

CITY OF HAMPTON, GEORGIA

ORDINANCE NO. 70

AN ORDINANCE TO PROVIDE FOR THE CONSERVATION OF DRINKING WATER;
TO MAINTAIN THE INTEGRITY AND QUALITY OF DRINKING WATER;
TO PROVIDE FOR THE USE OF ULTRA LOW-FLOW PLUMBING FIXTURES
IN ALL NEW CONSTRUCTION; TO PROVIDE FOR INSTALLATION OF
ULTRA LOW-FLOW PLUMBING FIXTURES DURING REPAIRING,
RENOVATING OR REMODELING OF EXISTING BUILDINGS;
TO PROVIDE FOR A REQUIREMENT THAT ALL PLUMBING FIXTURES
BE LABELED AND THAT SUCH LABEL PROVIDE INFORMATION REGARDING
WATER FLOW RATES; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR
EXCEPTIONS; TO PROVIDE FOR STANDARDS AND REQUIREMENTS OF
PLUMBING FIXTURES; TO PROVIDE FOR ENFORCEMENT AND PENALTIES
FOR FAILURE TO COMPLY; TO PROVIDE FOR AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Hampton, Georgia, in the exercise of their sound judgment and discretion, after giving thorough thought to all the implications involved, and keeping in mind the public interest and welfare of the citizens of the City of Hampton, have determined that it is in the best interest of the citizens of the City of Hampton that this Ordinance be adopted.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF, AS FOLLOWS:

Section 1. Purpose.

It is the purpose of this Ordinance 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.

Section 2. Definitions.

(a) "Commercial" building, as referred to in this Ordinance, shall mean any type of building other than residential.

(b) "Construction", as referred to in this Ordinance, shall mean the erection of a new building or the alteration of an existing building in connection with its repair or renovation or in connection with making an addition to an existing building and shall include the replacement of a malfunctioning, unserviceable or obsolete faucet, showerhead, toilet or urinal in an existing building.

(c) "Person", as referred to in this Ordinance, shall mean any individual, corporation, partnership or legal entity.

(d) "Plumbing Fixtures", as referred to in this Ordinance, shall mean any toilet, urinal, showerhead, bathroom lavatory and kitchen faucet and replacement aerators.

(e) "Residential" building, as referred to in this Ordinance, shall mean any building or unit of a building intended for occupancy as a dwelling, but shall not include a hotel or motel.

(f) "Toilet", as referred to in this Ordinance, shall mean any fixture consisting of a water flushed bowl with a seat, used for the disposal of human waste.

(g) "Urinal", as referred to in this Ordinance, shall mean any fixture consisting of a water flushed bowl used for the disposal of human waste.

Section 3. Standards.

No plumbing fixture shall be installed which does not meet the standards listed in Section 3(a). 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 Section 5. The effective date of this requirement for residential buildings shall be July 1, 1991, and for commercial buildings shall be July 1, 1992.

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

- (i) Toilets 1.6 gallons per flush;
- (ii) Urinals 1.0 gallons per flush;
- (iii) Showerheads 2.5 gallons per minute;
- (iv) Kitchen Faucets 2.5 gallons per minute;
- (v) Bathroom & Lavatory Faucets.. 2.0 gallons per minute.

(b) 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 Section 3(a) above.

(c) 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 Section 3(a).

Section 4. 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 60 psi for showerheads. The label shall be affixed 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.

Section 5. Exceptions.

The following fixture uses or applications shall be exempt from the standards established in Section 3.

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

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

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

(d) 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 here must be obtained from the director of the appropriate governmental department administering these rules.

Section 6. Penalties for Violation.

(a) Any person who violates any provision of this Ordinance shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00) for each violation. Each violation shall constitute a separate offense and each day that such violation continues shall constitute a separate offense.

(b) Any person who violates any provision of this Ordinance and holds a business license which authorizes the construction, installation, repair, distribution, sale or maintenance of such

plumbing fixtures may have their license suspended for a definite period or canceled. The time of suspension or cancellation will be determined by the Judge of the City Court.

(c) Any person who violates the provisions of this Ordinance may be denied water and sewer services or have their water and sewer services terminated. Such water and sewer services can be terminated by an order from the Judge of the City Court.

Section 7. Compliance and Enforcement.

The City Court shall have jurisdiction to hear all cases involving an alleged violation of this Ordinance.

In addition to the penalties set forth in Section 6, the Mayor may take such other action as described below to compel compliance and may maintain an action or proceeding in the City Court or any court of competent jurisdiction to compel compliance with or restrain any violation of this Ordinance.

(a) Compliance with the requirements for installation and labeling at the time of installation in Section 3 shall be determined by the Henry County Director of Building Inspection or his agent in cases of new or replacement plumbing fixture installations and compliance shall be a condition for receipt of any occupancy permit.

(b) Compliance with the requirements in Section 4, regarding the labeling of plumbing fixtures offered for retail sale, shall be determined by the Henry County Director of Building Inspection 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 Section 4.

Section 8.

All Ordinances and parts of Ordinances in conflict herewith are hereby specifically repealed.

Section 9.

This Ordinance shall become effective on the 1st day of July, 1991.

Section 10.

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable; and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, that unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the Mayor and Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

This 9th day of July, 1991.

First Reading June 11, 1991

Second Reading July 9, 1991

MAYOR

John S. ...

COUNCILMAN

Roger W. Briteill

COUNCILMAN

Erwin Rayfield

COUNCILMAN

B B Wemyer

COUNCILMAN

B. M. ...

COUNCILMAN

Alice J. Pendley

COUNCILMAN

Edna Martin

ATTEST:

CITY CLERK

Elaine J. ...