

ORDINANCE NO. 04- 05

AN ORDINANCE ENTITLED AN ORDINANCE ESTABLISHING MANDATORY OUTDOOR WATER RESTRICTIONS; REPEALING PRIOR ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, the health, safety, and welfare of the citizens of Fort Gaines, Georgia, depend upon the availability and affordability of water; and

WHEREAS, under the authority given to the Director of the Department of Environmental Protection of the Georgia Department of Natural Resources, a statewide ban has been imposed upon the use of water for outdoor purposes on certain days and under certain conditions; and

WHEREAS, the City of Fort Gaines is obligated to enforce the rules promulgated by the Environmental Protection Division regarding water use;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fort Gaines, Georgia, and it is hereby ordained by authority of the same, as follows:

Section 1. The statewide ban on outdoor water use as promulgated by the Director of the Department of Environmental Protection of the Georgia Department of Natural Resources to become effective August 1, 2004, is hereby adopted to take effect on August 1, 2004, as follows:

Outdoor Water Use Ordinance

Section 1. Definitions. When used herein:

- A. "Address" means the "house number" (a numeric or alphanumeric designation) that, together with the street name, describes a physical location of a specific property. "Even numbered address" means a house number ending with the number 0, 2, 4, 6, 8, or no house number. "Odd numbered address" means a house number ending with the number 1, 3, 5, 7, or 9.
- B. "Declared Drought Response Level" means one of four levels of drought that can be declared based on the severity of drought conditions, with one being the least severe and four being the most severe.

Section 2. Outdoor Water Use Schedule During Non-Drought Periods. Outdoor water use other than exempted activities shall occur only as follows:

- A. Odd-numbered addresses: outdoor water use is allowed on Tuesdays, Thursday, and Sundays.

- B. Even-numbered addresses: outdoor water use is allowed on Mondays, Wednesdays, and Saturdays.
- C. During declared drought conditions, outdoor water use, other than activities exempted in Section 4 hereof, shall occur only during scheduled hours on the scheduled days.

Section 3. Outdoor Water Use Schedule During Declared Drought Response Levels. City shall enforce Drought Response Levels as declared by the Director of the Environmental Protection Division.

- A. Declared Drought Response Level One. Outdoor water use may occur on scheduled days within the hours of 12:00 midnight to 10:00 a.m. and 4:00 p.m. to 12:00 midnight.
 - 1. Scheduled days for odd-numbered addresses are Tuesdays, Thursdays, and Sundays.
 - 2. Scheduled days for even-numbered addresses are Mondays, Wednesdays, and Saturdays.
 - 3. Use of hydrants for any purpose other than firefighting, public health, safety, or flushing is prohibited.
- B. Declared Drought Response Level Two. Outdoor water use may occur on scheduled days within the hours of 12:00 midnight to 10:00 a.m.
 - 1. Scheduled days for odd-numbered addresses are Tuesdays, Thursdays, and Sundays.
 - 2. Scheduled days for even-numbered addresses and golf course fairways are Mondays, Wednesdays, and Saturdays.
 - 3. The following uses are prohibited:
 - (a) Using hydrants for any purpose other than firefighting, public health, safety, or flushing.
 - (b) Washing hard surfaces, such as streets, gutters, sidewalks, and driveways except when necessary for public health and safety.
- C. Declared Drought Response Level Three. Outdoor water use may occur on the scheduled day within the hours of 12:00 midnight to 10:00 a.m.
 - 1. The scheduled day for odd-numbered addresses is Sunday.

2. The scheduled day for even-numbered addresses and golf course fairways is Saturday.

3. The following uses are prohibited:

- (a) Using hydrants for any purpose other than firefighting, public health, safety, or flushing.
- (b) Washing hard surfaces, such as streets, butters, sidewalks, driveways, except when necessary for public health and safety.
- (c) Filling installed swimming pools except when necessary for health care or structural integrity.
- (d) Washing vehicles, such as cars, boats, trailers, motorbikes, airplanes, golf carts.
- (e) Washing buildings or structures except for immediate fire protection.
- (f) Non-commercial fund-raisers, such as car washes.
- (g) Using water for ornamental purposes, such as fountains, reflecting pools, and waterfalls except when necessary to support aquatic life.

D. Declared Drought Response Level Four. No outdoor water use is allowed, other than for activities exempted in Section 4 below or as the EPD Director may order.

Section 4. Exemptions.

A. This rule shall not apply to the following outdoor water uses:

- 1. Capture and re-use of cooling system condensate or storm water in compliance with applicable local ordinances.
- 2. Re-use of gray water in compliance with applicable local ordinances.

B. The following established landscape water uses are exempt from the outdoor water use schedules of this rule:

- 1. Use of reclaimed wastewater by a designated user from a system permitted by EPD to provide reclaimed wastewater.
- 2. Irrigation of personal food gardens.

C. Newly installed landscapes (in place less than 30 days) are subject to the following:

1. Irrigation of newly installed landscapes is allowed any day of the week, but only during allowed hours for the drought response level in effect, for a period of 30 days following installation. No watering is allowed during Drought Response Level Four.
2. For new landscapes installed by certified or licensed professionals, commercial exemptions apply.

D. The following golf course outdoor water uses are exempt from the outdoor water use schedules of this rule:

1. Use of reclaimed wastewater by a designated user from a system permitted by EPD to provide reclaimed wastewater.
2. Irrigation of fairways during times of non-drought and Declared Drought Response Level One.
3. Irrigation of tees during times of non-drought and Declared Drought Response Levels One, Two, and Three.
4. Irrigation of greens.

E. The following commercial outdoor water uses are exempt from the outdoor water use schedules of this rule:

1. Professionally certified or licensed landscapers, golf course contractors, and sports turf landscapers: during installation and 30 days following installation only. Professional landscapers must be certified or licensed for commercial exemptions to apply.
2. Irrigation contractors: during installation and as needed for proper maintenance and adjustments only.
3. Sod producers.
4. Ornamental growers.
5. Fruit and vegetable growers.
6. Retail garden centers.
7. Hydro-seeding.

8. Power-washing.
9. Construction sites.
10. Producers of food and fiber.
11. Car washes.
12. Other activities essential to daily business.
13. Watering-in of pesticides and herbicides on turf.

Section 2. All ordinances or parts of ordinances in conflict herewith are repealed.

SO ORDAINED, this 14 day of September, 2004.

CITY OF FORT GAINES

By: 

Mayor, David Wetherby

(SEAL)

Attest: 

Clerk, Marion Lindsey

1st reading: 07/13/04

2nd reading: 9-14-04