Bond Case Briefs

Municipal Finance Law Since 1971

UTILITY FEES - GEORGIA

Hollis v. City of LaGrange

Supreme Court of Georgia - December 10, 2024 - S.E.2d - 2024 WL 5048735

City residents brought putative class action against city alleging it imposed excessive mandatory charges for utilities services that constituted unauthorized tax under state constitution.

The Superior Court granted city's motion for judgment on the pleadings. Residents appealed.

The Supreme Court held that constitutional provision prohibiting the General Assembly from regulating or fixing municipal public utilities charges did not prevent judicial review of residents' complaint.

Constitutional provision prohibiting the General Assembly from regulating or fixing charges of public utilities owned or operated by any county or municipality did not prevent trial court from reviewing putative class action complaint by city residents alleging that mandatory charges for utilities services provided by city that were in excess of actual cost of providing such services and used to generate general revenue for city constituted illegal tax; constitutional provision did not mention judicial branch at all, and residents' claims would not require trial court to regulate or fix city's utilities charges as matter of discretionary policymaking, but rather, claims asked trial court to exercise its judicial authority to determine whether charges were in fact taxes in the first place.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com