AN EMERGENCY ORDINANCE AMENDING THE CODE OF ORDINANCES OF CITY OF WOODSTOCK TO INCLUDE STANDARDS FOR OUTDOOR WATERING OF LANDSCAPE TO BE EFFECTIVE JANUARY 1, 2011.

WHEREAS, the City of WOODSTOCK (hereinafter "City") 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; and

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

WHEREAS, the General Assembly of the State of Georgia has required all water providers in Georgia to adopt an ordinance to be in effect no later than January 1, 2011 to allow outdoor watering of landscape to 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 Mayor and City Council 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. 98-50. Outdoor Watering of Landscape

Section 1. Restriction on Outdoor Water of Landscaping

Outdoor watering for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants in the service 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:

(1) Commercial raising, harvesting, or storing of crops; feeding, breeding, or managing livestock or poultry; the commercial production 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 aquacultural, horticultural, dairy, livestock, poultry, eggs, and apiarian products or as otherwise defined in O.C.G.A. § 1-3-3;

(2) Capture and reuse of cooling system condensate or storm water in compliance with applicable ordinances and state guidelines;

(3) Reuse of gray water in compliance with O.C.G.A. § 31-3-5.2 and applicable local board of health regulations;

(4) Use of reclaimed waste water by a designated user from a system permitted by the Environmental Protection Division of the Georgia Department of Natural Resources to provide reclaimed waste water;

(5) Watering personal food gardens;

(6) Watering new and replanted plant, seed, or turf in landscapes, golf courses, or sports turf fields during installation and for a period of 30 days immediately following the date of installation;

(7) Drip irrigation or irrigation using soaker hoses;

(8) Hand watering with a hose with automatic cutoff or handheld container;

(9) 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;

(10) Watering horticultural crops held for sale, resale, or installation;

(11) Watering athletic fields, golf courses, or public turf grass recreational areas;

(12) Installation, maintenance, or calibration of irrigation systems; or

(13) Hydroseeding.

Section 2. Enforcement

(a) No person shall use or allow the use of water in violation of the restrictions on outdoor water use contained in ordinance.

(b) The Department of Community Development shall be the enforcement authority for this ordinance. The City Manager may also authorize other departments as may be deemed necessary to support enforcement.

(c) Criminal and alternative penalties. Any violation of this section may also be enforced by a citation or accusation returnable to the magistrate court or by any other legal means as set forth in this Code.

Section 3. Repealer.

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

Section 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 the City of Woodstock.

Section 5. Effective Date. This ordinance shall go into effect on January 1, 2011.
Emergency Ordinance adopted and ordained this 13th day of December, 2011 – Valid for 30 days.

2nd Reading: 1-13-2011 3rd Reading: 1-24-2011

Donnie Henriques, Mayor

ATTEST: Rhonda Pezzello
Rhonda Pezzello, City Clerk