

GEORGIA, LINCOLN COUNTY

RESOLUTION

IMPOSITION OF WATER RESTRICTIONS IN RESPONSE TO DECLARATION OF LEVEL IV DROUGHT CONDITIONS BY STATE OF GEORGIA

WHEREAS, on or about September 28, 2007, the State of Georgia by and through the Georgia Department of Natural Resources declared for all counties in North Georgia, including Lincoln County, a Level Four drought response as a result of the weather conditions; and

WHEREAS, the Level Four drought response prohibits most types of outdoor water use, other than those activities exempted in 391-3-30-.05 of the Rules promulgated by the Georgia Department of Natural Resources, Environmental Protection Division, or as the E.P.D. Director may order; and

WHEREAS, Rule 391-3-30-.05 provides for the following exemptions:

391-3-30-.05 Exemptions

(1) This rule shall not apply to the following outdoor water uses:

(a) Capture and re-use of cooling system condensate or storm water in compliance with applicable local ordinances

(b) Re-use of gray water in compliance with applicable local ordinances

(2) The following established landscape water uses are exempt from the outdoor water use schedules of this rule.

(a) Use of reclaimed wastewater by a designated user from a system permitted by EPD to provide reclaimed wastewater.

(b) Irrigation of personal food gardens.

(3) Newly (in place less than thirty days) installed landscapes are subject to the following:

(a) Irrigation of newly installed landscapes is allowed any day of the week, but only during allowed hours for the drought response level in effect, for a period of 30 days following installation. No watering is allowed during Drought Response Level Four.

- (b) For new landscapes installed by certified or licensed professionals, commercial exemptions apply.
- (4) The following golf course outdoor water uses are exempt from the outdoor water use schedules of this rule.
 - (a) Use of reclaimed wastewater by a designated user from a system permitted by EPD to provide reclaimed wastewater.
 - (b) Irrigation of fairways during times of non-drought and Declared Drought Response Level One.
 - (c) Irrigation of tees during times of non-drought and Declared Drought Response Levels One, Two and Three.
 - (d) Irrigation of greens.
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- (5) The following commercial outdoor water uses are exempt from the outdoor water use schedules of this rule.
 - (a) Professionally certified or licensed landscapers, golf course contractors, and sports turf landscapers: during installation and 30 days following installation only. Professional landscapers must be certified or licensed for commercial exemptions to apply.
 - (b) Irrigation contractors: during installation and as needed for proper maintenance and adjustments only.
 - (c) Sod producers.
 - (d) Ornamental growers.
 - (e) Fruit and vegetable growers.
 - (f) Retail garden centers.
 - (g) Hydro-seeding.
 - (h) Power-washing.
 - (i) Construction sites.
 - (j) Producers of food and fiber.
 - (k) Car washes.
 - (l) Other activities essential to daily business.
 - (m) Watering-in of pesticides and herbicides on turf.

WHEREAS, the Police Powers afforded to the County under the Constitution and laws of the State of Georgia permit the County to impose the restrictions in compliance with the Declaration as stated above which are substantially related to the public health, safety, morals, or general welfare of the public; and

WHEREAS, the Lincoln County Board of Commissioners believes that this action is necessary to protect the general welfare of the public for the reasons stated hereinabove; and

WHEREAS, the imposition of these restrictions shall immediately be terminated

upon the lifting of the Level Four Drought Response by the State of Georgia.

NOW, THEREFORE, it is hereby resolved as follows:

1. It is hereby determined that Level Four Drought Response conditions are hereby imposed in conformance with the rules and regulations imposed by the Georgia Department of Natural Resources, 391-3-30, et seq.

2. It is further determined that these restrictions shall continue until such time as the Level Four drought response declaration is lifted by the State of Georgia.

This Resolution shall be recorded in the Minutes of the Lincoln County Board of Commissioners.

Duly adopted by the Lincoln County Board of Commissioners, this 11TH day of October 2007.

Lincoln County Board of Commissioners

BY: Walker T. Norman
Walker T. Norman
As Its Chairman

ATTEST: Roxanne Ashmore
Roxanne Ashmore
Clerk

