

STATE OF GEORGIA

First Reading: _____, 2023
Second Reading: _____, 2023

CITY OF ROSWELL

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

WHEREAS, State law provides that the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to the public health, safety and welfare; and

WHEREAS, The City of Roswell, like all local governments in the State of Georgia, is authorized under O.C.G.A. § 8-2-25(c) to adopt local requirements when needed that are more stringent than the Georgia Plumbing Code based on local climatic, geologic, topographic, or public safety factors; and

WHEREAS, the long-term availability, reliability, and resiliency of water supplies is a critical need of the City of Roswell and water efficiency is essential to meeting this need; and

WHEREAS, the Mayor and Council of the City of Roswell have become aware that more water efficient technologies have become widely available at comparable prices and performance to the water efficient technologies required as the minimum in the Georgia Plumbing Code;

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

1.

Chapter 24 “Utilities and Services” of the Code of Ordinances of the City of Roswell, Georgia is hereby amended by deleting Section 24.5.20 in its entirety and substituting a new Section 24.5.20 to read as follows:

“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:

Commercial building: ~~shall mean a~~ny type of building other than residential.

Plumbing fixtures: ~~shall mean a~~ny toilet, urinal, showerhead, bathroom, lavatory and kitchen faucet and replacement aerators.

Residential building: ~~shall mean a~~ny building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel.

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

Urinal: ~~shall mean a~~ny fixture consisting of a water-flushed bowl used for the disposal of human waste.

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.

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.

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.

(c) Maximum Flow and Water Consumption: Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions 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 24.5.20.c.1

Exceptions:

1. Blowout design water closets having a water consumption not greater than 3¹/₂ gallons (13 L) per flushing cycle.

2. Vegetable sprays.

3. Clinical sinks having a water consumption not greater than 4¹/₂ gallons (17 L) per flushing cycle.

4. Laundry tray sinks and service sinks.

5. Emergency showers and eye wash stations.

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

TABLE 24.5.20.c.1
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS

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

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. See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.

g. 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.

~~*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 (c). 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

Fixture	Gallons Per Flush/Minute
Showerheads	2.5
Kitchen Faucets	2.5
Bathroom and Lavatory Faucets	1.5

(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 (e)(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 (e)(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

(d) Clothes Washers. Residential clothes washers shall be in accordance with the Energy Star program requirements.

(e) Cooling Tower Water Efficiency.

1. Once-Through Cooling. Once-through cooling using potable water is prohibited.

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.

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. 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) Nonpotable Water Systems (Reclaimed Water Systems)

1. 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.

(g) Penalties for violation. Any person who violates any provision of this section shall be subject to a fine not to exceed one thousand dollars (\$1,000.00) 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.

(h) 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 (c), 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 (c).”

(i) Conservation Measures Relating to Lawn and Landscape Irrigation

(a) Purpose and intent. The purpose of this section is to reduce discretionary outdoor water use and avoid wasting water by adopting more efficient irrigation system design requirements.

(b) Definitions.

(1) Flow sensor means an inline device that produces a repeatable signal proportional to flow rate.

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(2) Landscape irrigation system means an assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes.

(3) Landscape means ground cover, trees, shrubs, and other plants.

(4) Large landscape means the landscape areas associated with a development (excluding single-family homes) served by one (1) or more landscape irrigation systems where all irrigated areas added together total more than one (1) acre (or forty-three thousand five hundred sixty (43,560) square feet).

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(5) Master shut-off valve is an automatic valve such as a gate valve, ball valve, or butterfly valve) capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.

(6) Rain sensor shut-off means 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.

(7) WaterSense controller means weather-based irrigation controllers 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.

(c) Applicability and exceptions. The section applies to all landscape irrigation systems except those (a) used for commercial agricultural operations as defined in O.C.G.A. § 1-3-3, (b) used for golf courses, and (c) dependent upon a nonpublic water source. Nothing in this Code or this Section is intended to require that landscape irrigation systems must be installed at all premises. The landscape irrigation efficiency requirements in this Section apply only when someone voluntarily chooses, or is otherwise required by some requirement beyond this Code, to install a landscape irrigation system on premises.

(d) Avoiding water waste through design. All landscape irrigation systems shall be designed, installed, maintained, and operated to prevent runoff from leaving the target landscape due to low-head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. This requirement helps ensure compliance with, and is in addition to, the City of Roswell's Water Waste Ordinance [section] 24.5.21.

(1) 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.

(2) 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.

(3) 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.

(4) 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.

(e) General landscape irrigation system requirements. Regardless of whether an irrigation meter is used, all new landscape irrigation systems shall include the following:

(1) Backflow prevention assembly:

(a) Any new irrigation system installed within the city 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 [section] 24.5.26.

(b) Any irrigation system installed before January 1, 2007 must be retrofitted with an approved backflow prevention device no later than March 1, 2019. Failure to comply may result in the termination of water service.

(2) A rain sensor shut-off installed in an area that is unobstructed by trees, roof overhangs, or anything else that might block rain from triggering the rain sensor shutoff.

(3) 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.

(4) 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.

(5) Except for landscape irrigation systems serving a single-family home, all other systems must also include:

(a) A WaterSense irrigation controller; and

(b) 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.

(f) Large landscape irrigation system requirements. Regardless of whether an irrigation meter is used, new landscape irrigation systems for large landscapes shall include the following:

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(1) Applicable backflow prevention, a WaterSense controller, and the rain sensor shut-off as required of all new landscape irrigation systems;

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(2) 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;

(3) Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance; and

(4) At least one (1) flow sensor, which must be installed at or near the supply point of the landscape irrigation system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves.

(g) Compliance self-certifications for one (1) inch and larger service connections.

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Option 1: As a condition of selling a new water meter or irrigation meter for any new service connection of one (1) inch or larger, the purchaser of such meter shall submit a certification of compliance along with any other required paperwork and project information as may be required.

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(1) Such certification of compliance shall include a certification that one (1) of the following is true and correct:

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a. The development will not include any landscape irrigation systems;

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b. The development will include a landscape irrigation system that does not serve a large landscape, and as a result the system will only include applicable backflow prevention, a WaterSense controller, and the rain sensor shut-off; or

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c. The development will include a landscape irrigation system that does serve a large landscape, and as a result all requirements in subsection (f) will be met.

(2) For all new services connection of one (1) inch or larger, the City of Roswell's shall receive the signed certification of compliance and determine whether all required information has been provided. If the certification of compliance has not been completed with all required information, the City of Roswell's shall return the certificate of compliance to the purchaser specifying what information is missing and ask that a complete certificate be resubmitted.

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Option 2: All plans for development involving any new service connection of one (1) inch or larger shall include a certification, through written statements in plan documents or on drawings, that the following is true and correct:

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(1) The development will not include any landscape irrigation systems;

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(2) The development will include a landscape irrigation system that does not serve a large landscape, and as a result the system will only include applicable backflow prevention, a WaterSense controller, and the rain sensor shut-off; or

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(3) The development will include a landscape irrigation system that does serve a large landscape, and as a result all requirements in subsection (f) will be met.

If the certification is not included with all required information, the City of Roswell's shall notify the purchaser specifying what information is missing and ask that documentation with the complete certification be submitted.

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(h) Variances. The city may, in special cases, grant variances from the provisions of subsection (e)(2) or (3) to persons demonstrating extreme hardship and need. The city may grant variances only under all of the following circumstances and conditions:

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(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.

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(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.

(i) Revocation of variances. The city may revoke a variance granted when the city determines that:

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(1) The conditions of subsection (h) 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.

(j) Penalties for violations. Any person who violates any provision of this section shall be subject to a fine not to exceed one thousand dollars (\$1,000.00), pursuant [to] 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 [section] 24.5.6.

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(1) Violations include:

a. Installation, causing or permitting the installation of a new irrigation system in violation of subsections (e) and (f); or

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b. Operating, causing or permitting the operation of an irrigation system that does not comply with subsections (e) and (f)."

~~2.~~

2.

Chapter 24 “Utilities and Services” of the Code of Ordinances of the City of Roswell, Georgia is hereby amended by deleting Section 24.5.22 in its entirety and substituting a new Section 24.5.22 to read as follows:

~~Section 24.5.22 - Conservation Measures Relating to Lawn and Landscape Irrigation~~Reserved.

~~(a) Purpose and intent. The purpose of this section is to reduce discretionary outdoor water use and avoid wasting water by adopting more efficient irrigation system design requirements.~~

~~(b) Definitions:~~

~~(1) Flow sensor means an inline device that produces a repeatable signal proportional to flow rate.~~

~~(2) Landscape irrigation system means an assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes.~~

~~(3) Landscape means ground cover, trees, shrubs, and other plants.~~

~~(4) Large landscape means the landscape areas associated with a development (excluding single-family homes) served by one (1) or more landscape irrigation systems where all irrigated areas added together total more than one (1) acre (or forty three thousand five hundred sixty (43,560) square feet).~~

~~(5) Master shut off valve is an automatic valve such as a gate valve, ball valve, or butterfly valve) capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.~~

~~(6) Rain sensor shut off means 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.~~

~~(7) WaterSense controller means weather based irrigation controllers 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.~~

~~(c) *Applicability and exceptions.* The section applies to all landscape irrigation systems except those (a) used for commercial agricultural operations as defined in O.C.G.A. § 1-3-3, (b) used for golf courses, and (c) dependent upon a nonpublic water source.~~

~~(d) *Avoiding water waste through design.* All landscape irrigation systems shall be designed, installed, maintained, and operated to prevent runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. This requirement helps ensure compliance with, and is in addition to, the City of Roswell's Water Waste Ordinance [section] 24.5.21.~~

~~(e) *General landscape irrigation system requirements.* Regardless of whether an irrigation meter is used, all new landscape irrigation systems for single-family residences shall include the following:~~

~~(1) Backflow prevention assembly;~~

~~a. Any new irrigation system installed within the city 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 [section] 24.5.26.~~

~~b. Any irrigation system installed before January 1, 2007 must be retrofitted with an approved backflow prevention device no later than March 1, 2019. Failure to comply may result in the termination of water service.~~

~~(2) A WaterSense controller; and~~

~~(3) A rain sensor shut-off installed in an area that is unobstructed by trees, roof overhangs, or anything else that might block rain from triggering the rain sensor shutoff.~~

~~a. Any new irrigation system installed within the city must be equipped with a rain sensing device. Although not mandatory, a freeze gauge is also recommended.~~

~~b. Any irrigation system installed before January 1, 2005 shall be required to install a rain sensing device when irrigation system is repaired or replaced.~~

~~(f) *Large landscape irrigation system requirements.* Regardless of whether an irrigation meter is used, new landscape irrigation systems for large landscapes shall include the following:~~

~~(1) Applicable backflow prevention, a WaterSense controller, and the rain sensor shut-off as required of all new landscape irrigation systems;~~

~~(2) 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;~~

~~(3) Pressure regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, or other devices shall be installed as needed to achieve the~~

manufacturer's recommended pressure range at the emission devices for optimal performance; and

(4) At least one (1) flow sensor, which must be installed at or near the supply point of the landscape irrigation system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves.

(g) Compliance self-certifications for one (1) inch and larger service connections.

Option 1: As a condition of selling a new water meter or irrigation meter for any new service connection of one (1) inch or larger, the purchaser of such meter shall submit a certification of compliance along with any other required paperwork and project information as may be required.

(1) Such certification of compliance shall include a certification that one (1) of the following is true and correct:

a. The development will not include any landscape irrigation systems;

b. The development will include a landscape irrigation system that does not serve a large landscape, and as a result the system will only include applicable backflow prevention, a WaterSense controller, and the rain sensor shut off; or

c. The development will include a landscape irrigation system that does serve a large landscape, and as a result all requirements in subsection (f) will be met.

(2) For all new services connection of one (1) inch or larger, the City of Roswell's shall receive the signed certification of compliance and determine whether all required information has been provided. If the certification of compliance has not been completed with all required information, the City of Roswell's shall return the certificate of compliance to the purchaser specifying what information is missing and ask that a complete certificate be resubmitted.

Option 2: All plans for development involving any new service connection of one (1) inch or larger shall include a certification, through written statements in plan documents or on drawings, that the following is true and correct:

(1) The development will not include any landscape irrigation systems;

(2) The development will include a landscape irrigation system that does not serve a large landscape, and as a result the system will only include applicable backflow prevention, a WaterSense controller, and the rain sensor shut off; or

(3) The development will include a landscape irrigation system that does serve a large landscape, and as a result all requirements in subsection (f) will be met.

If the certification is not included with all required information, the City of Roswell's shall notify the purchaser specifying what information is missing and ask that documentation with the complete certification be submitted.

~~(h) *Variiances.* The city may, in special cases, grant variances from the provisions of subsection (e)(2) or (3) 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.~~

~~(i) *Revocation of variances.* The city may revoke a variance granted when the city determines that:~~

~~(1) The conditions of subsection (h) 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.~~

~~(j) *Penalties for violations.* Any person who violates any provision of this section shall be subject to a fine not to exceed one thousand dollars (\$1,000.00), pursuant [to] 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 [section] 24.5.6.~~

~~(1) Violations include:~~

~~a. Installation, causing or permitting the installation of a new irrigation system in violation of subsections (e) and (f); or~~

~~b. Operating, causing or permitting the operation of an irrigation system that does not comply with subsections (e) and (f)."~~

3.

Severability. Should any court of competent jurisdiction declare any section or part 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.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2023.

Approved:

Kurt M. Wilson, Mayor

Attest:

Marlee Press, City Clerk

SEAL