

**ORDINANCE # 2020-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SMYRNA TO AMEND TO ITS CODE OF ORDINANCES TO CHAPTER 102, SECTION 102-15, 16 AND 17; ARTICLE V, WATER SYSTEM TO INCLUDE SECTION 102-15, USE OF PRIVATE WASTE WATER DISPOSAL FACILITIES; 102-16 RAIN SENSOR REQUIREMENTS FOR LANDSCAPE IRRIGATION SYSTEMS; 102-17 WATER WASTE FOR OUTDOOR WATER USE.**

**WHEREAS**, the Metropolitan North Georgia Water Planning District (MNGWPD) and the Environmental Protection Agency (EPA) requested the City of Smyrna make a good faith effort to comply with the MNGWPD plan based off EPD staff recommendations prior to April 2020.

**NOW, THEREFORE, BE IT ORDAINED AND RESOLVED BY THE CITY OF SMYRNA, A GEORGIA MUNICIPAL CORPORATION, AND BY THE AUTHORITY OF THE SAME THAT THE CODE OF ORDINANCES OF THE CITY OF SMYRNA, GEORGIA BE AMENDED BY ADDING TO CHAPTER 102, UTILITIES, SECTION 102- 15,16 AND 17; ARTICLE V**

**Section 102-15:** Use of private wastewater disposal facilities

- (a) No new private Wastewater disposal facilities which discharge to the surface shall be allowed in the city, except preexisting, properly operating facilities which must have valid NPDES permits issued by the state environmental protection division or the federal EPA.
- (b) No private wastewater disposal facilities with subsurface discharge shall be allowed in the city except as the follows:
  - (1) The proposed development cannot be connected to active sewer by gravity.
  - (2) The facilities serve a single property or enterprise or, if serving multiple properties or enterprises, all such properties or enterprises are owned by single entity.
  - (3) The facilities are permitted by and operated in conformance with requirements of either board of health or the state environmental protection division as appropriated.

**Section 102-16:** Rain sensor requirements for landscape irrigation systems

- (a) As used in this section, the term “rain sensor shut-off switch” means an electric device that detects, and measures rainfall amounts and overrides the cycle if an irrigation system so as to turn off such system when a predetermined amount of rain has fallen.
- (b) No person shall install any landscape irrigation system equipped with an electronic controller that does have a rain sensor shut off.
  - (1) This requirement shall not apply to either landscape irrigation systems installed on golf courses, or any dependent upon a non-public water source.
  - (2) Any person who installs a landscape irrigation system equipped with an electric controller in violation of this code section shall be subject to a fine not exceeding \$100.00 per violation.

**Section 102-17:** Water waste ordinance for outdoor water use.

The water waste ordinance is to encourage the efficient use of outdoor water and the proper maintenance

of irrigation and plumbing systems. “Water waste” is defined in this section to mean the unnecessary loss of water through improper application or failure of a plumbing or irrigation system resulting in excessive runoff. The following activities will be subject to a penalty:

- (a) A broken irrigation system (missing heads, broken pipes, etc.).
- (b) Excessive runoff-water running down the driveway, street, or sidewalk.
- (c) A hose running-unattended without a shutoff nozzle.
- (d) A visible and unrepaired leak in excess of one gallon per minute.

Ordinance 2020-02  
Amendment of Article V, Section 102-15,16, 17 – WATER SYSTEM

This Ordinance shall become effective upon the date of its adoption set forth below.

Severability: Should any section of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Approved by Mayor and Council this 17<sup>th</sup> day of February 2020.**

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Derek Norton, Mayor

ATTEST:

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Heather K. Peacon-Corn, City Clerk  
City of Smyrna

Approved as to form:

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Scott Cochran, City Attorney  
City of Smyrna