

**AN ORDINANCE**

AN ORDINANCE ADOPTING PLANS REQUIRED AS A CONDITION FOR WATER WITHDRAWAL PERMITS; PROVIDING FOR YEAR-ROUND CONSERVATION OF WATER AND FOR USE RESTRICTIONS DURING PERIODS OF DROUGHT OR OTHER WATER EMERGENCIES; PROVIDING PROCEDURES FOR ENFORCEMENT; PROVIDING PENALTIES FOR VIOLATIONS; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES OR PARTS THEREOF; AND FOR OTHER PURPOSES.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GRIFFIN, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:**

Section 1. As a condition for the holding of Georgia Department of Natural Resources, Environmental Protection Division, Permits to Withdraw, Divert or Impound Surface Water, No. 114-1191-02 and No. 114-1104-03, issued January 26, 2004, this Board hereby adopts by reference the following:

- a. City of Griffin Water Conservation Plan, prepared by Engineering Strategies, Inc., July 2003;
- b. City of Griffin Drought Contingency Plan, prepared by Engineering Strategies, Inc., July 2003;
- c. Rules and Regulations Governing Lakeshore Management and Public Use of Still Branch Reservoir, Pike County, Georgia, dated September 2003; and
- d. Watershed Protection Ordinance for Still Branch Reservoir Watershed and Flint River Intake Water Supply Watershed, affecting Pike and Meriwether counties, prepared by Engineering Strategies, Inc., July 2003.

Copies of the foregoing plans and proposed ordinances shall be maintained for public inspection and copying in the office of the City Manager. Request

has previously been made to the Board of Commissioners for the counties of Pike and Meriwether to adopt and enforce the Watershed Protection Ordinance, as applicable within their respective jurisdictions.

Section 2. The Code of Griffin, Georgia, is hereby amended at Chapter 94, UTILITIES, to add a new article providing for water conservation and temporary restrictions on water usage during periods of drought or other emergency water shortages, as follows:

**“ARTICLE \_\_. WATER CONSERVATION AND DROUGHT MANAGEMENT.”**

**Sec. 1. Purpose and Policy.**

The general welfare and public interest require that the water resources of Georgia be put to beneficial use to the fullest extent to which they are capable, subject to reasonable regulation in order to conserve such water resources, to protect natural systems, and to provide and maintain conditions that are conducive to the development and use of water resources. The General Assembly of Georgia has found and concluded that effective water resource management protects public health and the safety and welfare of Georgia’s citizens. Water resources are to be managed in a sustainable manner so that current and future generations have access to adequate supplies of quality water that support both human needs and natural systems. All citizens have a stewardship responsibility to conserve and protect the water resources of Georgia.

**Sec. 2. Goals and Objectives.**

In furtherance of the State’s policy to conserve water resources and demand management goals, the City of Griffin, as a permitted water system operator, adopts the following goals and objectives:

- a. To assure that first priority is given to providing water for human consumption and sanitation; all other purposes shall be secondary;
- b. To control the rate of growth in overall water use so as to minimize the use of existing and planned water supply sources available to the City of Griffin and its customers;

- c. To reduce the upward trend of seasonal peak day demands that drive the costly expansion of water treatment, storage, and transmission facilities; and
- d. To provide an orderly process for reducing system-wide demands during periods of drought or other emergency water shortages.

### **Sec. 3. Year-Round Water Conservation Practices.**

- a. All City of Griffin Water System (the “System”) users are encouraged to exercise voluntary water conservation practices at all times of the year, regardless of drought conditions, water shortage or emergency condition. The City may periodically provide informational guidance and conservation tips to its users.
- b. All newly installed or substantially improved irrigation systems, which use City of Griffin Water System water shall be equipped with automatic timers with rain or soil moisture sensors that activate to prevent operation of those systems while rain is falling and/or when soil moisture is adequate.
- c. Outdoor watering and non-essential outdoor water usage from the City of Griffin Water System for all homes and businesses shall follow restrictions imposed by the Board of the Georgia Department of Natural Resources, as from time to time amended, consistent with the level of drought; Rules and Regulations of the State of Georgia, Department of Natural Resources, Environmental Protection Division, Chapter 391-3-30, by express reference, is incorporated herein, together with the exemptions set forth therein.

### **Sec. 3. Drought or Other Water Use Restrictions.**

- a. Pursuant to O.C.G.A. Sec. 12-5-102, the Director of the Environmental Protection Division of the Georgia Department of Natural Resources may, from time to time, impose by permit, administrative or emergency order use restrictions on the City of Griffin Water System.

b. In addition thereto and supplemental thereof, water use restrictions may be imposed whenever the City of Griffin Water System cannot supply its customers with sufficient water to protect the public health and safety without substantial reductions in water demand. Whenever it is determined, in writing, by the System's Consulting Engineer that the System is unable or unlikely to continue meeting its customer demand without a substantial reduction in consumption, the City Manager, in consultation with the Director of Public Utilities, shall issue an administrative order imposing water use restrictions using the criteria set forth in the City of Griffin Drought Contingency Plan.

#### **Sec. 4. Water Use Emergency.**

Any other circumstances, including service losses caused by failure of equipment or facilities, human error, weather, or natural disaster, which constrain the System's water production capacity to less than the current level of customer demand may constitute a Water Use Emergency. In the event the Director of Public Utilities determines reasonable cause exists to declare a Water Use Emergency, authority is hereby delegated to the Director, under the criteria set forth above, to issue an administrative order imposing immediate use restrictions on all users of the City Water System. Orders issued by the Director under this section shall only restrict such non-essential uses as necessary to achieve System objectives, and may be modified, as needed, during a Water Use Emergency to achieve the System's highest priority of providing water for human consumption and sanitation over all other water uses.

#### **Sec. 5. Notice of Mandatory Water Conservation Practices, Water Use Restrictions, and/or Water Use Emergency.**

Customers and users of the City of Griffin Water System shall be given notice of water use restrictions by the best means available, including without limitation, inclusion of a notice in monthly utility bills and/or publication in a newspaper of general circulation within the System's service area. Public service announcements through television, radio and posting on the City of Griffin's website, may be utilized.

**Sec. 6. Enforcement of Mandatory Water Conservation Practices, Water Use Restrictions, and Water Supply Emergency Orders.**

a. It shall be a violation of this article for any person, firm, or corporation to use or permit the use of potable water from the City of Griffin Water System for any purpose or use restricted or prohibited by mandatory water conservation practices established by the Board of the Department of Natural Resources, by a permit, administrative or emergency order imposed by the Director of the Environmental Protection Division of the Georgia Department of Natural Resources, or by an administrative order imposing water use restrictions or a Water Use Emergency as provided by this article.

b. Violators shall be cited to appear before the Municipal Court of the City of Griffin, or other court of appropriate jurisdiction within the System's customer service area, and upon conviction shall be subject to a fine as set forth in Sec. 1-12 of this Code, or, if applicable, charged upon State Warrant with committing a misdemeanor as defined by general law.

c. In addition thereto, in the sole discretion of the Director of Public Utilities, a water use surcharge, in an amount double the customer's most recent monthly water bill, may be imposed on any customer for a first violation of this article; and a water use surcharge, in an amount triple the customer's most recent monthly water bill, may be imposed for a second violation of this article. For any subsequent violations within any twelve (12) month period, water service shall be discontinued to any customer of the City of Griffin Water System that willfully or systematically violates restrictions or prohibitions on water usage after written notice from the Director of the facts establishing such violation. When service has been discontinued under this section, service shall not be reinstated unless the customer posts a surety bond in the amount of Five Thousand (\$5,000) Dollars, payable to the City of Griffin, conditioned on faithful adherence to all water use policies and restrictions of the System.

d. The City Manager is hereby authorized, as necessary, to seek from any court of appropriate equitable jurisdiction, injunctive relief against any user of the City of Griffin Water System for summary abatement or remedying of appropriate conditions dangerous or prejudicial to the public health and safety, together with recovery of the costs and legal expenses thereof."

Section 3. Sec. 22-23, Water Conservation, of the 1968 Code, and all ordinances or parts thereof in conflict with the foregoing are expressly repealed.

Section 4. Except as modified herein, The Code of Griffin, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter.

Section 5. This ordinance shall become effective immediately upon adoption on second and final reading.

First Reading:                      June 08, 2004

Second Reading:                    June 22, 2004