

AN ORDINANCE TO AMEND CHAPTER 8 (BUILDINGS AND BUILDING REGULATIONS) OF THE CITY OF DUNWOODY CODE OF ORDINANCES; TO ADD REGULATIONS THAT ENHANCE WATER QUALITY AND WATER CONSERVATION;

WHEREAS, the City of Dunwoody is part of the Metropolitan North Georgia Water Planning District; and

WHEREAS, the Metropolitan North Georgia Water Planning District has developed a regional Water Resources Management Plan which is the responsibility of local governments to implement; and

WHEREAS, the Metropolitan North Georgia Water Planning District has provided municipalities with model ordinances; and

WHEREAS, the City wishes to ensure compliance with the Water Resources Management Plan through the adoption of the provided model ordinances and, thereby, enhance water quality and water conservation.

NOW, THEREFORE, the Mayor and City Council of the City of Dunwoody HEREBY ORDAIN that Chapter 8 is amended as follows:

ARTICLE IV. - MISCELLANEOUS PROVISIONS

Sec. 8-86. - Maintenance of proper sanitary conditions on premises required; procedures; enforcement.

- (a) Every person, whether owner, tenant, agent, or employee owning, holding, or occupying property in the city shall, at all times, maintain the property, whether a vacant lot or otherwise, in a clean and sanitary condition, keeping all weeds cut and wastepaper, trash and other rubbish of every sort cleaned off of the property. Said duty to maintain property in a clean and sanitary condition shall include the duty to cut and remove undergrowth, such as kudzu, briars, weeds in excess of ten inches in height, honeysuckle, other vines and seedlings, whenever such undergrowth becomes a nuisance to persons residing in the area or operating businesses in the area. If such undergrowth exists upon an unimproved lot, the community development director may reduce the extent to which the property must be maintained in such condition, provided there are no imminent threats to public health and safety.
- (b) It shall be the duty of the community development director or a designee thereof to give five days' written notice, by certified mail, return receipt requested, and take reasonable steps to deliver in person to any owner of property or other person violating this section to appear before the city council to show cause why these provisions have not been complied with. In addition, the community development director or a designee shall immediately post a notification upon the property in violation of this section in order to provide visual notification to property owners for a period of five consecutive days.
 - (1) In case of inability to contact owners in other manners prescribed above, posted notice shall serve as the official notice for the city council hearing on this matter.
 - (2) After a hearing, if it is deemed by the council that this section has not been complied with, such owner or other person shall be given five days to comply, and, if he fails or refuses to do so, the public works director shall thereupon cause the work to be done.
 - (3) For purposes of giving the notice to the owner of the property, as provided for herein, the person shown as the owner of said property on the ad valorem tax records of the city shall be sent such

notice at the address shown thereon, unless the city receives actual notice that another person owns said property; that owner shall be responsible for said violation.

- (4) The council may, by majority vote, refer any and all cases described in this section to the municipal court, and all hearings heretofore described as being before the council may be before the municipal court if the council decides.
- (c) When the public works director has caused weeds to be cut from any premises, or wastepaper, trash, or other rubbish removed, a notice shall be prepared assessing the cost of the cutting of those weeds, cleaning and rendering sanitary such vacant lot or other property against the owner, tenant, agent, or employee owning, occupying, or controlling the property. The cost of such action shall be a debtor lien upon the property so cleaned and rendered sanitary and a debt against the owner, tenant, agent, or other party in charge of the property. The debtor lien shall date from the completion of the work on the property as declared under city council ordinance.
- (d) A written statement shall be furnished by the city clerk to the owner, agent, or other party in charge of the property subject to the assessment provided for herein showing the amount of the assessment. It shall be the duty of the owner, agent, or other party in charge of the property subject to the assessment to pay the city, within 30 days after the receipt of the statement, the entire amount of the assessment against the property and the owner, tenant, agent, or other party in charge of the property.
- (e) Any owner, tenant, agent, or other party in control of property subject to assessment as provided herein who fails or refuses to pay to the city the amount of such assessment at the expiration of 30 days after the service of the notice of statement provided above, the city clerk shall issue an execution bearing date of its issuance in the name of the mayor of the city and specifying the purpose for which it is issued against the owner, tenant, agent, or other party in control of the property subject to the assessment and also against the property of the owner, tenant, agent, or other party in control of the property upon which the work in question is performed. The execution shall assert and be a lien against the property from the day of the completion of the performance of the work hereinbefore described and shall bear interest at the rate of one percent per month from the date on which it is issued. For the purposes of this section, any period of less than one month shall be considered to be one month.
- (f) The execution issued under these provisions shall be delivered to the chief of police or a designee thereof who shall execute the same by levying upon and selling the property described therein, or so much thereof as may be necessary for the amount due the city from the doing of such work, together with all costs that may accrue thereon. The law applicable to the sales under other executions issued by this city shall apply to the levy, notice, advertisement and sale made under the execution, and the levying officer shall have authority to execute a deed to the purchaser when the property is sold and shall deliver the possession thereof to the purchaser within the time required by law as under tax executions.

(Comp. Ords. 2008, ch. 7, art. 4, § 1)

Sec. 8-87. - Fire limits.

The fire limits of the city for purposes of the building code shall be the same as is provided in this Code.

(Comp. Ords. 2008, ch. 7, art. 4, § 2)

Sec. 8-88. - Application of the International Fire Code.

The International Fire Code shall apply to all existing buildings and subjects all existing buildings to a periodic inspection for compliance with the adopted fire code. The Georgia Amendment to the International Fire Code, designated as section 101.3 (Purpose and Intent) of the code, is hereby adopted by reference.

(Comp. Ords. 2008, ch. 7, art. 4, § 3)

Sec. 8-89. - Multifamily rental housing.

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

Certified building inspector means a person inspecting for compliance with the various adopted codes who is a licensed design professional (architect or engineer) or holds one of the following certifications from the International Code Council (ICC): property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.

Code compliance certificate means a certificate, substantially similar to the inspection report provided by the city, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report.

Inspection report means the report attached to the code compliance certificate describing minimum requirements for inspection of each unit.

Lease means any written or oral agreement which sets forth any and all conditions concerning the use and occupancy of multifamily rental dwellings or multifamily rental units.

Multifamily rental dwelling means any multifamily structure, multifamily building, or other facility promised and/or leased to a residential tenant or tenants for use as a home, residence, or sleeping unit. This definition includes, but is not limited to, multiple-family dwellings, multiple-family apartment units, boardinghouses, rooming houses, group homes, and flats.

Multifamily rental unit means any one area, room, structure, flat, apartment, or facility of a multifamily rental dwelling that is being leased or rented to only one tenant, group of tenants, or family under one lease, or under terms of joint and severable liability.

Occupancy means all tenants, lessees and persons residing within a multifamily rental dwelling or multifamily rental unit.

Owner means any person, agent, firm, or corporation having a legal or equitable interest in a premises.

Owner-occupied means any part of a structure used as living quarters by the owner of said structure where other parts of the structure are used as multifamily rental units. Example: Two-family dwelling, owner occupies one flat; rooming house, owner occupies one unit.

Premises means any lot or piece of land inclusive of the multifamily rental dwelling or multifamily rental unit.

(b) *Fee and certificate required.*

- (1) *Occupation tax.* All owners of multifamily rental dwellings or multifamily rental units within the city that receive income for use of four or more such dwellings or units and meet the requirements of O.C.G.A. § 48-13-5 for having a location or office within the city (i) shall be subject to an occupation tax as provided in this policy and (ii) shall provide to the city, prior to receiving an initial occupational tax certificate under this policy, a code compliance certificate covering 100 percent of the multifamily rental units within the 12-month period immediately preceding the date of the certification. Said code compliance certificate shall be certified by the owner that all units inspected are in compliance with those standards contained in the code compliance certificate and inspection report. For the initial year of construction, this section shall not apply to new construction or rehabilitation of a multifamily rental dwelling provided proper permits are obtained from the city.
- (2) *Inspection.* Upon initial inspection of such dwellings or units, should a certified building inspector determine that further work is necessary to comply with the minimum standards set forth herein, an acceptable plan shall be submitted to the chief building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the chief building

official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this article. No extension shall be granted if life safety issues are involved and any such units shall not be leased until brought into compliance.

- (3) *Compliance certificate.* After submission of the initial code compliance certificate, each owner shall submit a code compliance certificate annually, commencing on January 1, 2011, with their business license renewal. Such subsequent code compliance certificate shall cover at least 20 percent of the units, provided all units shall be inspected, at a minimum, every five years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior inspections shall cover at least 20 percent of the buildings, provided all buildings shall be inspected, at a minimum, every five years. All units inspected shall be listed individually and submitted to the city by the certified building inspector.
 - (4) *Written record of inspection.* Each owner and certified building inspector shall keep a written record of all inspections for each unit including the date of the inspection, items inspected and all violations, if any, observed. Such records shall be presented to the city within ten business days after such request is made in writing to the inspector. Failure to provide such records shall nullify the code compliance certificate for those units.
- (c) *Failure to provide code compliance certificate.*
- (1) Failure to provide the code compliance certificate as provided herein shall be a violation of this section and is subject to those penalties contained within chapter 1 of the City Code of Ordinances.
 - (2) Failure to provide the code compliance certificate shall further, upon a judicial determination, be a condition constituting probable cause for, and may subject said multifamily rental dwelling or multifamily rental units to, inspection by the city building official at a fee as determined by the city council that covers all costs of such inspection by the city. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.
 - (3) Failure to pay the occupational tax as provided herein shall be a violation of the City Code and is subject to those penalties set forth therein. Nothing contained in this section shall prevent the city from enforcing the state minimum standard codes as provided in this chapter.
- (d) *Penalty for false certification and false inspection.*
- (1) An owner who knowingly participates in furnishing a code compliance certificate to the city which contains a false certification that all multifamily rental dwellings or multifamily rental units inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this Code for each multifamily rental dwelling or multifamily rental unit for which the certification is shown to be false and can be fined as provided by this Code for each violation.
 - (2) A certified building inspector who furnishes an inspection report which knowingly contains fraudulent information that a multifamily rental dwelling or multifamily rental unit meets the minimum housing standards of the city as shown by the inspection report provided by the city from which this ordinance is derived shall be guilty of a violation of the Dunwoody Code of Ordinances and the inspector's right to submit inspection reports to the city may be suspended for a stated period of time, up to five years, by resolution of the city council.
- (e) *Certified building inspector requirements.* All inspectors wishing to submit or participate in the apartment evaluation program must comply with the following requirements:
- (1) The inspector must be a licensed design professional (architect or engineer) or hold one of the following certifications from the International Code Council (ICC): property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.

- (2) The inspector must submit a copy of his or her business license and applicable certification to the city to be placed on an approved inspector list prior to inspecting any apartment complex.
- (3) The inspector must meet with the chief building official or the code compliance official upon approval prior to performing any services to comply with this section.
- (4) Mandatory meetings will be called by the city which all inspectors participating in the program must attend. Ample notice will be provided by the city of no less than two weeks.
- (5) The inspector must provide an inspection report or a certificate, similar to the inspection report provided by the city, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report. The inspector must sign and date the report upon completion.

(Ord. No. 2010-04-12, § 1, 4-26-2010)

Sec. 8-90. - Gate access.

(a) Definitions.

- (1) *RFID* means radio frequency identification and, for the purpose of this section, refers to a mode of access to open a gate in a gated community utilizing radio frequency waves to activate the gate's locking mechanism and opening the gate.
 - (2) *SOS* means siren operating sensor and, for the purpose of this section, refers to a sensor that triggers the opening of gated access as a result of the emergency vehicle siren.
 - (3) *Emergency vehicle* means any marked or unmarked law enforcement vehicle, fire truck, fire rescue staff vehicle, ambulance and/or ambulance staff vehicle and rescue units.
 - (4) *Gated development* means any property which may be fenced and has a secured gate located at the roadway entrance to the facility, preventing free access by the public.
- (b) Each gated development, access to which is limited by security gate(s) which are unmanned or otherwise not physically attended by a person on a 24-hour basis shall be required to install an RFID/SOS gate access system on each roadway entrance gate to allow for silent radio frequency or siren-activated access by emergency vehicles. This requirement shall apply to all such gates that exist or are installed as part of the gated development, whether leading outside the development or internal to the development.
- (c) Failure to install the required RFID/SOS gate access system in conformance with the provisions of this section shall be a violation of this ordinance [from which this section derives]. This section shall be administered by the Dunwoody Police Department.
- (d) The provisions of this section are intended to insure minimum level of access by emergency personnel during emergencies and shall not be construed to guarantee the safety of a gated development during an emergency.

(Ord. No. 2015-03-07, § 1, 3-23-2015; Ord. No. 2019-05-09, § 1, 5-6-2019)

Sec. 8-91. - Enhanced fire protection for new apartment and apartment condominium buildings.

- (a) *Applicability.* The following regulations apply to any new apartment or apartment condominium building constructed with combustible materials.
- (b) *Enhanced sprinkler protection:*
 - (1) 2012 NFPA 101 Life Safety Code. Delete subsection 30.3.5.2 in its entirety and substitute in its place the following:

"30.3.5.2 Where an automatic sprinkler system is installed, the system shall be installed in accordance with Section 9.7.1.1 (1) NFPA 13, Standard for the Installation of Sprinkler Systems, as modified by 30.3.5.3 and 30.3.5.4."

- (2) 2013 NFPA 13 Standard for the Installation of Sprinkler Systems. Delete subsections 8.15.7.1, 8.15.7.2, 8.15.7.3, 8.15.7.4, and 8.15.7.5 in their entirety and replace with the following subsection:

"8.15.7.1 Sprinklers shall be installed under all occupiable exterior projections."

- (c) Enhanced exit enclosure protection:

- (1) 2012 NFPA 101 Life Safety Code. Delete subsection 30.2.2.1.2 in its entirety and substitute in its place the following:

"30.2.2.1.2 Exit enclosures shall have a minimum 2-hour fire resistance rating, and doors shall have a minimum 1½-hour fire protection rating."

- (2) 2012 NFPA 101 Life Safety Code. Add subsection 30.2.2.3.1.1 to read as follows:

"30.2.2.3.1.1 Each stair, platform, landing, guard, and handrail, regardless of building construction type, shall be of noncombustible material throughout."

- (3) 2012 NFPA 101 Life Safety Code. Add section 30.2.2.3.2 to read as follows:

"30.2.2.3.2 Enclosure pressurization. Exit enclosures shall comply with 7.2.3.9."

- (d) Enhanced vertical opening protection:

- (1) 2012 NFPA 101 Life Safety Code. Delete subsection 30.3.1.1.4 in its entirety and substitute in its place the following:

"30.3.1.1.4 Walls enclosing vertical openings shall have a minimum 2-hour fire resistance rating, and the doors shall have a minimum 1½-hour fire protection rating."

- (e) Enhanced corridor protection:

- (1) 2012 NFPA 101 Life Safety Code. Delete subsections 30.3.6.1, 30.3.6.1.1, and 30.3.6.1.2 in their entirety and replace with the following subsection:

"30.3.6.1 Corridor walls shall have a minimum 2-hour fire resistance rating, and the doors shall have a minimum 1½-hour fire protection rating."

- (f) Enhanced building space separation protection:

- (1) 2012 NFPA 101 Life Safety Code. Delete section 30.3.7 and subsections 30.3.7.1 and 30.3.7.2 in their entirety and replace with the following section:

"30.3.7 Subdivisions of building spaces. Dwelling units shall be separated from each other by walls and floors constructed as fire barriers having a minimum 2-hour fire resistance rating."

- (g) Enhanced range top cooking surfaces protection

- (1) All range top cooking surfaces shall be protected by an extinguishing system tested and approved to UL300A standards.

- (h) Enhanced roof cladding protection:

- (1) All roof assemblies shall comply with the 2012 International Building Code section 1505.2 Class A roof assemblies.

Sec 8-92. Commercial car wash water recycling.

- (a) Purpose and intent. The purpose of this ordinance is to reduce water consumption from commercial car wash facilities by requiring all new conveyor car washes to install operational recycled water systems.
- (b) Applicability.
- (1) This section applies to all new conveyor car washes permitted and constructed after January 1, 2023, regardless of the water source.
 - (2) The provisions of this section do not apply to conveyor commercial car washes that were permitted or constructed before January 1, 2023.
 - (3) The provisions of this section do not apply to self-service car washes or in-bay car washes.
- (c) The following words and phrases, whenever used in this section, have the meaning defined in this section:
- (1) "In-bay automatic car wash" means a commercial car wash where the driver pulls into the bay and parks the car. The vehicle remains stationary while a machine moves back and forth over the vehicle to clean it, instead of the vehicle moving through the tunnel.
 - (2) "Conveyor car wash" means a commercial car wash where the car moves on a conveyor belt during the wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle.
 - (3) "Recycled water system" means a water system that captures and reuses water previously used in wash or rinse cycles.
 - (4) "Self-service car wash" means a commercial car wash where the customers wash their cars themselves with spray wands and brushes.
- (d) Commercial car wash water recycling requirement. All new commercial conveyor car washes permitted and constructed after January 1, 2023, shall be required to install operational recycled water systems. A minimum of 50 percent of water utilized shall be recycled.

Sec 8-93. Water Efficiency Code Requirements.

- (a) Purpose and intent. The purpose of this ordinance is to increase indoor and outdoor water efficiency through new requirements adopted as local plumbing code amendments.
- (b) General Definitions.
- (1) KITCHEN FAUCET OR KITCHEN FAUCET REPLACEMENT AERATOR. A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 1.8 gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1.
 - (2) LAVATORY FAUCET OR LAVATORY FAUCET REPLACEMENT AERATOR. A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.2 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.
 - (3) LANDSCAPE IRRIGATION.
 - i. Flow sensor. An inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

- ii. *Lawn or Landscape Irrigation system.* An assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.
 - iii. *Master shut-off valve.* An automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.
 - iv. *Pressure regulating device.* A device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.
 - v. *Rain sensor shut-off.* An electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.
 - vi. *WaterSense irrigation controller.* Is a weather-based or soil moisture-based irrigation controller labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.
 - vii. *WaterSense spray sprinkler bodies.* A sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.
- (4) *SHOWER HEAD.* A shower head that allows a flow of no more than the average of 2.0 gallons of water per minute at 80 pounds per square inch of pressure, is listed in the WaterSense Specification for Showerheads, and meets the US Department Definition of Energy definition of showerhead.

Sec. 8-94 Local Amendments to Plumbing Code.

- (a) *Purpose and Intent.* Enhance the International Plumbing Code with Georgia amendments ("Georgia Plumbing Code") as approved and adopted by the Georgia Department of Community Affairs.
- (b) *Georgia plumbing code, Section 604 requirements.* Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in Section 604.4 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

(1) Exceptions:

- i. Blowout design water closets having a water consumption not greater than 3 1/2 gallons (13 L) per flushing cycle.
- ii. Vegetable sprays.
- iii. Clinical sinks having a water consumption not greater than 4 1/2 gallons (17 L) per flushing cycle.
- iv. Laundry tray sinks and service sinks.
- v. Emergency showers and eye wash stations.

(2) Table 604.4

MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY^b
Lavatory faucet and replacement aerators, private	WaterSense Labeled & 1.2 gpm at 60 psi ^f
Lavatory faucet, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Showerhead ^a	WaterSense Labeled & 2.0 gpm at 80 psi ^f
Kitchen faucet and replacement aerators	1.8 gpm at 60 psi ^{f, g}
Urinal	0.5 gallon per flushing cycle ^f
Water closet	1.28 gallons per flushing cycle ^{c, d, e, f}

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,

1 pound per square inch = 6.895 kPa.

a. A hand-held shower spray is a shower head. As point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each shower head individually meets the maximum flow rate, the WaterSense requirements, and the US Department of Energy definition of showerhead. However, multiple shower heads are not recommended for water efficiency purposes.

- b. Consumption tolerances shall be determined from referenced standards.
 - c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.
 - d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.
 - e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.
 - f. Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.
- (3) 604.4.1 Clothes Washers. Residential clothes washers shall be in accordance with the Energy Star program requirements.
- (4) 604.4.2 Cooling Tower Water Efficiency.
- (5) 604.4.2.1 Once-Through Cooling. Once-through cooling using potable water is prohibited.
- (6) 604.4.2.2 Cooling Towers and Evaporative Coolers. Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.
- (7) 604.4.2.3 Cooling Tower Makeup Water. Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. Exception: Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO₃ exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.
- (8) 604.4.3 Landscape Irrigation System Efficiency Requirements. The requirements in Section 604.4.3 apply to all new landscape irrigation systems connected to the public water system except those (a) used for agricultural operations as defined in the Official Code of Georgia Section 1-3-3, (b) used for golf courses, and (c) dependent upon a nonpublic water source. Nothing in this Code or this Section 604.4.3 is intended to require that landscape irrigation systems must be installed at all premises. The landscape irrigation efficiency requirements in this Section 604.4.3 apply only when someone voluntarily chooses, or is otherwise required by some requirement beyond this Code, to install a landscape irrigation system on premises.

(9) 604.4.3.1 Avoiding Water Waste Through Design. All new landscape irrigation systems shall adhere to the following design standards:

- i. Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.
- ii. Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.
- iii. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.
- iv. Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.

(10) 604.4.3.2 Landscape Irrigation System Required Components. All new landscape irrigation systems shall include the following components:

- i. A rain sensor shut-off installed in an area that is unobstructed by trees, roof over hangs, or anything else that might block rain from triggering the rain sensor shutoff.
- ii. A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.
- iii. Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.
- iv. Except for landscape irrigation systems serving a single-family home, all other systems must also include:
 1. a WaterSense irrigation controller; and
 2. at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturers' recommendations and specifications.

(c) NONPOTABLE WATER SYSTEMS, Section 1304 Reclaimed Water Systems.

(1) 1304.3.2 Connections to water supply. Reclaimed water provided from a reclaimed wastewater treatment system permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division. The use of reclaimed water sourced from any new private reclaimed wastewater treatment system for outdoor irrigation shall be limited to golf courses and agriculture operations as defined in the Official Code of Georgia Section 1-3-3, and such reclaimed water shall not be approved for use for irrigating any other outdoor landscape such as ground cover, tree, shrubs, or other plants. These limitations do not apply to reclaimed water sourced from existing private reclaimed water systems or from existing or new, governmentally-owned reclaimed wastewater treatment systems.

(d) Appendix E, Section E101.1.2. Because of the variable conditions encountered in hydraulic design, it is impractical to specify definite and detailed rules for sizing of the water piping system. Accordingly, other sizing or design methods conforming to good engineering practice standards are acceptable alternatives to those presented herein. Without limiting the foregoing, such acceptable design methods may include for multi-family buildings the Peak Water Demand Calculator from the IAPMO/ANSI 2020 Water Efficiency and Sanitation Standard for the Built Environment, which accounts for the demands of water-conserving plumbing fixtures, fixture fittings, and appliances. If future versions of the Peak Water Demand Calculator including other building types, such as commercial, such updated version shall be an acceptable design method.

Sec. 8-99. - Severability.

The provisions of these building regulations are separable in accordance with the following rules:

- (1) Should any court of competent jurisdiction adjudge any section or provision of these building regulations to be invalid, such judgment does not affect the validity or continued application of the land development regulations as a whole or any section or provision other than the sections or provisions specifically adjudged to be invalid.
- (2) If any court of competent jurisdiction adjudges as invalid the application of any section or provision of these building regulations to a particular property, building or structure, such judgment does not affect the application of the section or provision to any other property, building or structure.

(Ord. No. 2019-08-15, § 1, 8-12-2019)

SO ORDAINED, this ____ day of _____, 2023.

Approved:

Lynn P. Deutsch, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk (Seal)

City Attorney