

STATE OF GEORGIA
COUNTY OF CLAYTON

ORDINANCE NO. 2010 - 117

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY CHAPTER 98, UTILITIES, SO AS TO ADD A NEW DEFINITION AND REVISE AN EXISTING DEFINITION IN SECTION 98-1(D) "DEFINITIONS"; TO AMEND SECTION 98-7 "FOOD SERVICE FACILITY GREASE MANAGEMENT PROGRAM," IN PART, AND SECTION 98-2(C) "PRIVATE WASTEWATER DISPOSAL," REPLACING IT IN ITS ENTIRETY WITH A NEW SECTION 98-2(C); TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Water Authority (the "CCWA") is responsible for the administration, enforcement and control of the water, sewer and stormwater service systems of Clayton County; and

WHEREAS, the CCWA has petitioned the County for the adoption of enabling legislation authorizing it to revise and update current regulations relating to private wastewater systems such that they incorporate requirements of the Metropolitan North Georgia Water Planning District and encourage connections to the CCWA system; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County to amend the Ordinance as hereinafter set forth.

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 adding to Chapter 98, Utilities, Section 98-1(D) "Definitions," a new definition for "Onsite Sewage Management System" and revising all later subsection numbering to reflect this addition, and by revising the existing definition of "Septic Tank Waste" to read and to be codified as follows:

48. **On-Site Sewage Management System.** A sewage management system other than a publicly owned treatment works (POTW) serving one or more buildings, mobile homes, recreational vehicles, residences, or other residential or non-residential facilities designed or used for human occupancy or congregation. Such term shall include, but not be limited to, conventional and chamber septic tank systems, privies, and experimental/alternative on-site management systems which are designed to be physically incapable of a surface discharge of effluent that may be approved by the Health Officer.
59. **Septic Tank Waste or Septage.** Any sewage from an On-site Sewage Management system including holding tanks such as chemical toilets, campers, trailers, and septic tanks.

Section 2. The Code of Clayton County, Georgia, as amended, is hereby further amended by correcting a section numbering error in Chapter 98, Utilities, Section 98-7(F) "Food Service Facility Grease Management Program," in that the existing subsection (4) is changed to subsection (3), and by revising all later subsection numbering to reflect this change.

Section 3. The Code of Clayton County, Georgia, as amended, is hereby further amended by deleting Chapter 98, Utilities, Section 98-2(C) "Private Wastewater Disposal," in its entirety and replacing it with a new Section 98-2(C) to read as follows:

(C) Private Wastewater Disposal

1. On-site Sewage Management Systems shall be designed, constructed, repaired, altered, and maintained in accordance with the plans and specifications approved by the Health Officer. On-site Sewage Management Systems shall be maintained in sanitary working order. The maximum size of any On-site Sewage Management System shall not exceed an average daily flow capacity of 2,000 gallons.
2. No person shall construct, repair, alter, or enlarge any septic tank unless he shall hold a valid permit for such work issued by the Health Officer. The Health Officer may withhold the issuance of such a permit pending an inspection and approval by the Health Officer of the site and location

of the proposed work. Before any On-site Sewage Management System, or any part thereof may be covered after it has been constructed, repaired, altered, or enlarged, it shall be inspected and approved by the Health Officer.

3. The type, capacities, location, and layout of On-site Sewage Management Systems shall comply with all the requirements of the Georgia Department of Human Resources and Health Officer. No permit shall be issued for any On-site Sewage Management System employing subsurface soil adsorption facilities where the area of the lot to be served thereby is less than 25,000 square feet. No septic On-site Sewage Management System shall be permitted to discharge to any natural outlet.
4. No On-site Sewage Management Systems shall be installed where a public sewer is reasonably accessible to the premises involved, nor in any place where the Health Officer deems the use of same to be a menace to human health or well being.
5. At such time as access to a POTW becomes reasonably available to a property served by an On-site Sewage Management System, a direct connection shall be made, by owner of subject property upon which the On-Site Sewage Management System is located, to the POTW within thirty (30) days after notice. Any On-site Sewage Management System parts shall then be cleaned of sludge and filled with suitable material.
6. It shall be unlawful to empty, dump, throw or otherwise discharge, into any manhole, catch basin or other opening, into the CCWA wastewater system, or any system connected with and discharging into the sewer system, the contents of any septic tank, sludge, sewage or other similar matter or material, except as provided in Section 98-7 (D) (1) of this ordinance.
7. Premises with On-site Sewage Management Systems that do not function in a sanitary manner shall be corrected within thirty (30) days from the receipt of written notification from the Health Officer.
8. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

Section 4. The provisions of any ordinance or resolution or parts thereof in conflict herewith are repealed, save and except such ordinance or resolution or parts thereof which provide stricter standards than those provided herein.

Section 5. Should any section, subsection, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such

decision shall not affect the validity of the Ordinance in whole or any part thereof other than the part so declared to be invalid.

Section 6. This Ordinance shall become effective following its approval by the Board of Commissioners after the second reading of the Ordinance, provided the same receives an affirmative vote of three or more members, and provided further that a copy of the Ordinance has been published in the official organ of Clayton County and filed with the Secretary of State of Georgia as required by law.

SO ORDAINED, this 18th day of May, 2010.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

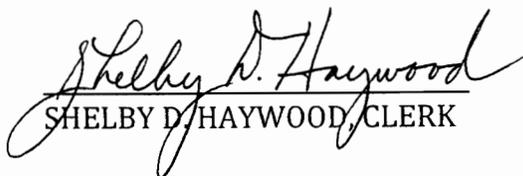

WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK