

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF DECATUR  
COUNTY TO REVISE THE STANDARDS FOR OUTDOOR WATERING OF  
LANDSCAPE**

WHEREAS, Decatur County (hereinafter "County") recognizes an imminent need to create a culture of water conservation and to plan for water supply enhancement during future extreme drought conditions and other water emergencies.

WHEREAS, reasonable restrictions on the outdoor watering of landscape are necessary to address this in furtherance of addressing this need;

WHEREAS, the General Assembly of the State of Georgia has required all counties in Georgia to adopt an ordinance to be in effect no later than January 1, 2011 to allow outdoor watering of landscape between the hours of 4:00 p.m. and 10:00 a.m. (with certain exceptions); and

WHEREAS, pursuant to O.C.G.A. § 12-5-7, the Board of Commissioners have prepared an ordinance to address outdoor watering of landscape.

NOW, THEREFORE, IT IS ORDAINED that the following is adopted as an Ordinance to read as follows:

**Sec.1. Restriction on Outdoor Water of Landscape.** Outdoor watering for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants in the unincorporated area may occur only between the hours of 4:00 p.m. and 10:00 a.m., provided, however, that this limitation shall not create any limitation upon the following outdoor water uses.

- (A) Commercial raising, harvesting, or storing of crops; feeding, breeding, or managing livestock or poultry; the commercial production of poultry or storing of feed for use in the production of livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep and rabbits, or for use in the production of poultry, including, but not limited to, chickens, hens, ratites, and turkeys; producing plants, trees, fowl, or animals; or the commercial production of aquaculture, horticultural, dairy, livestock, poultry, eggs, and apiarian products or as otherwise defined in O.C.G.A. § 31-3-3;
- (B) Capture and reuse of cooling system condensate or storm water in compliance with applicable Decatur County ordinances and state guidelines;

- (C) Reuse of gray water in compliance with O.C.G.A. § 31-3-5.2; and applicable local board of health regulations;
- (D) Use of reclaimed waste water by a designated user from a system permitted by the Environment Protection Division of the Georgia Department of Natural Resources to provide reclaimed water waste.
- (E) Watering personal food gardens;
- (F) Watering new and replanted plant, seed, or turf in landscapes, golf courses, or sports turf fields using installation and for a period of 30 days immediately following the date of installation;
- (G) Drip irrigation or irrigation using soaker hoses;
- (H) Hand watering with a hose with automatic cutoff or handheld container;
- (I) Use of water withdrawn from private water wells or surface water by an owner or operator of property if such well or surface water is on said property;
- (J) Watering horticultural crops held for sale, resale, or installation;
- (K) Watering athletic fields, golf courses, or public turf grass recreational areas;
- (L) Installation, maintenance, or calibration of irrigation systems; or
- (M) Hydroseeding

**Sec. 2. Enforcement:**

- (a) No person shall use or allow the use of water in violation of the restrictions on outdoor water use contained in this ordinance.
- (b) The Code Enforcement Department of the Decatur County Sheriff's Office shall be the enforcement authority for this Ordinance. The county administrator may also authorize, in writing, other county departments as may be deemed necessary to support enforcement of this ordinance.

(c) Jurisdiction for any violation of this ordinance shall be the Magistrate Court of Decatur County.

(d) Criminal Penalties.

First Offense: Violation of this ordinance shall be punished by a fine not to exceed \$100.00 fine or imprisonment not to exceed 24 hours or both.

Second Offense: Upon the second offense of violation of this ordinance, the violation may be punished by a fine not to exceed \$300.00 fine or imprisonment not to exceed 24 hours or both..

Third Offense: Upon the third or subsequent offense of the violation of the ordinance, the violation may be punished by a fine not to exceed \$1,000.00 fine or imposition of community service not to exceed 30 days or both.

**Sec. 3. Repealer.**

All ordinances or parts of ordinances in conflict with this ordinance are repealed.

**Sec. 4. Severability.**

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. Should any section, paragraph, sentence, clause or phrase of this ordinance be rendered invalid by any court of law the remaining sections, paragraphs, sentences, clauses or phrases shall not be affected but shall continue in effect until amended or repealed by action of the governing authority of Decatur County.

**Sec. 5. Effective Date.**

This ordinance shall go into effect on December 1, 2010.

Adopted this 9 day of November 2010.

DECATUR COUNTY COMMISSION

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Earl Perry, Ph.D., Chairman

Attest:

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County Clerk