

## **CHAPTER 110 – WATER CONSERVATION**

### **ARTICLE I – IN GENERAL**

#### **Sec. 110-1. - Short title.**

This chapter shall be cited as the Water Conservation Ordinance of the Town of Trion, Georgia.

#### **Sec. 110-2. - Purpose.**

The purpose of this chapter is to promote water conservation by establishing water use rules for year round water conservation, to promote the efficient use of water, to reduce or eliminate the waste of water in the Town, and to enable implementation of the Town's ` shortage contingency measures.

#### **Sec. 110-3. - Adoption of water use rules.**

The Town hereby adopts by reference the outdoor water use rules mandated by the Georgia Department of Natural Resources Environmental Protection Division ("EPD"), from time to time, as the same may be modified by the Town of Atlanta Department of Watershed Management (the "EPD/Watershed Management Rules"). A copy of the current EPD/Watershed Management Rules is incorporated herein by reference, and a current copy of the same shall be maintained in the office of the Town clerk.

#### **Sec. 110-4. - Water conservation incentives.**

The Town has developed and implemented economic incentives for conservative water use, identified as the "Town of Trion Water Conservation Permit Incentive Program," a copy of which will be maintained on file with the Town's department of community development.

#### **Sec. 110-5. - Additional water conservation measures.**

In addition to the water conservation requirements established by this chapter, the Mayor or his or her designee is authorized to develop and promulgate additional water conservation plans and measures which shall be directed to achieve target goals for water conservation as determined by the Town Council by resolution from time to time.

#### **Secs. 110- 6 – 110-25 – Reserved.**

### **ARTICLE II. - SPECIFIC WATER CONSERVATION REQUIREMENTS**

#### **Sec. 110-26. - Rain sensor shut-off switch required.**

As used in this Code section, the term "rain sensor shut-off switch" means an electric device that detects and measures rainfall amounts and overrides the cycle of an irrigation system so as to turn off such system when a predetermined amount of rain has fallen or whether the temperature is 32 degrees Fahrenheit (zero degrees Celsius) or below.

- (1) No person shall install any landscape irrigation system equipped with an electronic controller that does not have a rain sensor shut-off switch.
- (2) Subsection 110-6(b)(1) shall not apply to either landscape irrigation systems installed on golf courses or any system dependent upon a nonpublic water source.

#### **Sec. 110-26.1. - Water stewardship restrictions.**

- (1) Persons may irrigate outdoors daily for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants only between the hours of 4:00 p.m., and 10:00 a.m.
- (2) Paragraph (a) of this section shall not create any limitations upon the following outdoor water uses:
  - (a) Commercial agricultural operations as defined in O.C.G.A. § 1-3-3;
  - (b) Capture and reuse of cooling system condensate or storm water in compliance with applicable Town regulations and state guidelines;

- (c) Reuse of gray water in compliance with O.C.G.A. § 31-3-5.2 and applicable Chattooga County Board of Health regulations adopted pursuant thereto.
- (d) Use of reclaimed wastewater by a designated user from a system permitted by the Environmental Protection Division of the Georgia Department of Natural Resources to provide reclaimed wastewater;
- (e) Irrigation of personal food gardens;
- (f) Irrigation of new and replanted plant, seed, or turf in landscapes, golf courses, or sports turf fields during installation and for a period of 30 days immediately following the date of installation;
- (g) Drip irrigation or irrigation using soaker hoses;
- (h) Hand watering with a hose with automatic cutoff or handheld container;
- (i) Use of water withdrawn from private water wells or surface water by an owner or operator of property if such well or surface water is on said property;
- (j) Irrigation of horticultural crops held for sale, resale, or installation;
- (k) Irrigation of athletic fields, golf courses, or public turf grass recreational areas;
- (l) Installation, maintenance, or calibration of irrigation systems; or
- (m) Hydro seeding.

**Sec. 110-27 – Water conservation plumbing devices.**

- (a) *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Commercial* means any type of building other than residential.

*Construction* means the erection of a new building or the alteration of an existing building in connection with its repair or renovation or its connection with making an addition to an existing building and shall include the replacement of a malfunctioning, unserviceable, or obsolete faucet, showerhead, toilet or urinal in an existing building.

*Residential* means any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel.

- (b) *Certain residential construction prohibited.* On or after April 1, 1992, no construction may be initiated in the Town of Trion for any residential building of any type which:
- (1) Employs a gravity-tank type, flushometer-valve, or flushometer-tank toilet that uses more than an average of 1.6 gallons of water per flush;
  - (2) Employs a showerhead that allows a flow of more than an average of 2.5 gallons of water per minute at 60 pounds per square inch of pressure;
  - (3) Employs a urinal that uses more than an average of 1.0 gallons of water per flush;
  - (4) Employs a lavatory faucet or lavatory replacement aerator that allows a flow of more than 2.0 gallons of water per minute; or
  - (5) Employs a kitchen faucet or kitchen replacement aerator that allows a flow of more than 2.5 gallons of water per minute.
- (c) *Certain commercial construction prohibited.* There shall be no construction initiated within the Town of Trion for any commercial building that does not meet the requirements of subsection (b) of this section.

- (d) *Effective dates of construction requirements; renovation.* The requirements of this section shall apply to any residential construction initiated after July 1, 1991, and to any commercial construction initiated after July 1, 1992, which involves the repair or renovation of or addition to any existing building when such repair or renovation of or addition to such existing building includes replacement of toilets or showers or both.
- (e) *Exemptions.*
- (1) New construction and the repair or renovation of an existing building shall be exempt from the requirements of subsections (b), (c), and (d) of this section when:
    - a. The repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets or showerheads within such existing buildings; or,
    - b. When such plumbing or sewage system within such existing building, because of its capacity, design, or installation, would not function properly if the toilets, faucets or showerheads required by this section were installed; or,
    - c. Such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individual's personal residence; or,
    - d. Units to be installed are:
      1. Specifically designed for use by the handicapped;
      2. Specifically designed to withstand unusual abuse or installation in a penal institution; or,
      3. Toilets for juveniles.
  - (2) The owner, or his agent, of a building undergoing new construction or repair or renovation who is entitled to an exemption as specified in subsections (e)(1) b, c, or d of this section shall obtain the exemption by applying at the office of the building inspector for the Town of Trion. A fee in an amount established by the Town shall be charged for the inspection and issuance of such exemption.
- (f) *Enforcement.* This section shall be enforced by the office of the building inspector of the Town of Trion. Citations for violations may be issued by the chief building inspector of the Town of Trion.

**Secs. 110-28 – 110-35 – Reserved.**

**ARTICLE III. – ENFORCEMENT**

**Sec. 110-36. - Compatibility with other regulations.**

This article is not intended to modify or repeal any other chapter, rule, regulation, or other provision of law. The requirements of this article are in addition to the requirements of any other chapter, rule, regulation, or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other chapter, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

**Sec. 110-37. - Violations.**

Any violation of this chapter may be enforced by a citation or accusation returnable to the municipal court or by any other legal means as set forth in the Code.