

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NUMBER 2009 - 51

AN ORDINANCE TO AMEND *CODE OF CLAYTON COUNTY, GEORGIA*, AS AMENDED, SPECIFICALLY CHAPTER 50 HEALTH AND SANITATION, ARTICLE I, IN GENERAL, SECTION 50-2 "BOARD OF HEALTH REGULATIONS" SO AS TO DELETE SUBSECTION (D) IN ITS ENTIRETY AND REPLACE IT WITH A NEW SUBSECTION (D) RELATING TO HAND WATERING OF "GRAY WATER," AND TO CREATE A NEW SUBSECTION (E) RELATING TO ENFORCEMENT; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS  
OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED

Section 1. The *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, is hereby further amended by amending Chapter 50, Health and Sanitation, Article I, In General, Section 50-2 "Board of health regulations," by deleting subsection (d) in its entirety and replacing it with a new subsection (d) relating to the hand watering of "gray water," and by creating a new subsection (e) relating to enforcement, both of which shall read as follows:

"(d) Pursuant to O.C.G.A. § 31-3-5.2, the rules and regulations, as described and entitled as set out below, are hereby declared to have been adopted in accordance with state law by the county board of health and are hereby accepted and approved for enforcement by the board of commissioners and incorporated into this subsection:

(1) *Purpose.* The purpose of this subsection is to provide provisions for the

hand watering of residential gray water.

- (2) *Definition.* "Gray water" means waste water generated from residential lavatories, bathtubs, showers, clothes washers, and laundry trays.
- (3) *General Provisions.* Private residential direct reuse of gray water shall be lawful if the following conditions are met:
  - (i) Gray water originating from the residence shall be used and contained within the property boundary for household gardening, composting, lawn watering, or landscape irrigation;
  - (ii) Gray water shall not be used for irrigation of food plants;
  - (iii) The gray water shall not contain hazardous chemicals derived from activities such as cleaning car parts, washing greasy or oily rags, or disposing of waste solutions from home photo labs or similar hobbyist or home occupational activities;
  - (iv) The application of gray water shall be managed to minimize standing water on the surface;
  - (v) The application of gray water shall be outside of a floodway;
  - (vi) The gray water shall not contain water used to wash diapers or similarly soiled or infectious garments unless the gray water is disinfected before irrigation; and
  - (vii) The gray water shall be applied only by hand watering using garden watering cans or similar hand-held containers.

(e) Notwithstanding any language to the contrary in any of the said booklets named in subsection (b), any person in violation of the rules and regulations hereby accepted and approved for enforcement in this section shall, upon conviction, be punished as provided in section 1-12, except that the penalty for each violation of subsection (d)(3) above shall not exceed a \$100.00 fine. Violations may be brought before the Magistrate Court of Clayton County by citation issued by the Director, Clayton County Health Department, or any of the director's duly appointed representatives."

Section 2. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Section 3. If any part of this Ordinance shall be declared unconstitutional by the valid judgment of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and

effect.

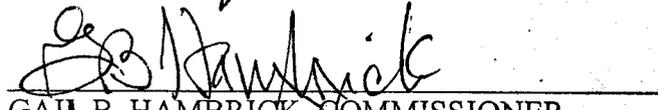
Section 4. This Ordinance shall become effective upon its approval by the Board of Commissioners.

SO ORDAINED, this the 7<sup>th</sup> day of April, 2009.

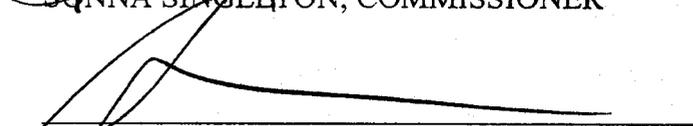
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ATTEST:

  
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