based on size of water meter):

(For sanitary services installed after 1998 and no system development fees were paid)

<u>Water Meter Size</u>	<u>Fee</u>
3/4" or 5/8"	\$2,600.00
1"	\$4,630.50
1 1/2"	\$9,646.50
2"	\$14,332.50
3"	\$27,562.50
4"	\$42,887.25
6"	\$91,728.00
8"	\$146,522.25
10"	\$211,018.50



For meter sizes greater than 10" the fee shall be determined through an analysis of projected needs for the customer involved.

E) **Televising Newly Constructed Sanitary Pipe to be Dedicated to the City:**

- |   |                             |
|---|-----------------------------|
| 1. First time.                                    | No charge                   |
| 2. Each subsequent televising on an hourly basis. | \$920.25 (minimum \$920.25) |

F) **Service Calls:**

- |  |                             |
|--|-----------------------------|
| 1. Service calls during normal working hours per hour. | \$ 88.00 (minimum \$88.00)  |
| 2. Emergency service calls after hours per hour.       | \$132.50 (minimum \$132.50) |

G) **Pavement Cutting and Boring Fees:** If pavement must be cut or bored under for any service, a fee of \$20 per foot of pavement cut or bored under will be charged with a minimum charge of \$300.00 will be charged to the customer or developer.

H) **Lift Station Surcharge:** The surcharge fee will be based on dollars billed for sewer usage and are as follows:

- |                                      |          |
|--------------------------------------|----------|
| 1. Per Dollar Billed for Sewer Usage | 5%       |
| 2. Minimum Monthly Charge            | \$100.00 |

Any commercial, multi-family (> 4 Units) or industrial development requiring a new lift station after January 1, 2017 that is taken over by the City to operate and maintain shall pay the applicable surcharge fee. Any lift station to be taken over by the City shall be built to City specifications. For said fee the City will assume responsibility for maintenance and repairs of the lift station.

Single family residential developments requiring a new lift station must build said lift station to City specifications and will be taken over and operated by the City once dedicated to the City by the Developer.

I) **Customer Sanitary Service Line Investigations**

1. The customer is responsible for the sanitary sewer service all the way from the building to the connection with the City's sanitary main which may be under street pavement. If the customer's sanitary service is damaged under public street pavement, the City will repair/replace the damaged portion of the customer's sanitary service at no cost to the customer. Any other problems with the sanitary sewer service is the customer's responsibility.
2. If the customer believes their sanitary service is damaged under street pavement and wants the City to investigate their sanitary service to determine if their service is damaged under the street pavement, the City will try to perform a CCTV investigation of said sanitary service if the following conditions are met:
  - i. The customer agrees to a possible service charge, and
  - ii. State that they have a cleanout at least 15 feet away from the building unless the road or sanitary main is closer than 15 feet in which case the cleanout must be at least 6 feet from the building; or
  - iii. State that they do not know where their cleanout is located and they want the City to try to find their cleanout.
3. During the investigation of the customer's sanitary service, the City may try to clear a stoppage in the customer's sanitary service, but the City does not simply clear a blockage in a customer's sanitary service for the sake of clearing the blockage.
4. If the customer's sanitary service is clogged and does not have a visible cleanout away from the building and the customer believes their sanitary service is damaged under street pavement and wants the City to investigate their sanitary service to determine if their service is damaged under the street pavement, the customer must do one of the following:

- i. Have the clog cleared; or
  - ii. Install a cleanout at least 15 feet away the building.
5. If the customer does not have a cleanout near the road and away from the house, the City will not use the high pressure water hose to clear a stoppage and will only investigate the customer's sanitary service if the customer has the stoppage cleared to allow CCTV inspection and/or installs a clean out away from the house.
6. If the City cannot find the customer's cleanout away from the house, the City will not try to clear the blockage if the blockage is close to the house. Then the customer has 5 business days in which to inform the City that the blockage is cleared and/or they have installed a cleanout near the road and away from the house, and if the customer does so, the City will come back and finish the investigation. If the customer does not notify the City within the 5 business days, a service charge will automatically be added to the customer's account.
7. If the investigation shows that the customer's sanitary service is not damaged under the street pavement, the customer will have a service charge added to their account. If the investigation shows that the customer's sanitary service is damaged under street pavement, the City will repair/replace the customer's sanitary service at no cost to the customer.

## **SECTION 82-22 - PAYMENT OF BILLS**

A) All bills for water, garbage and sanitary sewer service shall be rendered monthly on the same statement, where more than one service is provided. Payment for each shall not be accepted separately, but shall be accepted on the same statement. The monthly charges for services shall be due when rendered. Each month's charges for services which are not paid on or before twenty-one (21) days after the due date listed on that month's bill shall be late, and a late fee shall be assessed on all charges not paid on or before the twenty-first day (21<sup>st</sup>) after said due date. All monthly charges for services not paid on or before the twenty-sixth day (26<sup>th</sup>) after said due date shall be delinquent. Accounts which have delinquent charges will have a disconnect fee added to said account and will be subject to the service(s) being discontinued/disconnected. Upon discontinuance of service for non-payment of account, a reconnection fee, in addition to the delinquent bill and all other fees previously charged must be paid if said service(s) is(are) re-established. The following charges are applicable:

1. Return Funds Fee: \$30.00

- i. This fee is for any returned and/or reversed payments including but not limited to payments by check, phone, internet, kiosk or other electronic payments.

2. Late Fee: 10% of the late charges for each service

- i. A balance is late twenty-one (21) days after due date. A late fee shall be assessed on all charges not paid on or before the twenty first day (21<sup>st</sup>) after the due date.

3. Disconnect Fee: \$75.00

4. Unauthorized Service Reconnection Fee: \$100.00

5. Customer/Financial Institution Error Fee: \$10.00

B) Disconnected Services

1. If a service has been disconnected for non-payment, the delinquent balance, the late fee, the disconnect fee and all other fees associated with the delinquent balance must be paid before service is reconnected except for the following:
  - i. When the Utilities Department determines the service should be reconnected due to extenuating circumstances prior to all fees being paid; or
  - ii. When the customer has not had a disconnect fee waived in the previous twelve (12) months. In



which case the disconnect fee may be waived by the Utilities Department.

2. Reconnection for accounts in disconnect status will be scheduled the same business day when all required fees are processed on or before 5:00pm Eastern and will be scheduled the next business day when all required fees are processed after 5:00pm Eastern during a business day.
3. The Utilities Department may reconnect services after normal business hours if the customer wishes to have a service reconnected after normal business hours, agrees to pay the afterhours fee and any other fees required and the Utilities Department determines there are extenuating circumstances that would necessitate service reconnection after normal business hours.
4. No service disconnections for non-payment will be made on Friday, holidays, or the day before a holiday.

**EXHIBIT "B"**  
**Effective March 1, 2024**

**SCHEDULE OF SANITARY SEWER SERVICE RATES  
AND REGULATIONS OF  
THE CITY OF PHENIX CITY, ALABAMA**

The following schedule of rates and regulations regarding the furnishing of sewer from the City of Phenix City sanitary sewer system is hereby established and declared to be effective March 1, 2024:

**SECTION 82-21 - SANITARY SEWER CHARGES**

A) Customer Charges

1. Standard: \$21.25
2. Commercial & Industrial: \$42.75

B) Sewage Usage: The sewer usage fee shall be based on all water usage. The following rates are per 1000 gallons of water usage.

<u>Usage</u>	<u>Rate per 1000 Gallons</u>
First 1,500 Gallons	No Charge
Over 1,500 Gallons	\$4.25
Maximum Residential Sewer Usage Charge Per Month	\$55.20

There shall be no Maximum Sewer Usage Charge for Commercial or Industrial Use.

C) Sewer Tap Fees Where City Installs Tap (based on the size of water meter):

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Owner/Developer/Contractor shall furnish to Phenix City Utilities Department two copies of submittal data. Submittals will be reviewed by Phenix City Utilities Department and approved or returned with required changes noted. Only upon receipt of approved submittals shall any material be installed upon or within Phenix City's sanitary system.

- D) Sanitary System Development Fees (based on size of water meter):  
 (For sanitary services installed after 1998 and no system development fees were paid)

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3/4" or 5/8"	\$2,600.00
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6"	\$91,728.00
8"	\$146,522.25
10"	\$211,018.50

For meter sizes greater than 10" the fee shall be determined through an analysis of projected needs for the customer involved.

- E) Televising Newly Constructed Sanitary Pipe to be Dedicated to the City:
- |   |                             |
|---|-----------------------------|
| 1. First time.                                    | No charge                   |
| 2. Each subsequent televising on an hourly basis. | \$920.25 (minimum \$920.25) |
- F) Service Calls:
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|--|-----------------------------|
| 1. Service calls during normal working hours per hour. | \$ 88.00 (minimum \$88.00)  |
| 2. Emergency service calls after hours per hour.       | \$132.50 (minimum \$132.50) |
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- |                                      |          |
|--------------------------------------|----------|
| 1. Per Dollar Billed for Sewer Usage | 5%       |
| 2. Minimum Monthly Charge            | \$100.00 |

Any commercial, multi-family (> 4 Units) or industrial development requiring a new lift station after January 1, 2017 that is taken over by the City to operate and maintain shall pay the applicable surcharge fee. Any lift station to be taken over by the City shall be built to City specifications. For said fee the City will assume responsibility for maintenance and repairs of the lift station.

Single family residential developments requiring a new lift station must build said lift station to City specifications and will be taken over and operated by the City once dedicated to the City by the Developer.

- I) Customer Sanitary Service Line Investigations
1. The customer is responsible for the sanitary sewer service all the way from the building to the connection with the City's sanitary main which may be under street pavement. If the customer's sanitary service is damaged under public street pavement, the City will repair/replace the damaged portion of the customer's sanitary service at no cost to the customer. Any other problems with the sanitary sewer service is the customer's responsibility.



2. If the customer believes their sanitary service is damaged under street pavement and wants the City to investigate their sanitary service to determine if their service is damaged under the street pavement, the City will try to perform a CCTV investigation of said sanitary service if the following conditions are met:
  - i. The customer agrees to a possible service charge, and
  - ii. State that they have a cleanout at least 15 feet away from the building unless the road or sanitary main is closer than 15 feet in which case the cleanout must be at least 6 feet from the building; or
  - iii. State that they do not know where their cleanout is located and they want the City to try to find their cleanout.
3. During the investigation of the customer's sanitary service, the City may try to clear a stoppage in the customer's sanitary service, but the City does not simply clear a blockage in a customer's sanitary service for the sake of clearing the blockage.
4. If the customer's sanitary service is clogged and does not have a visible cleanout away from the building and the customer believes their sanitary service is damaged under street pavement and wants the City to investigate their sanitary service to determine if their service is damaged under the street pavement, the customer must do one of the following:
  - i. Have the clog cleared; or
  - ii. Install a cleanout at least 15 feet away the building.
5. If the customer does not have a cleanout near the road and away from the house, the City will not use the high pressure water hose to clear a stoppage and will only investigate the customer's sanitary service if the customer has the stoppage cleared to allow CCTV inspection and/or installs a clean out away from the house.
6. If the City cannot find the customer's cleanout away from the house, the City will not try to clear the blockage if the blockage is close to the house. Then the customer has 5 business days in which to inform the City that the blockage is cleared and/or they have installed a cleanout near the road and away from the house, and if the customer does so, the City will come back and finish the investigation. If the customer does not notify the City within the 5 business days, a service charge will automatically be added to the customer's account.
7. If the investigation shows that the customer's sanitary service is not damaged under the street pavement, the customer will have a service charge added to their account. If the investigation shows that the customer's sanitary service is damaged under street pavement, the City will repair/replace the customer's sanitary service at no cost to the customer.

## **SECTION 82-22 - PAYMENT OF BILLS**

- A) All bills for water, garbage and sanitary sewer service shall be rendered monthly on the same statement, where more than one service is provided. Payment for each shall not be accepted separately, but shall be accepted on the same statement. The monthly charges for services shall be due when rendered. Each month's charges for services which are not paid on or before twenty-one (21) days after the due date listed on that month's bill shall be late, and a late fee shall be assessed on all charges not paid on or before the twenty-first day (21<sup>st</sup>) after said due date. All monthly charges for services not paid on or before the twenty-sixth day (26<sup>th</sup>) after said due date shall be delinquent. Accounts which have delinquent charges will have a disconnect fee added to said account and will be subject to the service(s) being discontinued/disconnected. Upon discontinuance of service for non-payment of account, a reconnection fee, in addition to the delinquent bill and all other fees previously charged must be paid if said service(s) is(are) re-established. The following charges are applicable:

1. Return Funds Fee: \$30.00

- i. This fee is for any returned and/or reversed payments including but not limited to payments by check, phone, internet, kiosk or other electronic payments.

2. Late Fee: 10% of the late charges for each service

- i. A balance is late twenty-one (21) days after due date. A late fee shall be assessed on all charges not paid on or before the twenty first day (21st) after the due date.

3. Disconnect Fee: \$75.00

4. Unauthorized Service Reconnection Fee: \$100.00

5. Customer/Financial Institution Error Fee: \$10.00

#### B) Disconnected Services

1. If a service has been disconnected for non-payment, the delinquent balance, the late fee, the disconnect fee and all other fees associated with the delinquent balance must be paid before service is reconnected except for the following:
  - i. When the Utilities Department determines the service should be reconnected due to extenuating circumstances prior to all fees being paid; or
  - ii. When the customer has not had a disconnect fee waived in the previous twelve (12) months. In which case the disconnect fee may be waived by the Utilities Department.
2. Reconnection for accounts in disconnect status will be scheduled the same business day when all required fees are processed on or before 5:00pm Eastern and will be scheduled the next business day when all required fees are processed after 5:00pm Eastern during a business day.
3. The Utilities Department may reconnect services after normal business hours if the customer wishes to have a service reconnected after normal business hours, agrees to pay the afterhours fee and any other fees required and the Utilities Department determines there are extenuating circumstances that would necessitate service reconnection after normal business hours.
4. No service disconnections for non-payment will be made on Friday, holidays, or the day before a holiday.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

If any parts of this ordinance is declared unconstitutional, it should not automatically void the remaining sections.



PASSED, APPROVED AND ADOPTED this 21st day of June, 2023.

Eddie N. Lowe  
MAYOR

R. M. Sady

Clayton

Vickey F. Carter

Julie McCarty

MEMBERS OF THE CITY COUNCIL OF  
THE CITY OF PHENIX CITY, ALABAMA

ATTEST:

Monny Lee  
CITY CLERK