

STATE OF GEORGIA

CITY OF WALNUT GROVE

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
CITY OF WALNUT GROVE, GEORGIA

TO AMEND THE COMPREHENSIVE LAND DEVELOPMENT ORDINANCE OF WALNUT GROVE, GEORGIA BY DELETING THE EXISTING ORDINANCE SECTION 501.6 SANITARY SEWER SYSTEMS IN ITS ENTIRETY AND IN ITS PLACE TO ADOPT A NEW ORDINANCE SECTION 501.6 SANITARY SEWER SYSTEMS TO REQUIRE THE USE OF THE CITY'S SEWER SYSTEM WITHIN THE CITY LIMITS; TO PROVIDE FOR THE SAFE, SANITARY AND HEALTHY DISPOSITION OF SANITARY SEWER WASTES, TO PROVIDE FOR SEWER SYSTEM PLANNING AND MANAGEMENT; TO DEFINE CERTAIN TERMS CONTAINED IN OUTSTANDING SEWER CAPACITY AND SEWER TAP AGREEMENTS ENTERED INTO WITH THE CITY TO CONTROL THE UTILIZATION OF CAPACITY AND TO PROVIDE BEST PRACTICES FOR THE OPERATION OF THE EXISTING AND FUTURE SEWER PLANTS CONSTRUCTED WITH PUBLIC FUNDS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Walnut Grove, Georgia is the Mayor and Council thereof; and

WHEREAS, the City of Walnut Grove has a public sewer system because of the unique and sensitive subsurface rock formations under the ground underneath most of the city limits;

WHEREAS, the City of Walnut Grove has entered into certain sewer capacity reservation agreements, sewer tap agreements and other funding mechanisms to assist in the planned development of the city sanitary sewer system;

WHEREAS, the city desires to adopt an ordinance for the regulation of the availability of capacity and sewer line taps to maximize the public's financial investment and to secure an orderly and efficient system for operating the plant or plants in order to secure the best revenue return to the public based on a preferred planning process for sewer plant infrastructure and operation; and

WHEREAS, the governing authority of the City of Walnut, Georgia desires to amend the sewer section of the Comprehensive Land Development Ordinance to specifically require accountability and orderly planning in the use of the sewer treatment plant, sewer lines and other public facilities while honoring the intent of the city's commitment to capacity reservation provisions of existing contracts and to provide for better planning and management of the City's sewer system; and

WHEREAS, the health, safety, and welfare of the citizens of Walnut Grove, Georgia, will be positively impacted by the adoption of this Ordinance.

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

SECTION 1. That Section 501.6 of the Comprehensive Land Development Ordinance of the City of Walnut Grove, Georgia be hereby deleted in its entirety and replaced with the following:

“Section 501.6 Sanitary Sewer Systems

A. Public Sewer System

The preferred method of sanitary sewage treatment in the City of Walnut Grove, Georgia is through a city owned and operated sewer treatment plant or plants. It shall be unlawful to construct any structure used for residential, commercial, industrial or any other human occupancy without arranging to construct a connection to and using the city’s sewer system for the treatment of sanitary sewage. The only exemption from this requirement is specifically authorized in Section 501.6 (B) below.

B. Uses Exempt From the Sewer Connection Requirement

The only exception to the requirements of Paragraph A above is if an exemption permit is granted for the construction or development of a residence or building, subdivision of property, development of property or the construction of a structure under this ordinance, the zoning ordinance or any building codes of the city. An exemption permit application shall be granted only if the owner provides an Approved Alternative Method for treat and disposal of sanitary sewage. An exemption permit shall only be granted if the location of the boundaries of the real property on which the subdivision, building, residence, development, project, or other structure is to be built is located further away from the any city sanitary sewer system gravity flow main or sewer treatment plant than those distances set forth in the following chart:

REQUIRED SEWER CONNECTION DISTANCES

Development Type	Distance from Sewer Main or Sewer Treatment Plant
Non-Residential Developments	500 feet
Residential Structures and Subdivisions:	
Under 25 lots/units	500 feet
25 to 50 lots/units	1,000 feet
51 to 75 lots/units	1,500 feet
76 to 100 lots/units	2,000 feet
Over 100 lots/units	2,500 feet

Connection to the city sanitary sewage treatment system shall be mandatory in new subdivisions, developments, or construction projects of any kind which are located within the distances outlined in this table unless the applicant is exempt under Paragraph 501.6 (B) above or is granted a variance under Paragraph 501.6 (C) below. The distance requirement shall be measured from the nearest point on the real property on which the improvement(s) are being constructed to a pump station, gravity flow sanitary sewer main or the property on which the city operates a sanitary sewer plant.

C. Variance From the Sewer Connection Requirement.

This mandatory connection requirement may be waived by official action of the Mayor and City Council of the City of Walnut Grove by the granting of a variance provided the applicant is able to meet all the following conditions:

1. When a property is a single lot or a parcel subdivided into nine (9) or fewer lots, a variance may be granted if the following criteria are followed:
 - a. The requirement to connect to the city sewer systems creates a substantial hardship on the applicant;
 - b. The applicant agrees to build residential homes which have a minimum of 3,000 square feet of heated floor space;
 - c. The applicant for a variance agrees to develop the property with lots of at least 5 acres of land per lot; and
 - d. The owner demonstrates that an Approved Alternative Method of sanitary sewage disposal is effective.

2. A variance may also be granted by the Mayor and City Council if the applicant is able to demonstrate a "Substantial Hardship". To prove a Substantial Hardship, the owner must demonstrate that the owner's property will support an Approved Alternative Method of sanitary sewage disposal. In addition to supporting an approved alternate method of sanitary sewage disposal, the owner must demonstrate by clear and convincing evidence one of the following:
 - a. The cost of constructing the sanitary sewer connection exceeds the average cost of a connection by a factor of 10 times, or
 - b. the City has no available sewer treatment capacity in the Walnut Grove sewer system,
 - c. or no available sewer taps which have not been pledged to binding reserve capacity agreements with other third parties.

If no sewer taps are available, no variance shall be granted to any applicant until the applicant has exercised all rights in any reserve sewer capacity or reserve sewer tap agreements with the City of Walnut Grove, Georgia.

D. Approved Alternative Methods for Private Sewer Collection and Treatment Systems.

To get an Approved Alternative Method, the applicant shall submit with their application (s) a professionally designed alternative method allowed by the Health Department of the State of Georgia as administered by the Walton County Health Department for the treatment of sanitary sewage ("Approved Alternative Method"). The Approved Alternative Method application shall include the installation design and a manual for the proper operation of both a primary and secondary septic drain field on each lot, or a private sewer collection and treatment system approved by the Mayor and City Council. Approval of any private system shall expire when public sewer service is made available to the subject property or properties, and the subject system shall be dedicated and connected to the public system, including any and all collection system facilities and related appurtenances. The City will not assume ownership or liabilities associated with any private treatment facilities or disposal sites.

E. System Design and Placement

Prior to issuance of a building permit, the owner shall coordinate the design and placement of sewer infrastructure with the city and any service provider. All sewer system infrastructure (public or private) shall comply with the minimum standards of the City of Walnut Grove Standards and Policies, which is available on file at City Hall, or any other relevant standards adopted by the city.

F. On-Site Septic Systems

When an individual septic system is proposed for each lot within a subdivision, the applicant shall provide appropriate soil survey data and information in compliance with the regulations of the Walton County Health Department. Each lot shall have suitable soils and sufficient area to accommodate the installation and proper operation of both a primary and secondary (replacement) septic drain field. All permits for development and construction are subject compliance with the rules and regulations of the Walton County Health Department. A separate permit must be obtained from the Walton County Health Department, for each individual lot located within any development using an Approved Alternative Method. Applications for Approved Alternative Methods shall be approved and signed by the owner of the property if that owner is difference from the applicant."

SECTION 2. That Section 501.7 is hereby added to the Comprehensive Land Development Ordinance of the City of Walnut Grove, Georgia to read as follows:

"Section 501.7 Rules For Use of Reserve Capacity Rights and Prepaid Sewer Tap Fees.

A. Operation of Public Sewer System

Since 2010, the City of Walnut Grove has been committed to providing a public sanitary sewer system to protect the health and safety of its system. The city is currently operating an affluent spray treatment system with a capacity to treat 50,000 gallons of sewage per day ("GPD"). The city has the ability to expand the current treatment plant to a maximum capacity

of 100,000 GPD under the current permit with the Environmental Protection Division of the State of Georgia (EPD) and is in the process of approving and funding the expansion of the plant to make available this additional capacity.

The Mayor and Council, based on the evidence presented at the time of adoption of this Ordinance, and the testimony and expert opinion of its sanitary sewer consultant, has determined that it is in the best interest of the efficient operation the sewer plant to maximize the utilization of all the capacity of the plant as quickly as possible to increase the monthly fees paid to the city by users of the plant. In contrast, the City has entered into one reserve capacity agreement and two prepaid tap fee agreements with subdivision developers requiring the city to ensure the availability of certain levels of capacity for specific residential developments. The purpose of this amendment is to govern the use of the reserve capacity in the city owned sewer system to maximize the public interest to use available capacity for parties that are ready to attach to the system and pay a monthly sewer fee based on the city's current fee schedule approved by the Mayor and Council.

B. Notice of Planned Use of Reserve Capacity.

The use of reserve capacity shall be governed by the following rules and requirements:

1. The holder of reserve capacity and/ or prepaid tap fees is required to give the City Clerk six (6) months' written notice of their/ or its intent to use the capacity identifying in the application the specific buildings or residences that are being attached to the city sewage treatment system. The notice of use of reserve capacity shall accompany the application for the same number of building permits for residential or commercial structures withing the notice period.
2. Holders of reserve capacity shall be required to purchase and pay the sewer tap fees with the notice of the designated units in paragraph (B)(1) above.
3. A tap fee shall be charged each time a building permit is issued for a residence or structure that requires sewer access. If the structure is not built within 6 months of issuance of the tap fee and permit, the City may repurchase the tap by refunding the tap fee. This requirement shall be reduced to writing in the form of an agreement prepared by the City Attorney which is executed when the tap fee is paid..
4. At the end of the six-month notice period, the residential, commercial or other structure permitted under a reserve capacity or prepaid tap fee agreement pursuant to this paragraph shall be considered activated and a minimum charge of Forty (\$40.00) Dollars per month shall be billed monthly to the owner of the residential structure, and Sixty (\$60.00) Dollars for a commercial structure, that is permitted under this section whether or not any sewage is produced at the site.

SECTION 3. That Section 501.8 is hereby added to the Comprehensive Land Development Ordinance of the City of Walnut Grove, Georgia

“Section 501.8 Sewer Use Ordinance

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF, IN THE WALNUT GROVE SEWER SERVICE DISTRICT, CITY OF WALNUT GROVE, WALTON COUNTY, STATE OF GEORGIA.

For the purpose of promoting the health, safety and general welfare of the present and future inhabitants of the City of Walnut Grove and unincorporated Walton County, and to provide for the orderly and safe disposal of sewage, the Walnut Grove City Council and Walton County Board of Commissioners do hereby ordain and enact into law the following:

Section I - DEFINITIONS.

- (A) “Sewerage Works” shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- (B) “Sewer Department” shall mean the Department Head of the District Sewer Department or his designee, or other authorized agent or representative as designated by the District Board.
- (C) “Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground surface and storm waters as may be present.
- (D) “Sewer” shall mean a pipe or conduit for carrying sewage.
- (E) “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, which is controlled by public authority.
- (F) “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- (G) “Sewage Treatment Plant” shall mean any arrangement of devices and structures or lagoons used for treating sewage presently owned, afterward acquired, or managed by the Walnut Grove Sewer Service District or into which the Walnut Grove Sewer Service District places sewage by contractual arrangement.
- (H) “Industrial Wastes” shall mean the liquid wastes from industrial processes as distinct from sanitary sewage produced by private residences and commercial businesses.

- (I) "Garbage" shall mean solid wastes from the preparation, cooking and disposing of food, and from the handling, storage, and sale of produce.
- (J) "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- (K) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
- (L) "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- (M) Biochemical Oxygen Demand, herein "BOD", shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C.
- (N) "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration in moles per liter.
- (O) "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids; and, which are removable by laboratory filtering expressed in milligrams per liter or pounds per day.
- (P) "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- (Q) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- (R) "Person" shall mean any individual, partnership, joint venture, firm, company, association, society, public or private trust, estate, corporation, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this state, any interstate body or any other legal entity.
- (S) "Shall" is mandatory; "May" is permissive.
- (T) "Equivalent Residential Unit (ERU)" shall mean a volume of water equal to the average daily usage of a typical single family residence of 250 gallons.
- (U) "District" shall mean the Walnut Grove Sewer Service District.

SECTION II - RATE SCHEDULE AND CONNECTION FEES.

From and after the passage of this Ordinance, there is hereby adopted the following sewer rate schedules for the Walnut Grove Sewer Service District, Georgia:

Sewer connection fees and service charges shall be based on Equivalent Residential Units (ERU's). An ERU is a unit of measure used to equate non-residential or multi-family residential water usage to a specific number of single-family residences.

Sewer furnished for a given lot shall be used on that lot only. The Walnut Grove Sewer Service District shall not under any circumstances furnish sewer free of charge to any person, firm or corporation.

The connection fee is assessed when a new physical connection is made to the sewer system. This fee must be paid as described in Section 3 – Application for Sewer Service before the new connection is made to the system.

SEWER RATE SCHEDULE AND CONNECTION FEES

Residential Connection Fee: \$6,000 per ERU
 Monthly Fee: \$40 per ERU

Commercial Connection Fee: \$6,000 per ERU
 Monthly Fee: \$60 per ERU

SECTION III - APPLICATION FOR SEWER SERVICE.

The customer shall make application for sewer service, in person, at the City Hall of the City of Walnut Grove, Georgia. If the application is for a new physical connection to the system, a connection fee shall be paid as described in Section 2 – Rate Schedule and Connection Fees. If the service application is for a location already connected to the system, the administrative fee shown below shall be paid. The payment shall be a cash payment made at the time said application is made.

Residential \$25

Commercial \$25

No sewer service connection and no system extension shall be made until inspected and approved in writing by the City Engineer on the form provided by the City.

SECTION IV – DISTRICT’S RESPONSIBILITY AND LIABILITY.

The Walnut Grove Sewer Service District shall run a service line from its sewer main line to the property line where the line exists or is to be constructed, and runs immediately adjacent and parallel to the property to be served.

- (A) The District may make connections to service other properties not adjacent to its lines upon payment of reasonable costs for the extensions of its sewer lines as may be required to render such service.
- (B) The District reserves the right to refuse or discontinue service unless the consumer's lines or piping are installed and maintained in such a manner as to prevent the infiltration or inflow of surface or ground water.

SECTION V - CONSUMER'S RESPONSIBILITY AND LIABILITY.

- (A) The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense, in a safe and efficient manner, and in accordance with the sanitary regulations of the State Health Department and the City of Walnut Grove Standards and Policies.

SECTION VI - SURCHARGE ASSESSMENTS

- (A) Users of the Walnut Grove Sewer Service District wastewater system may be subject to annual sampling of their wastewater discharge at the discretion of the Sewer Department or District Board. The purpose of said sampling shall be to determine if the user is in compliance with the terms of this Ordinance. Contributors to the system will be charged for any BOD and suspended solids which exceeds the limits established in this Ordinance.
- (B) Monthly billings for surcharge shall be based on the amount of water used, BOD and suspended solids which exceed the aforementioned limits and is computed as follows:

$$\text{BOD (in mg/L)} \times 8.34 \times \text{water consumption} \times \$0.12 = \$$$

$$\text{Suspended solids (in mg/L)} \times 8.34 \times \text{water consumption} \times \$0.12 = \$$$

Water consumption is expressed in millions of gallons as measured by the Walton County water meter. Wastewater sampling results shall be used as a basis for the surcharge for not more than twelve months.

SECTION VII - EXTENSIONS OF SYSTEM.

- (A) Extensions to the system shall be made only when the consumer shall grant or convey, or shall cause to be granted or conveyed, to the Walnut Grove Sewer Service District a permanent easement (20' minimum width) of right-of-way across any property traversed by the sewer lines.

SECTION VIII - CHANGE OF OCCUPANCY.

- (A) Not less than three (3) days' notice must be given, in person or in writing, at the City Hall of the City of Walnut Grove to discontinue sewer service or to change occupancy. The outgoing party shall be responsible for all sewer costs up to the time of departure or the time specified for departure, whichever period is longer. The monthly charge for the final bill will be prorated based on the number of days sewer service was provided. The new occupant shall apply for sewer service within 48 hours after occupying the premises and failure to do so will make him liable for paying for the monthly sewer charge from the date of the end of the previous occupant's service.

SECTION IX - BILLINGS - COLLECTING.

- (A) Billing will be performed by the Walton County Water Department. Bills to customers for sewer service shall be mailed out on such day or days each month as may be determined as desirable by the Water Department. The failure of sewer users to pay charges duly imposed shall result in the automatic imposition of the following penalties:
- (B) Nonpayment within twenty (20) days from the due date will be subject to a penalty of ten percent (10%) of the delinquent account.

Failure to make payment on or before of the last day a bill becomes due per Walton County's procedure each month will result in the water being shut off from the water user's property.

In the case of rental property, the tenant first is responsible for the sewer bill or charges; but if the tenant refuses to pay or moves away, the landlord is responsible for all sewer bills and related charges.

- (C) Vacant or unoccupied property owners may continue to be entitled to receive sewer service. However, minimum bills must continue to be paid. Once service is terminated, any vacant or unoccupied properties shall be treated as new users and shall apply for service and pay fees and deposits as above outlined. The new user or property owner shall pay any delinquent bills and charges still outstanding on the property before service is initiated.
- (D) Sewer service shall not be reconnected until customer's delinquent bill, including penalty and disconnection charges, have been paid in full. Should such customer thereafter desire to be reconnected to the sewer system, reconnection charges as follows shall be payable during the twelve (12) months of any calendar year.

Reconnection charges shall be \$20.00 for the first reconnection, \$50.00 for the second reconnection, \$100.00 for the third reconnection, and \$250.00 for the fourth or more reconnections. Bills shall be paid at the Walton County Water Department, and failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the consumer from payment of same. No partial payments will be accepted for any water or sewer bills at any time. Disputed bills shall be paid in full, and a request for adjustment shall be filed with the Walton County Water Department with consideration by the District Board at the next Board Meeting following receipt of same.

SECTION X - SUSPENSION OF SERVICE.

- (A) When water and sewer service is discontinued and all bills paid, the security deposit shall be refunded to the consumer by the District.
- (B) Upon discontinuance of service for non-payment of bills, the security deposit will be applied by the District toward the settlement of the account. Any balance will be refunded to the consumer; however, if the security deposit is insufficient to cover the bill, the District may proceed to collect the balance in the usual way provided by law for collection of debts.
- (C) Service disconnected for non-payment of bills will be restored only after bills are paid in full, such security deposit as may be required by the District Board is made, and a service charge as quoted in Section 9 (D) for each service reconnected.
- (D) The District reserves a right to discontinue its service without notice for the following additional reasons:
 - (1) To prevent fraud or abuse.
 - (2) Consumer's willful disregard of the District's rules.
 - (3) Consumer's failure to properly maintain private service lines
 - (4) Inflow and infiltration originating from Consumer's service lines
 - (5) Routine or Emergency repairs.
 - (6) Legal processes.
 - (7) Direction of public authorities.
 - (8) Strike, riot, fire, flood, unavoidable accident.

SECTION XI - COMPLAINTS - ADJUSTMENTS.

- (A) If the consumer believes his bill to be in error, he shall present his claim, in person, at the Walton County Water Department before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest and said payment shall not prejudice his claim.

SECTION XII – USE OF PUBLIC SEWERS REQUIRED

- (A) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the District or in any area under the jurisdiction of the Walnut Grove Sewer Service District, any human or animal excrement, garbage or other objectionable waste.
- (B) It shall be unlawful to discharge into any natural outlet within the District, or in any area under the jurisdiction of the District, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- (C) Except as provided in this Code, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- (D) When installed, all grease, oil, and sand interceptors shall be maintained by the person owning the property being serviced, at his expense, in continuously efficient operation at all times.
- (E) The admission into the public sewers of any water or wastes having (a) a 5-day B.O.D. greater than 300 milligrams per liter, or (b) containing more than 350 milligrams per liter of suspended solids, or (c) containing any quantity of substance having the characteristics described in Section 15 (C), or (d) having an average daily flow greater than 2% of the average daily sewage flow of the Sewer Department, shall be subject to the review and approval of the Sewer Department. Where necessary, in the opinion of the Sewer Department, shall be subject to the review and approval of the Sewer Department. Where necessary, in the opinion of the Sewer Department, the person responsible for such sewage, shall provide, at his own expense, such preliminary treatment as may be necessary to (a) reduce the B.O.D. to 300 milligrams per liter and the suspended solids to 350 milligrams per liter, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 15 (C), or (c) control the quantities and rates of discharge of such water or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Sewer Department and no construction of such facilities shall be commenced until said approval is obtained in writing.
- (F) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the person owning the property being serviced at his expense.
- (G) When required by the Sewer Service District, any person owning property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes, which, as determined by the Sewer Department, may include metering facilities. Such manhole and any metering facility when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Sewer Department. The manhole and

any metering facility shall be installed by such person, at his expense, and shall be maintained by him, at his expense, so as to be safe and accessible at all times.

- (H) All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in Section 12 (G), and Section 15 (C), shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", shall be determined at the control manhole provided in Section 12 (I), or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- (I) No statement contained in this Section shall be construed as preventing the authorization by resolution of any special agreement or arrangement between Walnut Grove and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by Walnut Grove for treatment, subject to payment therefor by the industrial concern.

SECTION XIII – BUILDING SEWERS AND CONNECTIONS

All persons connecting to the Walnut Grove Sewer System must comply with the City of Walnut Grove Standards and Policies, and any other state, federal, or county regulations.

SECTION XIV– USE OF THE PUBLIC SEWER

- (A) No person shall discharge or cause to be discharged any storm water, surface water, ground water, unpolluted industrial process waters to a sanitary sewer.
- (B) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Sewer Department. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Sewer Department, to a storm sewer or natural outlet.
- (C) Except as hereinafter provided, no person shall discharge or cause to be discharged and of the following described waters or wastes to any public sewer:
 - (1) Any liquid or vapor having a temperature higher than 150 degrees F.
 - (2) Any water or waste which may contain more than 100 milligrams per liter of fat, oil or greases.
 - (3) Any gasoline, benzene, naptha, fuel oil or other flammable or explosive liquid, solid or gas.

- (4) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder shall be subject to the review and approval of the Sewer Department.
- (5) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
- (6) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (7) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (9) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (10) Any water or wastes containing a toxic or poisonous substance such as plating or heat treating wastes in sufficient quantity to injure or interfere with any sewage treatment or to create any hazard in the receiving waters of the sewage treatment plant.
- (11) Any heavy metals as follows:
 - i. Arsenic greater than 2.0 mg/L
 - ii. Cadmium greater than 0.05 mg/L
 - iii. Chromium greater than 1.0 mg/L
 - iv. Copper greater than 5 mg/L
 - v. Iron greater than 20 mg/L
 - vi. Lead greater than 20 mg/L
 - vii. Nickel greater than 2 mg/L
 - viii. Selenium greater than 0.04 mg/L
 - ix. Zinc greater than 10 mg/L
 - x. Cyanides none allowed

(12) Any water or waste requiring pretreatment under state or federal law or regulations, unless such pretreatment is performed in a legally approved manner by the appropriate state or federal agency.

(D) Grease, oil and sand interceptors shall be provided when, in the opinion of the Sewer Department, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Sewer Department and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION XV – PROTECTION FROM DAMAGE

(A) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the District sewerage works. Any person violating this provision shall be subject to immediate arrest and punishment as set forth below.

SECTION XVI – POWER AND AUTHORITY OF INSPECTORS

(A) The Sewer District and Walton County Water Department employees, authorized agents and other duly authorized employees bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Ordinance.

SECTION XVII – STATE AND FEDERAL REGULATIONS AND LAWS

(A) This Ordinance is supplemental to other local, state and federal regulations and laws applicable to the matters addressed by this Ordinance and compliance with same is required as a condition precedent to any actions hereunder.

(B) The Sewer District is authorized to coordinate and cooperate with applicable state and federal regulatory agencies in any matters addressed by this Ordinance and is authorized, at its discretion, to rely upon reports and inspections made by the employees or agents of such regulatory agencies.

SECTION XVII - PENALTIES FOR VIOLATIONS.

(A) Any person violating any provision of this Ordinance, except as provided in Section 16 (A), shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) per violation per day or by imprisonment for up to sixty (60)

days or both. In addition to the penalty outlined above, any person or entity violating this Ordinance shall be responsible to pay all fines, fees and expense incurred by the City which are proximately caused by the violation including but not limited to cost of clean up of spillage, repair of the city's sewer system, and environmental expenses. "

SECTION 4. That Section 501.9 is hereby amended to add the following:

"Section 501.9 Adoption of the Walnut Grove Sewer Service District Standards and Policies Volume I and II General Requirements For Wastewater Systems by Reference.

A. The City of Walnut Grove Standards and Policies Volume I and II General Requirements For Wastewater Systems are hereby adopted and included in this Code of Ordinances by reference and incorporated herein. "


SECTION 5. Pursuant to the Section 3.14 of the City Charter, authority is hereby delegated to the City Clerk to cause this Ordinance to be numbered and codified in the City Code of Walnut Grove, Georgia, in such a way as to place this Ordinance in the Code in an organized and orderly sequence to maximize the organization of the Code. The City Clerk is authorized to designate to the City Attorney or to such other Mayor and Council approved contractors to assist in the effort to codify this provision provided the decision of the City Clerk is final as to the placement of this Ordinance within the Comprehensive Land Development Plan of Walnut Grove, Georgia. The goal of this authorization is to codify and number this Ordinance in the Plan in such a way as to be clear and orderly.

SECTION 6. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Walnut Grove, Georgia.

SECTION 7. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.

It is so ordained on this 11th day of November, 2021.

City of Walnut Grove, Georgia



Mark Moore, Mayor

ATTEST:



Keegan Ramsey, City Clerk

APPROVED AS TO FORM:

Anthony O. L. Powell, City Attorney
Powell & Edwards, PC