



THE UNIVERSITY OF GEORGIA
COOPERATIVE EXTENSION
Colleges of Agricultural and Environmental Sciences & Family and Consumer Sciences

Water Use Regulation, Legislative Awareness and Company Water Policy Assessment



The University of Georgia
The Greenhouse*A*Syst Publication Series
A Program Designed To Assess and Manage Issues
Involving Our Natural Resources and Environment

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**A Program Designed To Assess and Manage
Issues Involving Our Natural Resources and Environment**

Home*A*Syst is a national program cooperatively supported by the USDA Cooperative State Research, Education and Extension Service (CSREES), USDA Natural Resources Conservation Service (NRCS), and U.S. Environmental Protection Agency (EPA).

This publication follows the Farm*A*Syst/Home*A*Syst (FAS) grower self-assessment model of dividing farming management into a series of issues, dividing each issue into categories, including educational materials, and following up the self-assessment with the development of action plans to address the key areas of concern. Universities that have *A*syst publication series include Oklahoma, Kansas, Texas and Wisconsin. New series have recently been successfully developed at major universities including Orchard*A*Syst, and Food *A*Syst.

The Greenhouse*A*Syst publication Series has been developed to assist green-house owners with the task of assessing three management issues: Water management, Environmental Risk and Business Profitability. To date, 6 publications in this 12-part series are being reviewed and 6 more are being developed.

The Greenhouse*A*Syst series of publications is a confidential self-assessment program you can use to evaluate your greenhouse business for risks associated with water management issues. Armed with facts and figures, you will then be able to reeval-uate your management strategies and determine ways to conserve water and minimize those risks. By following the guidelines, you will be able to establish a formal company-wide water conservation plan. Implementation of this plan will facilitate more efficient use of resources and impart significant savings in water use, fertilizer and pesticides.

This bulletin will also help you establish a water conservation document you may find useful if and when state or local water authorities develop policies or implement water restrictions. Most water authorities are favorably impressed with businesses that have developed water conservation plans.

Greenhouse*A*Syst risk assessment consists of a series of questions that will walk you through the considerations to be taken into account while evaluating your business. In order to gain the full benefit of the Greenhouse*A*Syst program, we recommend that you use all 12 publications in the series in the following order.

Risk Area	Greenhouse*A*Syst Publication	Suggested Order
Water Source and Expansion	Available	1
Delivery and Technology	Available	2
Water Management	Available	3
Water Quality Assessment	Available	4
Water Recycling/Pollution Prevention	Available	5
Water Regulations/Company Policy	Available	6
Fertility Management	In development	7
Operation Safety and Biosecurity	In development	8
Shipping, Transportation, Material Handling	In development	9
Greenhouse Energy Utilization	In development	10
Time and Labor Management	In development	11
Greenhouse Maintenance	In development	12

Water Use Regulation, Legislative Awareness and Company Water Policy Assessment

Publication #6 in the Series

Paul A. Thomas, Extension Horticulturist

Bodie V. Pennisi, Extension Horticulturist

Rose Mary Seymour, Pollution Prevention, Biological & Agricultural Engineering

Forrest Stegelin, Extension Economist

What Can This Bulletin Series Do for Me?

The water available and the rights to extract and use that water for agricultural operations is being challenged in many parts of the United States. As our population grows, water extraction from rivers, deep wells and lakes is being scrutinized by environmental groups, legislators and your fellow business owners. Water shortages are real issues in many parts of the United States. Many legislative changes are occurring regarding water use rights, and most communities are involved in rewriting local ordinances. Greenhouse business owners must keep up with the current status of water use legislation. As pressure to conserve grows, business owners are expected to have a company policy regarding water conservation practices and a plan for reducing water use in the future. This section will help you develop a plan to conserve water resources and establish a company policy. It will also ask you to become more aware and involved in local water use legislation. By completing this section, you will reduce the risk of being caught off-guard by water shortages due to legislative and social issues in your community.

The purpose of this section is to assess your legislative awareness and involvement in local water use legislation and policy.

Do you know which agency has jurisdiction over water rights and water use in your area?

In almost all states, the local water authority (e.g., county) has prime jurisdiction.

Do you know if your county or city has a commercial water use ordinance?

Almost all do, and many have extensive regulations of which growers are unaware. Many are currently drafting those regulations in light of recent droughts, water shortages and water disputes among cities, states and farmers. You may need to get involved soon.

Have there been any water use restrictions in effect in your community in the past 3 years?

If so, your commissioners, mayors and water authority representative are sensitized to water use.

Is your region currently in a drought or low-water supply situation?

The speed at which new legislation is passed may be accelerated. Make yourself aware of any state legislation that might be considered. Most states are doing just that.

Have any operations near you been asked by officials to conserve or cease watering due to a shortage?

This is happening all over the United States, especially along the west coast, Florida, Georgia and Texas.

Are you familiar with your state regulations and the fines and penalties prescribed for improper well or groundwater combination?

If not, can you afford not to be?

State and Local Regulations on Water Use

Water Quantity

Water use in Georgia is currently governed by a “regulated riparian” policy. This means that landowners who have direct access to water on their land may use that water any way they desire as long as the use is beneficial, not wasteful, and does not prevent others with the same rights to the water source to be affected by that use. State law at this time requires any agricultural water withdrawals from ground water or surface water that are greater than 100,000 gallons per day (GPD) on average in any month be permitted with an agricultural water use permit. It is generally assumed that any well that pumps more than 69 gallons per minute fits the criteria for needing an agricultural water use permit.

In 2003, the Georgia General Assembly passed a new law requiring all agricultural water permits to be metered. The metering program is carried out by the Georgia Soil and Water Conservation Commission or their representative in an area, which is most often the local Soil and Water Conservation District. Contact your district for more information on when your geographic area will have meters installed.

Agricultural water use permits are administered differently from other kinds of water use permits because they do not have any reporting requirement attached to them at this time. This condition is likely to change in the near future with the water issues Georgia is facing. Currently, a storage pond where water is recycled from does not require an additional water use permit if the source for filling the pond has been permitted, but this is also subject to laws that may change. You need to pay attention to any new laws concerning agricultural water use permitting.

You may also be constrained by local water use limitations in local government ordinances, but this is unlikely unless you are actually receiving some of your water supply from local water utilities. If you do, the utility can set guidelines and restrictions on its treated water uses according to the need for conservation. The primary objective of a water utility is to supply water for maintaining

health and hygiene of the communities. Be aware that your water use is a secondary concern for them, so in the event of water shortages, you may be limited as to the amount of water made available to you. Or you may be required to show a certain amount of water use reduction during shortage times. To do this, you need to know how much water you normally use, how efficient you are with water management, what conservation measures you have in place, and what further water reductions you can afford to make in times of limited water supply. Another way to manage this is to have alternative water sources to use when the local utility water supply is restricted or not available.

Local utilities will have a backflow prevention equipment requirement for any commercial water user, so be sure your connection to this water supply has the legally required backflow prevention devices.

Water Quality

Water quality issues are another source of regulation that can impact your operation. In Georgia, the Environmental Protection Division and the Regional Development Centers of the Department of Community Affairs are involved all over the state with local stakeholders in developing Total Maximum Daily Loads for preventing pollution of surface waters in the state. If water from your operation is within a watershed where TMDLs are being developed, then you are a potential stakeholder in the process. The requirements of the resulting TMDL plan could place constraints on the water quality of runoff from your land or water moving to ground water from your operation. For a complete discussion of surface water quality issues in Georgia, please see Hawkins et al., 2002.

How do you know if your operation is within a watershed where TMDLs are being developed? First, be aware of a watershed or watersheds where your land, operations and water supply are located. You can find out from your local county extension agent. The county agent will also be aware of any TMDL development processes ongoing for that watershed-stream segment. TMDLs are developed where there is a documented water quality problem in a stream segment, lake or

waterway. Your land and operations may or may not be in a watershed dealing with TMDL planning, but the TMDL process is on-going and the status of any stream segment can change if new information shows the stream segment to be impaired.

Developing a Water Conservation Policy for Your Company

Do you hold staff meetings where issues of water conservation could be addressed as a regular agenda item?

Encouraging staff to bring up water issues may provide you with timely and important information that will allow you to make significant improvement or avoid costly problems.

Do you have options written out that address water source and water use issues that could be addressed in the future?

You may not wish to spend a dime right now, but having the plans will certainly show legislators and regulators you are aware, concerned and prepared to act.

Are you politically active? Do you attend meetings and events to get to know your local legislators?

It is prudent to be familiar with the local authorities and legislators who manage water use. Get to know them, remember their names, be aware of what they believe in and what they work for. Know what goals they have for your district or community in regard to water conservation.

For more information on your local water legislation and water ordinances, refer to the Georgia Water and Pollution Control Association Web site — www.gwpca.org/cu-info/utilities.htm. The following is a list of current local water authorities in Georgia. Boldface sources have Web pages you may visit.

Athens-Clarke County
 Augusta-Richmond County
 Banks County Utilities
 Bartow County
Butts County Water & Sewer Authority
Callaway Gardens
 Carroll County Water Authority
Cauley Creek Water Reclamation, LLC
 Chatsworth Water Works
 Cherokee County WSA
 City of Adel
City of Ashburn
 City of Atlanta
City of Austell
 City of Baxley
City of Blackshear
City of Brunswick
City of Cairo
City of Calhoun
 City of Carrollton
City of Cartersville
City of Cedartown
City of Chickamauga
 City of Clarksville
 City of Cleveland
City of College Park

City of Hapeville
City of Hartwell
City of Hephzibah
City of Hiwassee
City of Hinesville
City of Jackson
 City of Jesup
City of Kingsland
 City of LaGrange
 City of Lawrenceville
 City of Loganville
City of Marietta
 City of McDonough
City of Metter
 City of Milledgeville
 City of Millen
City of Montezuma
City of Moultrie
 City of Perry
City of Pine Lake
City of Powder Springs
City of Richmond Hill
City of Rome
 City of Roswell
City of Savannah
 City of Social Circle

Consolidated Utilities
 Coweta County W & S
Dalton Utilities
 DeKalb County
Douglasville-Douglas Co. Water & Sewer
 Ellijay-Gilmer County Water Sewer Authority
Etowah Water & Sewer Authority
 Fayette County Water System
 Fitzgerald Water, Light & Bond Commission
Floyd County Water Department
 Forsyth County
Fort Valley Utility Management
 Fulton County
Glynn County Utilities Management
Gwinnett County
 Hall County
 Haralson County Water Authority
 Heard County Water Authority
 Henry County Water & Sewer Authority
Jackson County Water & Sewer Authority
 Jasper County Water & Sewer Authority
Jekyll Island Authority
Lake Arrowhead Utility Company
 Lamar County Water & Sewer Authority
Lee County Utilities Authority
Lowndes County

City of Commerce
 City of Cordele
 City of Cornelia
 City of Covington
 City of Cumming
City of Dahlonega
City of Dawson
 City of Donalsonville
 City of Elberton
City of Fayetteville
 City of Flovilla
City of Fort Oglethorpe
 City of Franklin Springs
City of Gainesville
 City of Garden City
 City of Gray
City of Griffin
 City of Hamilton

City of Sparks
 City of Statesboro
 City of Stockbridge
City of Sylvester
City of Thomson
City of Thomasville Utilities
 City of Tifton
City of Toccoa
City of Valdosta
 City of Villa Rica
City of Warner Robins
 City of West Point
 City of Woodstock
Clayton County Water Authority
Cobb County Water System
Cobb-Marietta Water Authority
 Columbia County Water
Columbus Water Works

Lumpkin County Water Authority
Macon Water Authority
OMI, Inc.
 Newnan Utilities
Newton County Water & Sewage Authority
 Nolta Water Authority
Oconee County Utility
 Paulding County Water Authority
 Peachtree City Water & Sewerage Authority
 Polk County Water Authority
Putnam County
Rockdale County
Town of Roopville
Walker County WSA
Walton County WSA
 White County Water & Sewer Authority
City of Shiloh

Greenhouse*A*Syst Risk Assessment of Water Regulation and Legislative Awareness

Instructions for Completing the Risk Assessment

For each subject given in the left-most column, read through each column and then select the description that best describes your operation. Do not rate practices that do not apply to your operation. Record the risk rating value in column 6 (the right-most column), and then calculate the overall risk rating for this section at the end of each section. We will use these ratings to assess the overall water related risk of your operation at the end of the document.

	Low Risk 4	Low-Moderate 3	Moderate-High 2	High Risk 1	Rank Your Site
Knowledge of state and local water use policies	Hard copy of state and local water use policies available on the premises.	Knowledge of local and/or state water use policies and their source.	Aware that policies may exist but unaware of details or source.	No knowledge of water use policies.	
Knowledge of state and local water quality policies	Hard copy of state and local water quality policies available on the premises.	Knowledge of local and/or state water quality policies and their source.	Aware that policies may exist but unaware of details or source.	No knowledge of water quality policies.	
Knowledge of local regulatory authority over water issues	Hard copy of address and contact information available on the premises	Knowledge of address and contact information	Aware that a water authority exists but no specific information known.	No knowledge of local water authority.	

	Low Risk 4	Low-Moderate 3	Moderate-High 2	High Risk 1	Rank Your Site
Knowledge of local community water use ordinances	Hard copy of water use ordinances available on the premises.	Knowledge of water use ordinances.	Aware that water use ordinances may exist but unaware of details or source.	No knowledge of water use ordinances.	
Company water use policy	Hard copy of company water use policy developed and available on the premises.	Company water use policy is under development.	Company water use policy is being considered.	No policy exists or is being considered.	
Knowledge of required backflow prevention technology	Hard copy of state regulations available on the premises.	Knowledge of state regulations.	Aware of state regulations.	No knowledge of state regulations.	
Backflow prevention technology	Backflow prevention equipment compliant with current state laws is in place.	-----	Backflow device not confirmed compliant with state regulations.	No backflow prevention.	
Water use fact sheets and conservation options	Water use fact sheets available on the premises.	Development of water use fact sheets begun.	Water use fact sheets and options are being considered.	No water use fact sheets or options contemplated at this time.	
Involvement with state grower association	Member and active in conservation issues.	Passive member but keep informed with association newsletter.	Passive member without participation.	Not a member.	
Time commitment to water conservation issues	Regularly meet with legislators and government officials.	Occasionally volunteer to meet with legislators and government officials.	Occasionally communicate with legislators and government officials.	No participation.	

Ranking Totals	÷	Total Areas Ranked	=	Water Quality Risk Rating
-----	÷	-----	=	-----

Summarizing, Evaluating Your Greenhouse*^ASyst Assessment Results and Identifying Action Steps

The purpose of this section is to help you summarize your overall risk to your business from water related issues.

Once you have filled out the seven sections of risk assessment, you may summarize the results in the table provided below. This will allow you to easily see what areas your company needs to reduce risk in and where you need to make improvement. An overall risk value for the company is the last step in the process.

STEP 1. Identify Areas Determined to be at Risk

Fill in this summary of your Greenhouse*^ASyst Assessment for Your Operation.

Risk Area	Greenhouse* ^A Syst Publication	Overall Risk Rating
Water Source	Bulletin 1274	
Delivery and Technology	Bulletin 1275	
Water Management	Bulletin 1276	
Water Quality	Bulletin 1277	
Water Recycling/ Pollution Prevention	Bulletin 1278	
Legislative Awareness/ Company Policy	Bulletin 1279	
Total Overall Risk Level for Water (Average of 6)		

* Bulletins are all Georgia Cooperative Extension bulletins; visit <http://www.caes.uga.edu/publications/>

Low risk practices (4s) are ideal and should be your goal. Low to moderate risk practices (3s) provide reasonable results and protection. Moderate to high risk practices (2s) provide inadequate protection in many circumstances. High risk practices (1s) are inadequate and pose a high risk for causing environmental, health, economic or regulatory problems.

High risk practices, rankings of "1," require immediate attention. Some may only require little effort to correct, while others could be major time commitments or costly to modify. These may

require planning or prioritizing before you take action. All activities identified as "high risk" with a ranking of "1" should be listed in your action plan developed from this assessment. Rankings of "2" should be examined in greater details to determine the exact level of risk and attention given accordingly.

STEP 2. Determine Your Overall Risk Ranking

This value provides a general idea of how your water use practices might be affecting your efficiency of water use and your understanding of proper watering practices and maintaining good water quality in your operations and impacts to surface and groundwater.

Water Use Risk Ranking	Level of Risk
3.6 to 4.0	Low Risk
2.6 to 3.5	Low to Moderate Risk
1.6 to 2.5	Moderate Risk
1.0 to 1.5	High Risk

This ranking gives you an idea of how your water use practices might be affecting your business success and conservation of water. This ranking should serve only as a very general guide, and not as a precise diagnosis since it represents the average of many individual rankings.

STEP 3. Transfer Information on Risk to a Formal Plan for Improving Your Water Management and Use Practices

From the results of this assessment and after studying the provided guidelines and facts section, outline a plan of changes you want to incorporate into your operations with a timetable on

when you will achieve these changes. A plan can always be amended and changed due to new information, but if you do not make a plan with the new knowledge about your own practices that you have gained, then odds of follow through with real changes is unlikely. The plan outline can be as brief or as detailed as you want to make it. Be sure and note where you need to gather more information or consult with someone in your plan so that you will take action only after careful consideration of complex issues.

STEP 4.

Develop A Formal Action Plan

Simply put, assign specific staff to accomplish specific tasks in a known period of time. If more information is needed to make appropriate decisions, delegate specific fact-finding tasks to personnel best suited to accomplishing the task. Set goals and time lines based upon realistic expenditures of time and resources. Have each individual task written up for the entire team to assess and put into the larger context of the company. A formal action plan form is provided in the Appendix.

STEP 5.

Develop a Company Water Use and Monitoring Policy

The final step in this process is to sit down with your management team and decide how to address your plans. The best method is to establish company water conservation/use policy. By doing so, every new and existing employee will be able to learn and follow your expectations for water management. By developing a policy document, you are also showing legislators and regula-

tors that your company is serious about water management. Such documents will greatly improve how your business is viewed in the community.

STEP 6.

Implement the Policy

Your policy document stands as a symbol of your commitment to resource preservation. Consistent implementation will yield greater profits and better relations with your community.

References

Hawkins, G.L., and D. Thomas. 2002. *Protecting Georgia's Surface Water Resources*. Cooperative Extension, the University of Georgia College of Agricultural and Environmental Sciences. Bulletin 1217.

Author Information:

Paul A. Thomas is an Associate Professor of Floriculture, Horticulture Dept., The University of Georgia, 706-542-2340 e-mail: pathomas@uga.edu.

Forrest E. Stegelin is an Associate Professor of Agricultural Economics, Ag. Economics Dept., The University of Georgia, 706-542-0850, e-mail: fstegelin@agecon.uga.edu

Rose Mary Seymour is a Public Service Assistant In Biological and Agricultural Engineering, Griffin Experiment Station, Griffin, GA. 770-229-3214, e-mail: Rseymour@griffin.peachnet.edu

Bodie V. Pennisi is an Assistant Professor of Floriculture, Horticulture Dept., The University of Georgia, 770-228-7244, e-mail: bpennisi@uga.edu.

Contacts and Information Sources

Organization/Individual	Responsibilities	Address	Phone Number
Georgia Department of Agriculture, Pesticide Division	Questions regarding anti-siphon requirements for irrigation systems.	Agriculture Building 19 Martin Luther King Jr. Dr. Atlanta, GA 30334	404-656-4958 www.agr.state.ga.us
Geologic Survey Branch Environmental Protection Division	Regulations concerning water well drinking standards.	Georgia DNR 19 Martin Luther King Jr. Dr. Suite 400 Atlanta, GA 30334	404-656-4807 www.state.ga.us/dnr/ environ — Geologic Survey Branch
Department of Biological and Agricultural Engineering, University of Georgia	Questions related to well-head protection or ground water on a farm.	Extension Unit Landrum Box 8112, GSU Statesboro, GA 30460	912-681-5653 www.bae.uga.edu
Drinking Water Program Environmental Protection Division	Questions regarding public drinking water.	Georgia DNR 205 Butler St SE Floyd Towers East, Ste. 1152 Atlanta, GA 30334	404-651-5157 www.state.ga.us/dnr/ environ — Water Resources Branch
Safe-Drinking Water Hotline U.S. Environmental Protection Agency	General drinking water questions. 8:30 a.m. - 5:00 p.m. EST	401 M Street SW (Mail Code 4604) Washington, DC 20460	1-800-426-4791 www.epa.gov/safewater
U.S. Environmental Protection Agency	General drinking water questions.	U.S. EPA Region IV 61 Forsyth St SW Atlanta, GA 30303	404-562-9424 www.epa.gov/region4
Water Protection Branch Environmental Protection Division	General water quality questions.	Georgia DNR 4229 International Parkway Suite 101 Atlanta, GA 30354	404-675-6240 404-675-1664 www.state.ga.us/dnr/ environ — Water Protection Branch
Pollution Prevention Assistance Division	Pollution prevention references	Georgia DNR 7 Martin Luther King Jr. Dr. Suite 450 Atlanta, GA 30334	404-651-5120 1-800-685-2443 www.p2ad.org
Robert A. Aldrich and John W. Bartok Jr.	Greenhouse engineering. NRAES-33	National Resources Agricultural and Engineering Service. 1994	
Karen L. Panter Steven E. Newman Reagon M. Waskom	Pollution Prevention for Colorado commercial greenhouses. SCM-206.	Colorado State University Cooperative Extension	
Sharon L. Von Broembsen Mike Schnelle	Best Management Practices (BMPs) for nurseries to protect water quality. E-951, <i>Water Quality Handbook for Nurseries</i> .	Department of Entomology and Plant Pathology Oklahoma State University Cooperative Extension Service	http://zoospore.okstate.edu/nursery/recycling/shy.html

Reagon M. Waskom	Best Management Practices for irrigation practices. XCM 173. August, 1994.	Colorado State University Cooperative Extension
Don Wilkerson	Irrigating Greenhouse Crops. From <i>Texas Greenhouse Management Handbook</i> .	Texas Agricultural Extension Service
Don Wilkerson	Treating and recycling irrigation runoff. From <i>Texas Greenhouse Management Handbook</i> .	Texas Agricultural Extension Service

Environmental Protection Agency (EPA)

National Service Center for Environmental Publications
U.S. EPA/NSCEP
PO Box 42419; Cincinnati, OH 45242-0419
Phone: 1-800-490-9198 or 1-513-490-8190
M-F 7:30 a.m.-5:30 p.m. EST (www.epa.gov/ncepihom)

Drinking from Household Wells, EPA 570/9-90-013
LEAD In Your Drinking Water, EPA 810-F-93-001
Protecting Our Ground Water, EPA 813-F-95-002
Citizens Guide to Pesticides, EPA

University of Georgia, Cooperative Extension Service

Ag Business Office; Room 203, Conner Hall, UGA
Athens, GA 30602
Phone: 706-542-8999 (http://www.caes.uga.edu/publications/alpha_list.html)

Northeast Regional Agricultural Engineering Service, Cooperative Extension Cornell University

152 Riley-Robb, Ithaca, NY 14853-5701
Phone: 607-255-7654 (www.osp.cornell.edu/vpr/outreach/programs/ageng.html)

Home Water Treatment, NRAES-48. Includes water-treatment basics, physical and chemical treatments, USEPA Primary Drinking Water Standards and health advisories, and pesticide products that contain USEPA drinking-water contaminants. (120 pp.)

Appendix

An Example of Local Ordinance

Athens-Clarke County Water Conservation Ordinance

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY WITH RESPECT TO WATER CONSERVATION — OUTDOOR LANDSCAPE WATERING SCHEDULE — PREVENTION OF WATER WASTING; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

Section 1. Chapter 5-3, entitled “Water,” of the Code of Athens-Clarke County is hereby amended by adding a new Article 7 thereto as follows:

“ARTICLE 7. WATER CONSERVATION

Section 5-3-120. Purpose and Policy.

The implementation of Athens-Clarke County’s comprehensive water conservation program serves two main purposes: to optimize the effective use of this essential natural resource and to decrease the amount of water used overall. Water conservation is not just for times of drought or water shortage. It is something citizens should do every day. Sound water use practices reduce the amount of stress placed on vital resources, both by limiting water withdrawals and by decreasing wastewater discharges. Conserving water reduces wear and tear on major infrastructures such as water and wastewater treatment plants and the distribution and collection systems that deliver water and collect wastewater, and can postpone or eliminate the need for making major investments in new infrastructure. Consistently using less water helps provide for greater flexibility and more alternatives during times when there is a water shortage.

Section 5-3-121. Application. This article applies to all water drawn by residential and non-residential customers from the Athens-Clarke County water supply system.

Section 5-3-122. Outdoor Landscape Watering Schedule.

A. Definitions. For the purposes of this section the following definitions shall apply:

1. “Outdoor landscape watering” means lawn and garden watering.
2. “Spray irrigation” means the use of irrigation devices that measure the water used in gallons per minute.
3. “Drip irrigation” means the use of irrigation devices that measure the water used in gallons per hour.

4. "Hand watering" means the watering of plant material and lawns by the use of watering cans, hand-held hoses, and other hand-held watering tools.

B. Outdoor Landscape Watering Schedule. Except for those activities exempted in Sections 5-3-124, outdoor landscape watering is allowed as follows:

1. Odd-numbered addresses may water on Tuesdays, Thursdays, and Sundays, except that spray irrigation is prohibited between the hours of 10:00 a.m. and 6:00 p.m.
2. Even-numbered or unnumbered addresses may water on Mondays, Wednesdays, and Saturdays, except that spray irrigation is prohibited between the hours of 10:00 a.m. and 6:00 p.m.
3. All outdoor landscape watering is prohibited on Fridays.
4. During declared drought conditions under Article 6, outdoor watering will be allowed only during the scheduled hours on the scheduled days as regulated by Article 6.

Section 5-3-123. Prevention of Water Wasting. The following uses of water are defined as "wasting water" and are prohibited at all times:

1. Failure to repair or to isolate and by-pass a leak, including a broken sprinkler head or emitter, a leaking valve, faucet, pipe or toilet;
2. Use of irrigation systems or watering methods that allow potable water to flow into the public rights of way such as alleys, streets, gutters, or storm water drainage system or onto any other person's property;
3. Operation of an irrigation system:
 - a. with a broken head or emitter.
 - b. with a head directing spray onto an impermeable surface, or
 - c. operating an irrigation system during a rain event exceeding one-quarter inch.
4. The use of water to wash down impermeable driveways, parking areas and sidewalks by direct hosing, except as permitted as follows:
 - a. by use of a hose or pressure washer equipped with a positive action quick release shutoff valve or nozzle no more than twice a year; or
 - b. when required properly to prevent or eliminate materials or conditions dangerous to the public health and safety.
5. The use of water to wash any vehicle including, but not limited to, any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not, except by the use of a hand-held bucket or similar container, or a hose or pressure washer equipped with a positive action quick release shutoff valve or nozzle.

5-3-124. Exceptions to the Restrictions of Section 5-3-122 and 5-3-123.

1. The provisions of this Article are not applicable to the uses of water, which are necessary for essential government services, such as police, fire and other similar emergency services.
2. Drip irrigation and/or hand watering are not subject to the hourly limits of the outdoor landscape-watering schedule.

3. Newly installed lawns may be watered every day for a maximum of ten days following installation. Following the initial ten-day period, new lawns may be watered every other day for ten days. After 20 days, the new lawns must adhere to the restrictions above. A permit shall be obtained from the Public Utilities Department and posted on the property in the same manner as a building permit.
4. Landscaping businesses and garden centers may water stocked plants.
5. Irrigation contractors may use water during installation and as needed for proper maintenance and adjustments only.

Section 5-3-125. Enforcement; Civil Surcharges; Penalties

- A. A customer of the Athens-Clarke County Water Utilities system shall be responsible for all violations of the provisions of this Article that occur in connection with water that passes through the meter for which the customer is billed by the authority.
- B. Authority to enforce this article is hereby granted to Athens-Clarke County Department of Public Utilities personnel, as designated by the director of Public Utilities, police officers, marshals, deputy marshals or code enforcement officers.
- C. Notification Process. Whenever any Athens-Clarke County personnel with the authority to enforce this section has reasonable cause to believe that a person is violating any of the provisions of this ordinance, a warning notice shall be issued to the customer or to the person responsible for the violation or its correction. The notice required by this paragraph shall be served by personal delivery or by certified mail/return receipt requested. The notice shall include a description of the violation, order that it be corrected, cured, or abated immediately or within such specified time as the Department determines is reasonable under the circumstances. The notice shall also warn that more severe measures, such as surcharges added to the water bill and/or interruption of water service may be imposed unless the violation ceases within the time provided. The time given to cease the activity may range from a requirement for immediate compliance to a longer period, depending upon the facts and circumstances of each case. If the remedy is accomplished, then there shall be no further action against that person or customer as to that specific violation.
- D. If the warning notice to cease or abate is not complied with within the specified time period, the Director of Public Utilities may impose a surcharge to the water bill as follows:
 1. First Notice of Continuing Violation: \$75.00 surcharge
 2. Second Notice of Continuing Violation: \$150.00 surcharge
 3. If the Department determines that a user or the responsible party has failed to comply with the order to repair or abate, the Director of Public Utilities may interrupt water service to that address and service shall not be restored until the required action to cease the violation is complete and all surcharges and standard reconnection fees have been paid. Notice of interruption of service must be given at least one day prior to interruption.

- E. Athens-Clarke County will not be liable for damage to property resulting from the discontinuance of water service in accordance with this ordinance.
- F. Appeals. Any person aggrieved by the levying of an administrative surcharge as provided for above or by having the water supply terminated by the director of public utilities shall have the right to appeal the surcharge of the termination to the administrative hearing officer pursuant to section 1-5-1 of the Code of Athens-Clarke County within three days from the date of the surcharge on the water bill is due or within three days of the date of termination of water service. If an appeal to the notice of termination is filed prior to termination, then the termination will be stayed pending appeal.
- G. The civil remedies provided for herein are not exclusive and in addition to such civil remedies, it is unlawful for any person to violate the provisions of this Article, and any person who violates these provisions shall be subject to the punishment provided in Section 1-1-5 of the Code of Athens-Clarke County. Each day such violation is committed or is permitted to continue shall be a separate offense. All citations issued for violation pursuant to section 1-1-5 of the Code of Athens-Clarke County shall be returnable to the municipal court of Athens-Clarke County."

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Learning *for* Life

Bulletin 1279

Reviewed March 2009

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