

**ORDINANCE # 2020-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SMYRNA TO AMEND TO ITS CODE OF ORDINANCES TO APPENDIX D – DESIGN SPECIFICATIONS FOR STORM DRAINAGE, ROADS, CONSTRUCTION, SECTION 5 (e)(3) – WATER DESIGN, MAINTENANCE AND HAZARD REDUCTION PROCEDURES DISTRIBUTION SYSTEMS DESIGN**

**WHEREAS**, Public Works to adopt and amend existing ordinances listed in this letter of intent. Currently, Appendix D lays out the design and construction specifications for storm drainage systems, water distribution systems and sanitary sewer systems. Public Works is proposing to adopt Section 5 (e)(3) of Appendix D of the Code of Ordinances to cover the use of master meters for private systems that will be developed or redeveloped within the City of Smyrna. Any and all water, wastewater, and storm water within the private system will be the responsibility of the Homeowners Association (HOA) and/or management company. Private systems are found within developments that do not meet the minimum design specifications for public infrastructure, such as right-of-way widths, roadway widths, etc. Under Safe Drinking Water Act, if master metered, the private development must submeter its water and comply with all water quality requirements. This will exclude all multi-family apartment complexes. All materials installed in a private water system must comply with the requirements established in Article V of Chapter 102 of the Code Ordinances. With this ordinance the city or development can deem any development private and/or public during the plan review process.

**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 SECTION 5(e)(3) TO SECTION 5 of APPENDIX D - DESIGN SPECIFICATIONS FOR STORM DRAINAGE, ROADS, CONSTRUCTION.**

**Section 5 (e) (3):** Design Specifications for storm drainage, roads, construction.

(e)(3) Buildings containing five or more family dwelling units or an integrated complex of buildings containing the same shall be served by a water master meter, unless otherwise authorized by the water system director or his representative. The owner of such buildings, or a homeowner's association provided there are multiple owners, shall be responsible for payment for all water and wastewater services rendered to such buildings and units by the City. Further, the owner or homeowner's association shall be responsible for the operation, maintenance, repair, and replacement of water, wastewater, and storm water facilities on the user side of the master meter. For all new multi-family homes where a water master meter is utilized, installation of a sub-unit water meter for each dwelling unit is required at the time of construction. Purchase and installation of sub-unit water meters are the responsibility of the owner. The owner, or a homeowner's association for such buildings provided there are multiple owners, shall be solely responsible for the operation, maintenance, repair and replacement of water facilities on the user side of the master meter. The city shall bill the owner or homeowner's association for water and wastewater service based on the master meter readings.

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 8<sup>th</sup> day of September 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