

Subject Matter: Amendment to Environmental Control Ordinance

**Date First Presented to Council at Public Meeting:
August 5, 2019**

**Date of Second Reading before Town Council:
October 7, 2019**

**Date of Adoption:
October 7, 2019**

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

ORDINANCE NO. 19-01

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE
TOWN OF SHARPSBURG BY ADOPTING A WATER WASTE
ORDINANCE FOR THE TOWN BY AMENDING SECTION 36-122,
RESTRICTION ON OUTDOOR WATERING;
AND FOR OTHER PURPOSES**

PREAMBLE & FINDINGS

WHEREAS, the Town of Sharpsburg (the "Town") has adopted a comprehensive environmental control ordinance codified at Chapter 36 of the Town of Sharpsburg Code of Ordinances; and

WHEREAS, the Town has recognized an imminent need to conserve water and, therefore, place reasonable restrictions on outdoor watering to plan for future droughts; and

WHEREAS, Section 1.12 (28) of the Town Charter grants the Town Council the power to define, regulate and prohibit any act, practice, conduct or use of property which is detrimental, or likely to be detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the Town; and

WHEREAS, the Georgia General Assembly enacted SB 370 which mandates all count and municipalities to adopt an ordinance restricting outdoor irrigation; and

WHEREAS, the Town adopted Ordinance No. 10-03 on December 6, 2010, to bring the Town into compliance with SB 370; and

WHEREAS, the General Assembly of the State of Georgia has determined that additional reasonable restrictions on the outdoor watering of landscape are necessary to address outdoor watering of landscape and the General Assembly has recently passed legislation in furtherance of addressing this need; and

WHEREAS, the Town Council determined that to serve the needs of the community certain additional amendments were needed in the Town's Code of Ordinances; and

WHEREAS, the Town Council determined that to serve the needs of the community certain additional amendments were needed in the Town's Code of Ordinances; and

WHEREAS, these amendments to the environmental control ordinance regulating outdoor irrigation and watering of landscape is necessary to further the general health and welfare of the community; and

WHEREFORE, THE TOWN OF SHARPSBURG HEREBY ADOPTS, ORDAINS AND ENACTS THE FORGOING AMENDMENT TO THE ENVIRONMENTAL CONTROL ORDINANCE AS FOLLOWS:

Section I: Section 36-122, Restriction on Outdoor Watering, of Chapter 36 of the Code of Ordinances is hereby amended by adding the following to said Section:

(c) **Waste of Water Prohibitions**

A. The following uses are a waste or unreasonable use or method of use of water and are prohibited:

(1) Allowing water to escape from any premises onto public right-of-way, such as streets and sidewalks, or upon any other person's property.

(2) Operating an irrigation system or other lawn or landscaping watering device during rain.

(3) Operating an irrigation system or other lawn or landscaping watering device that has any broken or missing sprinkler heads.

(4) Failing to repair a controllable leak, including a broken sprinkler head, or a leaking valve, or a leaking outdoor faucet, or a service line leak, or any other visible outside water leaks, on premises owned, leased, or managed by that person, within 30 days.

(5) Washing any vehicle with a hose and not having a water shut-off nozzle or allowing water to run continuously from a hose while washing any vehicle is also prohibited.

(d) **Exceptions**

A. The restrictions in this policy or ordinance do not apply to the following authorized uses:

(1) Flow resulting from firefighting or routine inspection of fire hydrants or from fire training activities.

(2) Water applied as a dust control measure, as required by erosion and sedimentation rules.

(3) Water applied to abate spills of flammable or otherwise hazardous materials, where water is the appropriate methodology.

(4) Water applied to prevent or abate health, safety, or accident hazards when alternate methods are not available.

(5) Water used for construction or maintenance activities where the application of water is appropriate methodology and where no other practical alternative exists.

(6) Water used for power-washing hard surfaces to alleviate safety or sanitary hazards, unless prohibited by drought restrictions.

(7) Mobile car washes when approval or a special use permit is obtained from the local authority.

(8) Emptying of swimming pools for maintenance when proper local rules are followed.

(e) **Remedies For Violations:**

In addition to the enforcement provision set out in Section 36-123 herein, if it is found that there is a waste of water in or about any premises to which water is supplied to Sharpsburg Georgia from the Turin water system, either by willful waste or by means of a leak in any water pipe or fixture located in or upon the premises, The Town of Sharpsburg authorizes the Town of Turin water system to cause the water to be cut off from the premises upon reasonable notice to the occupant, unless special circumstances require that such waste shall be immediately stopped. Where the water supply is cut off as herein provided, the water shall not again be turned on until all water bills and the bill for the cost of cutting off and again turning on the water shall have been paid.

Section II. This Ordinance shall become immediately effective upon its second reading and adoption by the Mayor and Town Council.

Section III. The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as is fully set out herein.

Section IV. The Ordinance shall be codified within the Code of Ordinances of the Town of Sharpsburg Georgia at Chapter 36 in a manner consistent with the laws of the State of Georgia and the Town of Sharpsburg.

Section V. If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by court of competent jurisdiction,, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF SHARPSBURG,
at a regular meeting of the Mayor and Council on the 7th day of October 2019 by the
following voting for adoption:

ATTEST:

Deannia Roberson

Deannia Roberson, Town Clerk



Blue Cole

Blue Cole, Mayor

Elizabeth Good

Elizabeth Good, Mayor Pro-Tem

Stan Parten

Stan Parten, Councilmember

Cynthia Puckett-Pike

Cynthia Puckett-Pike, Councilmember

Tom Teagle

Tom Teagle, Councilmember