

STATE OF GEORGIA

FULTON COUNTY

1st reading: June 15, 2009

2nd reading: July 6, 2009

**AN ORDINANCE TO AMEND CHAPTER 24, UTILITIES AND SERVICES,
OF THE ROSWELL CODE OF ORDINANCES**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the City of Roswell; and

WHEREAS, the Mayor and Council are charged with the protection of the public health, safety and welfare;
and

WHEREAS, the City Charter provides that the City may provide conditions of service and provide for the manner of collection of fees for services and utilities; and

WHEREAS, the Mayor and Council wish to amend Chapter 24 of the City of Roswell Code of Ordinances regarding utilities and services provided by the City:

NOW, THEREFORE, to accomplish the foregoing, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following ordinance:

1.

Chapter 24, Article 24.5 *Water and Sewer*, is deleted in its entirety and new Article 24.5 *Water and Sewer* is substituted therefore to read as follows:

**Article 24.5
Water and Sewer**

Section 24.5.1 Commencement of Service - Application Required.

Water shall not be introduced in any premises without application having first been made in the Finance Department, and authorization having been officially granted by the Director of Public Works or his/ her designee. Every application made must be by the owner of the property to be benefited or by an authorized agent, and said application must be made on a form prescribed by the mayor and council. Forms may be obtained from the Finance Department. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.2 Contract Period.

No water contract shall be made for a less period than one (1) year, except where parties remove from the premises, and for building purposes. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.3 Rates, Fees, Service Charges and Deposits.

A schedule of rates, fees, service charges and deposits for water and sewer, as established by Resolution of Mayor and Council, shall be maintained on file in the Finance Department of the City. Such schedule of rates, fees, service charges, consumption levels, and deposits shall be subject to adjustment from time to time by Resolution of the Mayor and Council. (2007-02-02, Renumbered, 02/05/2007; 2004-06-14, Amended, 06/07/2004; 2000-11-01, Amended, 01/12/2001; Ord. 2000-11-01, Amended, 01/02/2001)

Section 24.5.4 Bills - Billing Period; Payment Date, Penalty

All water bills shall be paid at the location designated on the bill not later than twenty one (21st) days after the due date printed on the bill. All customers failing to pay the total amount due by

the twenty second (22nd) day following the due date shall be subject to fees, penalties and disconnection of service. A penalty of one and one-half percent (1.5%) of the total amount outstanding shall accrue each month until the total amount due is paid in full.

If water service is disconnected, additional fees shall apply.

(2007-02-02, Renumbered, 02/05/2007; 2004-06-14, Amended, 06/07/2004; 2003-12-26, Amended, 12/01/2003)

Section 24.5.5 Water Cutoff List, Reconnection Charge.

Procedures and fees for water cutoff and reconnection, as established by Mayor and Council on December 1, 2003, shall be maintained on file in the Utility Billing office of the Finance Department. Such procedures and fees shall be subject to adjustment from time to time by Resolution of Mayor and Council.

The above service charge for being placed on the cutoff list and being notified of such does not in any way affect the right of the City to cut off the water of any user not paying the water bill in the time prescribed elsewhere in this article or affect the cut-on service charge after the water has been cut off. (2007-02-02, Renumbered, 02/05/2007; 2003-12-26, Amended, 12/01/2003)

Section 24.5.6 Authorized Personnel Only to Turn Water On or Off.

No person except one legally authorized will be allowed to turn water on or off at the meter box.

No person shall, by the use of a false key or otherwise, after the water has been turned off from any premises, cause said premises to be supplied with water, except through the Director of Public Works, or his/ her designee, under orders of the Mayor and Council. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.7 Illegal Use of Water.

Should any person use the city water without the knowledge of Director of Public Works, or his/ her Designee and it shall come to the knowledge of the Director of Public Works, or his/ her designee, that the water has been illegally used, a bill shall be made against the consumer of the water for the amount that has been used. It shall be the duty of the Director of Public Works, or his/ her designee, to cut off the water from the premises and issue a citation for violation of section 1-1-3. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.8 Tapping by Authorized Personnel Only.

No person but the Director of Public Works, or his/ her designee, or person authorized by him shall tap any main or distributing pipe or connection. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.9 Meters - One for Each House.

In no case shall more than one house be supplied through the same meter, but each separate house or premises shall have its own meter and receive water only through the meter.

Section 24.5.9.1 Use of sub-meters for multi-tenant properties.

Owners of property that is used by multiple tenants, whether commercial or residential, shall be required to install sub-meters for water use for each such tenant. The cost of such sub-meter shall be borne by the property owner. (2007-02-02, Renumbered, 02/05/2007; 2006-07-15, Added, 07/05/2006, 24.4.12.1 Added)

Section 24.5.10 Fees.

The fees for water meters for the City of Roswell's water system shall be maintained by the Finance Department. The Director of Public Works, or his/ her designee, shall provide the Finance Department with an up-to-date list of fees annually. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.11 Curb Stop and Boxes - City Property; Pipes into Premises Private Property.

The curb stop and meter box at the curb are the property of the city and are placed there for its sole use. The pipes from the ball valve into the premises of the customer are private property and all repairs to same must be made at the customer's expense. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.12 Location of Water Meters.

All water meters shall be installed at an easily accessible location on or near the property line of the premises being served adjacent to the public right-of-way. Water meters shall not be installed behind enclosed fences, in paved driveways or in paved parking areas

Section 24.5.13 Obstruction of Meter Box

No person shall cover a water meter with dirt or other material so that the cover or top of the meter is not visible to the City of Roswell's meter inspectors.

Section 24.5.14 Shut Off Valves which are Private Property.

A shut off valve shall be placed by every property owner near the street, immediately inside the property line, such shut off valve to be under the control of the tenant or owner, to be used by the customer in case of a burst pipe or other necessity where pipes to be repaired can be cut off from the main. The shut off valve is not intended to take the place of the ordinary shut off valve located within the premises to be used to drain pipes to prevent damages by freezing. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.15 Right of Entry of Officers; Shutting Off Water in Emergency; Non-liability of Council for Water Shortage.

The Director of Public Works, or his/ her designee, and the city police shall have the right at all hours to enter upon any premises where the city water is taken for the purpose of inspecting the pipes and fixtures, setting and repairing meters, turning water on or off, examining the sanitary condition incident to the use of the water and enforcing the rules generally. Every denial of this right will render the offending party liable to fine or imprisonment, or both, in the discretion of the recorder. The Director of Public Works, or his/ her designee, may stop the supply of water in case of emergency, and shut it off for repairs or extensions, he being the sole judge of the time and necessity therefore, reasonable notice being given when practicable. The City of Roswell shall not be liable in damages for any insufficient supply of water by the city at any time. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.16 Extension of Service.

Customers living beyond the limits of the existing water system may obtain water service by extending the pipeline to their premises from the nearest pipeline in service, which subscribers will be required to pay for all material and labor necessary for the extension of said line. All extensions shall be made by the city and subject to the approval of the Director of Public Works, or his/ her designee. When extensions have been made, and approved, the city agrees to furnish meters, curb stops, meter boxes, etc., and make connections at the regular rate of charges for this service set out in section 24.5.3, when line is completed. The customer(s) will pay a deposit of the estimated cost of said line up front and charged for with the water service. After new line and appurtenances have been installed, any monies left over from deposit shall be refunded to customer(s). The extension shall become the property of the city and a part of the City of Roswell's potable water system. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.17 Waterline Material - Specified.

The required material for all waterlines installed in the City of Roswell's potable water system, shall be in compliance with city specifications. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.18 Installation and Payment for Water Lines on Existing Dedicated Streets Inside the City Limits.

a) The owners of property abutting on an existing dedicated street which does not have water furnished by the City of Roswell or Fulton County may petition the mayor and city council for such water service. If the owners of fifty-one (51) per cent of the lineal feet of frontage of the land abutting the street to be served sign said petition requesting water service, the City of Roswell will, after determining that such petition is in proper form, set a date for a public hearing on the installation of the water line. Such hearing will be published once a week for at least two (2) weeks in the official

newspaper of the City of Roswell. Provided however, if one hundred (100) per cent of the owners of the lineal feet of frontage of the land liable to assessment for such improvement shall sign the petition requesting that the water line be installed, no public hearing will be required. If the installation of the water line is approved by the city council, the City of Roswell will make the necessary arrangements to make water available to property located on said street, the costs of such water line extension shall be borne by the property owners abutting the street to be served. The water line assessment for each property owner will be made on a front footage basis. Such water line assessments shall become due and payable before the water line is installed by the City of Roswell. After new line and appurtenances have been installed, any monies left over from deposit shall be refunded to customer(s).

(b) Definitions.

"Street" means any existing street or a block of any existing street located within the city limits of Roswell to which the city has title.

"Lineal feet of frontage" means front footage abutting the street to be served.

"Property owner" means the owner of the legal title to the real estate abutting the street to be served.

"Water line assessment" means the amount of money due the city by the property owner for construction of the water line.

"Water line" means the main line from which water service can be procured by the land owners. This does not include tapping, supplying and installing meter, stopcock, curb box, etc. as set forth in section 24.5.2. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.19 Meddling with Waterworks System and Other Illegal Acts.

(a) Prohibited acts enumerated. It shall be unlawful for anyone to interfere or to intermeddle with any reservoir, water tank and tower, basin, or the water therein, or the water mains, pipes, hydrants, plugs, meters or any connections of the waterworks system within or without the city, or to climb a tank tower or standpipe, or to make any connections therewith by tapping the mains or pipes, or tank tower, or to throw anything in the same, or in the reservoir, or in any part of the system, in violation of the rules or regulations of the mayor and council, or to permit any of these several things above enumerated to be done upon his premises or the premises under his control, or to make use of such unauthorized connections made by anyone. Any person found guilty of any of the above mentioned offenses shall be deemed guilty of disorderly conduct and punished as prescribed by section 1-1-3.

(b) Compliance with section 24-5-26. The director of public works or his designee is hereby authorized and directed to monitor compliance with section 24-5-26 and issue a citation(s) when it is deemed necessary.

(c) Penalty provisions. Any person found guilty of violating section 24-5-26 or any part of section 24-5-26 shall be deemed guilty of disorderly conduct and punished as prescribed by section 1-1-3. Furthermore, punishment shall include restitution for the following:

(1) The total cost incurred by the city to repair or replace facilities damaged as a result of the violation.

(2) Any injury or damage to persons or property and/or loss of services resulting from the violation. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.20 Plumbing and Water Conservation.

(a) Purpose. It is the purpose of this section to require the use of ultra-low-flow plumbing fixtures in all new construction or when replacing plumbing fixtures during renovation or remodeling of existing buildings, and to require the labeling of plumbing fixtures with information regarding flow rates for the purpose of conserving water to maintain the integrity of drinking water supplies and reduce wastewater flows.

(b) Definitions. As referred to in this section:

"Plumbing fixtures" shall mean any toilet, urinal, showerhead, bathroom, lavatory and kitchen faucet and replacement aerators.

"Toilet" shall mean any fixture consisting of a water-flushed bowl with a seat used for the disposal of human waste.

"Urinal" shall mean any fixture consisting of a water-flushed bowl used for the disposal of human waste.

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

"Commercial building" shall mean any type of building other than residential.

(c) Standards. No plumbing fixture shall be installed which does not meet the standards listed in subsection (c)(1). This includes all plumbing fixtures installed in newly constructed buildings or when replacing plumbing fixtures during remodeling or renovation of existing buildings, except as noted in subsection (e). The effective date of this requirement for residential buildings shall be July 1, 1991, and for commercial buildings shall be July 1, 1992, and for government/municipality buildings shall be July 1, 2009.

(1) All plumbing fixtures installed as referred to above should not exceed the following maximum water use rates:

Fixture Gallons per Flush/Minute

Toilets 1.6

Urinals 1.0

Showerheads 2.5

Kitchen Faucets 2.5

Bathroom and lavatory faucets 2.0

(2) The flow restriction device in a showerhead must be a permanent and an integral part of the showerhead and must not be removable to allow flow rates in excess of that stated in subsection (c)(1) above.

(3) Lavatory faucets located in restrooms intended for use by the general public shall be of the metering or self-closing type, in addition to the flow requirement listed in subsection (c)(1).

(4) All plumbing fixtures installed in government/ municipality buildings shall not exceed the following maximum water use rates:

Fixture Gallons per Flush/ Minute

Toilets 1.28

Urinals 0.5

Showerheads 1.6

Kitchen Faucets 2.5

Bathroom and Lavatory Faucets 1.5

Fixtures and equipment labeled WaterSense® shall be the standard whenever possible. Future changes approved for WaterSense products that exceed the performance specifications above shall supersede these specifications.

(d) Product labeling. Effective July 1, 1991, all toilets, urinals, showerheads or faucets shall be clearly labeled by the manufacturer to indicate the maximum flow rate or water usage of the fixture. The water use rate of the fixture shall be certified by the manufacturer based on independent test results and using sixty (60) psi for showerheads. The label shall be fixed to the fixture and remain there until the proper building and/or plumbing inspections have been conducted. Also, the product packaging must be clearly marked to identify water use rates when offered for retail sale.

(e) Exceptions. The following fixture uses or applications shall be exempt from the standards established in subsection (c):

(1) Showers and faucets installed for safety purposes, such as emergency eye wash stations, etc.

(2) Plumbing fixtures specifically designed for use by the physically handicapped.

(3) Fixtures specifically designed to withstand unusual abuse or for installation in correctional institutions which may require more water for proper operation.

(4) Instances of building renovation where significant plumbing modifications would be required to accommodate the lower flows or for specialized purposes which cannot be accommodated by existing technology.

Permission for the exceptions listed herein must be obtained from the chief building inspector.

(f) Penalties for violation. Any person who violates any provision of this section shall be subject to a fine not to exceed one thousand-dollars (\$1000.00) for each violation. Each violation shall constitute a separate offense and each day that such violation continues shall constitute a separate offense. Any building or plumbing contractors, developers, etc., who violate the provisions of this section shall be subject to suspension of their business license for a period of up to ninety (90) days.

(g) Compliance and enforcement. In addition to the penalty provided in subsection (f), the city may take other actions as described below to compel compliance and may maintain an action or proceeding in any court of competent jurisdiction to compel compliance with or restrain any violation of this section:

(1) Compliance with the requirements for installation and labeling at the time of installation in subsection (c) shall be determined by the chief building inspector or his/her agent in cases of new or replacement plumbing fixture installations and compliance shall be a condition for receipt of any occupancy permit.

(2) The appropriate water authority or water service agency may deny any service connection to an establishment which does not comply with the standards set forth in subsection (c).

(3) Compliance with the requirements in subsection (d), regarding the labeling of plumbing fixtures offered for retail sale, shall be determined by the chief building inspector or his/her agent. The agency shall have access to all establishments which offer for retail sale or sell plumbing fixtures at retail for purposes of determining compliance with subsection (d).
(2007-02-02, Renumbered, 02/05/2007)

Section 24.5.21 Water Waste

Water waste is defined as water used without obtaining maximum beneficial use thereof. Water waste shall also include, but not be limited to, causing, suffering, or permitting a flow of water used for landscape watering to run into any river, creek or other natural water source or drain, superficial or underground channel, or into any sanitary or storm sewer, any street, road or highway or other impervious surface area, or upon the lands of another person or upon public lands. Water waste shall also include, but not be limited to, any discharge of water used for commercial, industrial, municipal or domestic purposes to any storm, sanitary sewer, or septic system without the user first having obtained maximum beneficial use thereof. Water waste shall also include, but not be limited to, failure to repair any controllable leak on property owned by any registered meter customer.

It shall be a violation of the City of Roswell for any person in the city limits to intentionally, knowingly, recklessly, or criminally negligently allow or cause water waste, to allow or cause landscape watering outside the prescribed hours for landscape watering.

The customer will be given a time table to cease water waste. If water waste has not ceased the customer will be subject to fines and/ or water service termination as defined under section 1.1.3.

Section 24.5.22 Conservation Measures Relating to Lawn and Landscape Irrigation

Summary: It is a violation of the City Code of Roswell to water a lawn or landscape in a manner that wastes water or causes runoff including causing water to fall on sidewalks, driveways, or other areas not lawns or landscapes. It is recommended that the customer have their irrigation system inspected annually, by a certified inspector, to ensure that the irrigation system is working properly, as well as, maintain their irrigation system to prevent waste by repairing broken, missing, or misdirected sprinkler heads. Rain sensors are required on all automatic sprinkler systems.

(a) Purpose. Lawn and landscape irrigation practices within the city of Roswell, especially during the summer months, can cause a waste of valuable water resources. The purpose of this section is to mandate that water be used for lawn and landscape irrigation in a manner that prevents waste, conserves water resources for their most beneficial and vital uses, and protects the public health.

(b) Lawn and landscape irrigation restrictions.

(1) A person commits an offense if he knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased, or managed by the person in a manner that causes:

(A) A substantial amount of water to fall upon impervious areas instead of upon the lawn or landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or

(B) An irrigation system or other lawn or landscape watering device to operate during any form of precipitation.

(3) A person commits an offense if, on premises owned, leased, or managed by him, he operates a lawn or landscape irrigation system or device that:

- (A) Has any broken or missing sprinkler head; or
 - (B) Has not been properly maintained in a manner that prevents the waste of water.
- (c) Rain sensing devices and freeze gauges.
 - (1) Any new irrigation system installed within the city on or after January 1, 2005 must be equipped with a rain sensing device. Although not mandatory, a freeze gauge is also recommended.
 - (2) Any irrigation system installed before January 1, 2005 shall be required to install a rain sensing device when irrigation system is repaired or replaced.
 - (3) The following constitute violation of this Section:
 - (A) Installation, causing or permitting the installation of a new irrigation system in violation of Subsection (c)(1);
 - (B) Operating, causing or permitting the operation of an irrigation system that does not comply with Subsection (c)(1); or
 - (C) Operating, causing or permitting the operation of an irrigation system that does not comply with Subsection (c)(2).
- (d) Variances. The city may, in special cases, grant variances from the provisions of Subsection (b) (1) or Subsection (c) to persons demonstrating extreme hardship and need. The city may grant variances only under all of the following circumstances and conditions:
 - (1) The applicant must sign a compliance agreement on forms provided by the city, and approved by the city attorney, agreeing to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.
 - (2) Granting of a variance must not cause an immediate significant reduction in the city's water supply.
 - (3) The extreme hardship or need requiring the variance must relate to the health, safety, or welfare of the person requesting it.
 - (4) The health, safety, and welfare of other persons must not be adversely affected by granting the variance.
- (e) Revocation of variances. The city may revoke a variance granted when the city determines that:
 - (1) The conditions of Subsection (d) are not being met or are no longer applicable;
 - (2) The terms of the compliance agreement are being violated; or
 - (3) The health, safety, or welfare of other persons requires revocation.
- (f) Backflow Prevention Devices
 - (1) Any new irrigation system installed within the City on or after January 1, 2007 shall have installed an approved backflow prevention device at the point of service connection. The device must be tested after installation and annually, thereafter, by a certified tester in backflow prevention, pursuant to Federal and State law for safe drinking water and the City of Roswell's Ordinance 24.5.26.
 - (2) Any irrigation system installed before January 1, 2007 must be retrofitted with an approved backflow prevention device no later than March 1, 2009. Failure to comply may result in the termination of water service.

Section 24.5.23 through 24-5-25 Reserved.

Section 24.5.26 Cross-Connections and Backflow-Prevention.

(a) The director of the department of public works or his designee is authorized to discontinue water service to prevent contamination/pollution of the public water supply/system due to possible cross-connections or when necessary to protect the water supply/system or individual properties from emergency cross-connections or backflow situations.

(b) The department of public works and/or building inspections department are further authorized to install, or require to be installed, suitable backflow-prevention device(s) at the customer's/owner's service connection(s) or other areas as needed to prevent contamination or the risk

thereof for the public water system.

(c) The department of public works and building inspections department shall reserve the right to periodically inspect and test any backflow-prevention device(s). Installation, testing and repairs shall be in accordance with the department of public works backflow-prevention by containment policy and procedures. Inoperative or faulty device(s) shall be promptly repaired/replaced by the customer/owner or water service shall be terminated.

(d) Penalties for violation. Any person who violates any provision of this section shall be subject to a fine not to exceed one thousand-dollars (\$1000.00), pursuant section 1.1.3. Each day that such violation continues shall constitute a separate offense. Water service may also be terminated and the customer or consumer will be subject to a disconnection fee and reconnection fee once water is restored as per 24-5-6. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.27 through 24-5-30 Reserved. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.31 Emergency Restrictions on Water Use - Application of Restrictions.

All customers and consumers of water services are hereby required to comply with the following restrictions as a condition of continued water services:

(a) The use of water by hose or automatic sprinkling device, for the purpose of sprinkling or watering outside plant material, such outside plant material being defined to include lawns, vegetable and flower gardens, plants and trees, may be required to abide by a mandatory even/odd system of watering on alternating days during the week from Sunday through Saturday, or complete outdoor watering ban. These restrictions shall apply uniformly to all premises served by the water system, including residences, businesses, and private and governmental institutions.

(b) The director of public works is authorized to impose such restrictions as may be necessary to alleviate emergency conditions, and is further authorized to make exception to the general restrictions imposed on businesses in respect to those businesses such as carwashes, nurseries, and the like, that depend upon greater amounts of water supply for their livelihood.

(c) Alternate water sources such as wells, ponds, streams, lakes, etc. may be required to abide by a mandatory even/odd system of watering on alternating days during the week from Sunday through Saturday. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.32 Penalties; Termination of Service.

The director of public works and the chief of police or his designee, are hereby authorized and directed to monitor compliance with the above restrictions, issue a citation which imposes up to a one thousand-dollar (\$1000.00), and upon continued violations, to terminate service to any premises at which such restrictions are not observed, as follows:

(a) The first time a customer or consumer violates the above restrictions, a citation will be issued imposing not less than a three hundred- dollar (\$300) fine.

(b) The second time that a customer or consumer fails to comply with the above restrictions; a citation shall be issued imposing up to a seven hundred and fifty-dollar (\$750) fine.

(c) The third time of noncompliance, water service can be terminated to the premises where noncompliance occurred, and a warrant be served upon the customer or consumer to appear before the magistrate of Fulton County or Roswell municipal court. A disconnect and reconnect fee shall be imposed under 24.5.3.

(d) In the case of multiunit residential dwellings known to be served by a single meter, water service shall not be terminated unless and until written notification is given to the person in whose name the water bill is issued, that the procedures stated in subsections (a), (b), and (c) above will apply. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.33 Appeal.

Any person aggrieved or affected by any decision hereunder may appeal to the director of the department of public works, or his/ her designee, for relief or reconsideration. Any person aggrieved or affected by any decision of the director relating to the application of these regulations may file an appeal with the Mayor and Council of the city within thirty (30) days of the decision of the director of public works. Appeals shall only be granted where unique circumstances are such that application of

these regulations would create an undue hardship to the property owner. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.34 Modification of Restrictions.

The Director of Public Works may modify or cancel the above restrictions or add additional restrictions from time to time as the emergency conditions affecting the water system may worsen or abate. 2007-02-02, Renumbered, 02/05/2007)

Section 24.5.35 through 24.4.40 Reserved.

Section 24.5.41 Damaging Sewer Lines; Penalty.

(a) It shall be unlawful for any person to break or damage any sewer line of the city sanitary sewerage system.

(b) Any person responsible for breaking or damaging any sewer line of the city sanitary sewerage system shall be in violation of this section and shall be required to pay as penalty:

(1) An amount sufficient to fully repair and restore the sewer line, but not less than the amount charged for a tap or connection where no tap was installed during construction of the line; plus

(2) An additional amount of fifty dollars (\$50.00).

(c) Repairs to a damaged sewer line as a result of a violation of this section shall be done only under the direction and supervision of the sewer connection inspector of the city.

(2007-02-02, Renumbered, 02/05/2007)

Section 24.5.42 Septic Tank and Septic Tank Drainage; Permit to Install Required.

It shall be unlawful for any person to install any septic tank or septic tank drainage, without first obtaining a permit from the city clerk for such installation. (2007-02-02, Renumbered, 02/05/2007)

Section 24.5.43 Specifications for Septic Tanks.

All septic tanks and septic tank drainage shall be installed according to the following specifications:

(a) The septic tank shall be rectangular in shape with capacity to take care of the number of fixtures emptying therein, as shown below. The tank shall be built of concrete, with four-inch walls and bottom. The top shall be built in two (2) sections, four (4) inches thick, so that one or both may be removed when necessary.

Dimensions:

2 to 5 fixtures 2'6" × 5' × 5'

6 to 8 fixtures 3'6" × 5' × 5'

(b) The influent line shall either be four-inch CI pipe, leaded, or four-inch terra cotta, sealed with jute and cement.

(c) The drainfield shall be not less than one hundred fifty (150) feet in length, consisting of round drain tile, and having a fall of one-half (1/2) inch to every ten (10) feet. This tile shall be placed in a trench in which four (4) inches of ash-free cinders or gravel has been placed. Each joint shall be covered with a piece of tar paper. The trench shall then be filled with ash-free cinders or gravel to the depth of not less than three (3) inches above the top of tile. The top of tile shall not be less than ten (10) inches from the surface of the ground. (2007-02-02, Renumbered, 02/05/2007)

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, 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.

4.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

5.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

6th The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia on the day of July, 2009.

Attest

Sue H. Creel
Sue H. Creel, City Clerk

Jere Wood
Jere Wood, Mayor

(SEAL)

Jerry Orleans
Councilmember Jerry Orleans

Kent Igleheart
Councilmember Kent Igleheart

David C. Tolleson
Councilmember David Tolleson

Rebecca Wynn
Councilmember Rebecca Wynn

Richard Dippolito
Councilmember Richard Dippolito

Lori Henry
Councilmember Lori Henry

