Chapter 23

UTILITIES*

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ARTICLE I. IN GENERAL

Sec. 23-1. Permit and charges for connections.

No person shall make any connection to the city's water, sewer, electrical systems, without first obtaining a permit so to do from the city clerk and paying such connection or tap charges or fees as are prescribed, from time to time, by the city council. Nothing in this Code or the ordinance adopting this Code shall affect any ordinance prescribing such charges or fees and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Sec. 23-2. Electricity to be metered.

It shall be unlawful for any person to connect with any city electrical line or use electricity from any line owned by the city without the same being connected with a city meter approved by the city council or the city electrician.
(Code 1967, § 24-6)

Sec. 23-3. Mandatory water connections.

The owners of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and whose property line is now located or may in the future be located within three hundred (300) feet of a city public water system line, shall, at the owner's expense, unless otherwise approved by the mayor and council of the city connect such property directly with the city public water system, within ninety (90) days after the date of official notice by the city to the owner to do so.
(Ord. of 12-6-94, § 1))

Sec. 23-4. Wells within the city.

No well shall be allowed within the city for human consumption or human usage, whether the usage be for drinking, toilets, laundry, or other functions and facilities for human beings, within three hundred (300) feet of a city public water system line as required by Section 23-3 of the City Code.

No well within the city, wherever located, shall be allowed unless the well meets the requirements of Official Code of Georgia Annotated Section 12-5-134, and unless installed by a licensed water well contractor in the State of Georgia, and unless approval for said well has been granted by the Monroe County Health Department and a copy of said well permit furnished to the building official of the city. The building official shall present the matter to city council for issuance or denial of a city well permit, which shall be considered by council at a public meeting with notice and opportunity to be heard by the applicant.

Under no circumstances shall any well system be connected to the city water system.

(Ord. of 12-6-94, § 2)

Sec. 23-5—23-15. Reserved.

ARTICLE II. WATER*

Sec. 23-16. Installation of stop and waste values to prevent meter damage.

(a) Where new water taps are installed, the city shall install stop and waste valves, to prevent damage to city water meters. At the request of any customer, the city will install such valves for existing taps.

(b) The charges for the installation of stop and waste valves pursuant to this section shall be such as are prescribed by the city council.
(Mo. of 2-2-82)

Sec. 23-17. Installation of pipe from main to edge of sidewalk.

When the prescribed water tap or connection charge has been paid to the city, the city will furnish, free of further cost, enough three-quarter inch pipe, such as is used by the city, to reach from the main to the edge of the sidewalk at the place where the water is to be used, provided the distance from the main where tapped to the edge of the sidewalk is not over thirty (30) feet. In the event such distance is over thirty (30) feet, the person for whom the tap is made shall pay for the number of feet of pipe in excess of thirty (30) feet that may be necessary to reach the edge of the sidewalk and the cost of laying such pipe. Such person may, at his option, be credited on his account for excess pipe with the amounts paid by him on his water bill until the full amount due for such additional pipe is paid.
(Code 1967, § 24-8)

Sec. 23-18. Reserved.

Editor's note—An ordinance adopted June 7, 1994, repealed § 23-18, Multiple users from same tap or connection, derived from the 1967 Code, § 24-5.

***Editor's note—**It should be noted that a resolution adopted July 9, 1996, § 1, provides that the city exempts itself from self-inspection and OCGA § 8-2-26(d) relating to self-inspection of water and sewer projects by master plumbers or utility contractors shall not be applicable within the city.
Cross reference—Plumbing code, § 7-31 et seq.
State law reference—Authority of city to provide water distribution systems, Ga. Const. Art. IX, § II, ¶ III (a)(7). See also, OCGA § 36-34-5.

Sec. 23-19. Dripping or leaking pipes.

It shall be unlawful for any person to allow his water pipes to drip or run from the spigots, except when in actual use. If any water pipes burst or should there be any leaks in the water pipes, joints, connections or spigots, it shall be the duty of person living on the premises and using the water where the leaks occur to immediately shut off the water and keep the same shut off until the leaks are stopped.
(Code 1967, § 24-3)

Sec. 23-20. Reserved.

Editor's note—An Ord. of Jan. 4, 2005 repealed former § 23-20 in its entirety which pertained to a drought contingency plan and derived from an Ord. of April 15, 1997, Art. I.

Sec. 23-21—23-35. Reserved.

ARTICLE III. SEWERS AND SEWAGE DISPOSAL*

DIVISION 1. GENERALLY

Sec. 23-36. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this article shall be as follows:

BOD (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.

Building drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

***Editor's note—**It should be noted that a resolution adopted July 9, 1996, § 1, provides that the city exempts itself from self-inspection and OCGA § 8-2-26(d) relating to self-inspection of water and sewer projects by master plumbers or utility contractors shall not be applicable within the city.
Cross reference—Plumbing code, § 7-31 et seq.
State law reference—Authority of city to provide sewage collection and disposal systems, Ga. Const. Art. IX, § II, ¶ III (a)(7). See also, OCGA § 36-34-5.
Public sewer shall mean a sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

Combined sewer shall mean a sewer receiving both surface runoff and sewage.

Garbage shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing food and from the handling, storage and sale of produce.

Industrial wastes shall mean the liquid wastes from industrial manufacturing processes, trade or business, as distinct from sanitary sewage.

Natural outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Properly-shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow
conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Sanitary sewer shall mean a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

Sewage treatment plant shall mean any arrangement of devices and structures used for treating sewage.

Sewage works shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Sewer shall mean a pipe or conduit for carrying sewage.

Shall is mandatory; *may* is permissive.

Slug shall mean any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Storm drain (sometimes termed *storm sewer*) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Superintendent shall mean the city's superintendent of water and sewerage or his authorized deputy, agent or representative.

Suspended solids shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.
(Code 1967, § 24-51)

Sec. 23-37. Violations of article.

(a) Any person found to be violating any provision of this article, except Section 23-40, shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Any person who shall continue any violation beyond the time limit provided for in subsection (a) above shall be guilty of a misdemeanor.

(c) Any person violating any of the provisions of this article shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation.
(Code 1967, § 24-58)

Sec. 23-38. Mandatory sewer connections.

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the city, shall, at his expense, install suitable toilet facilities therein and connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within ninety (90) days after the date of official notice to do so, provided that such public sewer is within three hundred (300) feet of the property line.
(Code 1967. § 24-52[4])

Sec. 23-39. Allocation of extra costs when sewer lines run on each side of street instead of down middle.

Where it is more feasible and of benefit to those affected and to the city to run sewer lines on each side of a street instead of tearing up the street and running the sewer line down the middle, the city council may make an equitable allocation of the extra costs of such installation, by charging the owner of the abutting property as much for his line into the sewer line as the charge would be if the sewer line was placed in the middle of the street.
(Code 1967, § 24-9)

Sec. 23-40. Damaging, defacing, etc., sewage works property.

No, unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works.
(Code 1967, § 24-56)
Cross reference—Damaging property generally, § 15-8.

Sec. 23-41. Unlawful disposal of human or animal excrement.

It shall be unlawful for any person to place, deposit or permit to be deposited, in any unsanitary manner on public or private property within the city or in any area under the jurisdiction of the city, any human or animal excrement or other objectionable waste.
(Code 1967, § 24-52[1])

Sec. 23-42. Discharge of sewage into natural outlets.

It shall be unlawful for any person to discharge into any natural outlet within the city of Forsyth, or in any area under the jurisdiction of the city, any sewage or other polluted water, except where suitable treatment has been provided in accordance with this article.
(Code 1967, § 24-52[2])

Sec. 23-43. Disposal of storm water, unpolluted drainage and process and industrial cooling water.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the superintendent, to a storm sewer, combined sewer or natural outlet.
(Code 1967, § 24-55[2])

Secs. 23-44—23-55. Reserved.

DIVISION 2. BUILDING SEWERS

Sec. 23-56. Permit.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.

(b) There shall be two (2) classes of building sewer permits:

(1) For residential and commercial service; and

(2) For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application for the permit on a special form furnished by the city. The application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee, in such amount as is prescribed by the city council, shall be paid to the city at the time the application is filed.
(Code 1967, § 24-54[1,2])

Sec. 23-57. Installation to be at owner's expense; owner to indemnify city.

All costs and expense incident to the installation and connection of a building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
(Code 1967, § 24-54[3])

Sec. 23-58. Separate sewer required for each building; exception.

A separate and independent building sewer shall be provided for every building, except that, where a building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
(Code 1967, § 24-54[4])

Sec. 23-59. Use of old sewers for new buildings.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this division.
(Code 1967, § 24-54[5])

Sec. 23-60. General specifications.

The size, slope, alignment and materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall conform to the requirements of the building and plumbing codes and other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
(Code 1967, § 24-54[6])
Cross references—Building code, § 7-16 et seq.; plumbing code, § 7-31 et seq.

Sec. 23-61. Elevation.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
(Code 1967, § 24-54[7])

Sec. 23-62. Guarding of excavations; restoration of disturbed public property.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city and in accordance with applicable ordinances.
(Code 1967, § 24-54[11])
Cross reference—Street excavations, § 21-21 et seq.

Sec. 23-63. Prohibited connections to building sewer.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected, directly or indirectly, to a public sanitary sewer.
(Code 1967, § 24-54[8])

Sec. 23-64. Connection of building sewer to public sewer.

(a) The person to whom the building sewer permit was issued shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

(b) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes and other applicable rules and regulations

of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. *Manual of Practice No. 9.* All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.
(Code 1967, § 24-54[9, 10])

Sec. 23-65—23-75. Reserved.

DIVISION 3. SEWER USE STANDARDS

Sec. 23-76. Prohibited discharges generally.

(a) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to, cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.

(3) Any waters or wastes having a pH lower than five point five (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers and the like, either whole or ground by garbage grinders.

(b) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes, if it appears likely in the opinion of the superintendent, that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb or public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65° C).

(2) Any waste or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65°C).

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipment shall be subject to the review and approval of the superintendent.

(4) Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions, whether neutralized or not.

(5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent for such materials.

(6) Any waters or wastes containing phenols or other taste or odor-producing substances, in concentrations exceeding limits which may be established by the superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other agencies of jurisdiction for such discharge to the receiving waters.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.

(8) Any waters or wastes having a pH in excess of nine point five (9.5).

(9) Materials which exert or cause:
   a. Unusual concentrations of inert suspended solids, such as, but not limited to, Fullers earth, lime slurries and lime residues, or of dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate.
   b. Excessive discoloration, such as, but not limited to, dye wastes and vegetable tanning solutions.
   c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
   d. Unusual volume of flow or concentration of wastes constituting slugs.

(10) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
(Code 1967, § 24-55[3,4])

Sec. 23-77. Discharge of storm water, surface water, etc., to sanitary sewer.

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process water to any sanitary sewer.
(Code 1967, § 24-55[1])

Section 23-78. Authority of superintendent to reject or require pretreatment, flow control and/or additional payment for certain wastes.

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewer, which waters or wastes contain the substances or possess the characteristics enumerated in subsection (b) of Section 23-76 and which, in the judgment of the superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

(1) Reject the wastes;

(2) Require pretreatment to an acceptable condition for discharge to the public sewers;

(3) Require control over the quantities and rates of discharge; and/or

(4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 23-84.

If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent and the requirements of all applicable codes, ordinances and laws.
(Code 1967, § 24-55[5])

Sec. 23-79. Grease, oil and sand interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors

shall be of a type and capacity approved by the superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.
(Code 1967, § 24-55[6])

Sec. 23-80. Maintenance of pretreatment and flow-equalizing facilities.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
(Code 1967, § 24-55[7])

Sec. 23-81. Control manholes.

When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with necessary meters and other appurtenances, in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
(Code 1967, § 24-55[8])

Sec. 23-82. Sampling, testing, etc., wastes.

(a) The city shall have the right to take such samples of waters and wastes and to make such tests, measurements and analyses as are necessary to enforce the provisions of this division.

(b) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this division shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater,* published by the American Public Health Association, and shall be determined at the control manhole provided pursuant to Section 23-81 or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the affect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls, whereas pHs are determined from periodic grab samples.
(Code 1967, § 24-55[9])

Sec. 23-83. City personnel entering private property and easements to enforce division.

(a) The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this division. The superintendent or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries, beyond that point having a direct bearing on the kind and source of discharge to the sewers, waterways or facilities for waste treatment.

(b) While performing the necessary work on private properties referred to in subsection (a) above, the superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 23-81.

(c) The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement, for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
(Code 1967, § 24-57)

Sec. 23-84. Special agreements for treatment of industrial wastes by city.

Nothing contained in this division shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor by the industrial concern.
(Code 1967, § 24-55[10])

Secs. 23-85—23-95. Reserved.

DIVISION 4. PRIVATE SEWAGE DISPOSAL SYSTEMS

Sec. 23-96. When required or prohibited.

Where a public sanitary or combined sewer is not available under the provisions of Section 23-38, the building sewer shall be connected to a private sewage disposal system complying with

the provisions of this division. When such a sewer is so available, it shall be unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
(Code 1967, §§ 24-52[3], 24-53[1])

Sec. 23-97. Permit generally.

Before commencement of construction of a private sewage disposal system, the owner shall obtain a written permit signed by the Monroe County Health Department. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications or other information deemed necessary by the superintendent. A permit and inspection fee, in such amount as is prescribed by the city council, shall be paid to the city at the time the application is filed.
(Code 1967, § 24-53[2]; Ord. of 1-4-05)

Sec. 23-98. When permit effective; inspections.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Monroe County Health Department. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within seventy-two (72) hours of the receipt of such notice by the superintendent.
(Code 1967, § 24-53[3]; Ord. of 1-4-05)

Sec. 23-99. Specifications.

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the state department of public health.
(Code 1967, § 24-53[4]; Ord. of 1-4-05)

Sec. 23-100. Septic tank or cesspool not to discharge to natural outlet.

No septic tank or cesspool shall be permitted to discharge to any natural outlet.
(Code 1967, § 24-53[4])

Sec. 23-101. Operation and maintenance.

The owner shall operate and maintain private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.
(Code 1967, § 24-53[6])

Sec. 23-102. Procedure when public sewer becomes available.

When a public sewer becomes available to a property served by a private sewage disposal system, the building sewer shall be connected to such sewer within sixty (60) days, and the private sewage disposal system shall be abandoned, cleaned of sludge and filled with clean bank-run gravel or dirt.
(Code 1967, § 24-53[5, 8])

Sec. 23-103. Division not to interfere with requirements of state health department.

No statement contained in this division shall be construed to interfere with any additional requirements that may be imposed by the state health department.
(Code 1967, § 24-53[7])

Secs. 23-104, 23-105. Reserved.

DIVISION 5. STORMWATER MANAGEMENT

Sec. 23-106. Plans required, when; design, construction criteria and related policies.

(a) The need for and approval of detention facilities in a residential land subdivision, commercial development and industrial development will be considered on a case by case basis by the city engineer or his authorized representative. For the purpose of this section "development" shall mean any land-disturbing activity, greater than one-third (1/3) acre, any building additions on commercial and/or industrial structures. The general criteria will be required to provide retention and/or detention when the rate of runoff of predevelopment conditions is increased one (1) percent or greater by post development condition. It shall be the duty of an owner intending to develop land for residential, commercial and industrial purposes to prepare and submit to the city engineer a stormwater management plan prior to engaging in any land-disturbing activities. A road-grading plan shall be submitted as an integral part of the drainage plan. Any liability associated with the performance and operation of the facility will remain with the designer and owner into perpetuity as designed. The city assumes no liability due to or associated with the design of any stormwater drainage facility.

(b) The city engineer will review the plan. The plan will be prepared by a professional engineer or a land surveyor licensed by the State of Georgia who will certify that the design meets minimum standards (≤ 1%) and will serve the intended purpose. Liability for performance and operation of the facility will be that of the developer and the developer's engineer and/or surveyor.

(c) Stormwater detention facilities shall be designed so that their peak release rates, when combined with those of all detention areas in the same basin, produce peak flow rates and

flow velocities at the site's boundary line no more than one (1) percent greater than that which occurred at the same location for pre-developed conditions.

(d) This shall be provided for the two-year, ten-year and twenty-five-year frequency storm events. However, under certain conditions, the one hundred-year event must also be detained to the pre-development rate. Such control of the one hundred-year [event] shall be provided when failure to do so would result in flooding of other habitable dwellings, property damage, or public access and/or utility interruption.

(e) Runoff coefficients to be used with rational method of runoff analysis for pre- and post-development conditions are as follows:

RATIONAL METHOD RUNOFF COEFFICIENTS

LAND USE	*Type Terrain*		
	Steep (Over 7%)	*Rolling (2%-7%)*	*Flat (Under 2%)*
Wooded			
Heavily	.21	.18	.15
Moderately	.25	.21	.18
Lightly	.30	.25	.21
Lawns/grassed areas	.35	.30	.26
Bare soil (uncompacted)	.60	.60	.50
Impervious	.98	.95	.95
Residential			
25,500 S.F. lots	.40	.36	.32
15,000 S.F. lots	.50	.45	.40
12,000 S.F. lots	.50	.45	.40
Townhomes (45% impervious)	.65	.60	.55
Apartments (75% impervious) (multi-story)	.82	.79	.74
Pasture			
Good condition	.25	.21	.18
Average condition	.45	.40	.36
Poor condition	.55	.50	.45
Farmland (non-growing season)	.50	.46	.41
Lakes and detention basins	1.00	1.00	1.00
Commercial and industrial	No predetermined formula can be prescribed where consideration of commercial and industrial property is involved in residential land subdivision. In such case, the drainage plan involving implicated commercial and		

LAND USE	*Type Terrain*		
	Steep (Over 7%)	*Rolling (2%-7%)*	*Flat (Under 2%)*
	industrial property must be calculated on the basis of a rational formula and on a case-by-case basis.		

(f) A currently accurate topographic map of the entire development with two-foot contours will be provided by the developer showing the routing of water upon its entrance to the development and its exit from, for both pre- and post-development. The developer's designer (engineer pr surveyor) shall delineate and label the one hundred-year floodplain elevation.

(g) Detention areas should be constructed prior to installation of storm sewers. All erosion control measures and practices shall be per the required standards and will be required as follows:

(h) Slopes shall not be steeper than three to one (3:1).

(i) Detention and retention areas shall be located on tracts of land designated for this purpose on the preliminary and final plat with sufficient area around the perimeter to provide access for maintenance purposes and shall be immediately adjacent to or be provided with an access easement to a public street. The access and maintenance easement shall provide fifteen (15) feet of width and an all-weather road twelve (12) feet in width.

(j) Upon completion of developer maintenance bond, all detention facilities and retention ponds shall be grassed and shall have a positive slope to outlet in order to facilitate complete drainage.

(k) No land-disturbing activity shall begin until approval of the plan has been given by the city engineer.

(l) Trash, garbage, construction materials, construction by-products or any other dirt or debris shall not be deposited in any part of the drainage system (open ditches, pipes, cable lines).

(m) All design work is to be prepared and certified by a Georgia Registered Professional Engineer or Land Surveyor registered in Georgia.

(n) As-built drawings shall be furnished to the city engineer for all detention/retention facilities. As-built drawings must be certified by either a registered land surveyor or a registered engineer.

(o) Every retention facility shall include an emergency spillway to accommodate the one hundred-year flood frequency.

(p) Currently accepted engineering methods and practices shall be used for all computations.

(q) All detention/retention ponds shall be fenced by the developer with a required six-foot high chain link fence approved by the city engineer, if it is found to be in the best interests of health and safety of the public. The fence shall have, as a minimum, one (1) twelve-foot wide gate (2—6' gate sections). Fencing shall meet the following standards and be as approved by the city engineer:

Chain link fence specifications:

Fabric shall be #9 gauge hot dip steel galvanized with standard top selvage knuckled and bottom selvage twisted and barbed. Fabric shall be tied with #9 gauge hot dip galvanized steel wire, spaced twelve (12) inches apart, spaced on all posts and twenty-four inches on all rails.

Line and brace post shall be 2 7/8 inches O.D., 3.55 pounds per foot, hot dip galvanized steel post.

Corner post shall be 2 7/8 inches O.D., 5.79 pounds per linear foot, hot dipped galvanized.

Top rail and braces shall be 1 6/8 inches O.D., 2.27 pounds per linear foot, hot dip galvanized.

Gate frames shall be tubular shaped 1.9 inches O.D., hot dip galvanized.

All retention and detention ponds shall be fenced if the depth of water at any location in the pond is greater than two (2) feet for more than one (1) hour time period during a twenty-five-year storm from post-development runoff.

All slopes for stormwater drainage system shall be as required and as necessary to allow operation of equipment necessary for maintenance and shall be as approved by the city engineer.

(r) All stormwater drainage systems shall be shown on the preliminary plat and conveyed to the city in the form of an easement by the recording of the final plat.

(s) Any person aggrieved or affected by any decision of the city engineer hereunder may make an appeal, as provided for in the regulations of the city.
(Ord. of 10-4-94, § 1; Ord. of 7-5-95; Ord. of 1-4-05)

Sec. 23-107. Reserved.

Editor's note—An Ord. of Jan. 4, 2005 repealed former § 23-107 in its entirety which pertained to basic storm water management and derived from Ord. of Oct. 7, 1997, § 1.

Secs. 23-108—23-110. Reserved.

DIVISION 6. SPECIAL DRAINAGE REQUIREMENTS

Sec. 23-111. One- and two-family dwellings.

(a) Unless otherwise approved by the building official, all one- and two-family dwellings shall be constructed in accordance with the additional requirements of this section.

(b) The finished floor elevation of any habitable space in a dwelling unit must be a minimum of twenty-four (24) inches above the lowest finished grade elevation within one hundred (100) feet of that space. The distance shall be measured from the outermost walls defining the space.

(c) The finished grade on all sides of the dwelling unit shall be sloped away from the building for a minimum distance of ten (10) feet so as to provide positive drainage. The minimum slope shall be five (5) percent for pervious surfaces and fifteen (15) percent for impervious surfaces.

(d) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Flood-proofing of residential construction is prohibited.

(e) Drainage plans may be required for any single-family dwelling that will be constructed on a lot or parcel of land where the building official and/or city engineer determine the placement of the dwelling may be adversely impacted by or impact the water course of that property. Plans when required shall be submitted to the city engineer for approval.

(f) For the purposes of this section, the words "building official" shall be deemed to mean the person designated from time to time as such by the mayor and council of the city, or, should no such person have been designated at any particular time by the mayor and council, the city administrator.

(g) Any person aggrieved or affected by any decision of the city engineer or the building official hereunder may make an appeal, as provided for in the regulations of the city.
(Ord. of 10-4-94, § 2; Ord. of 7-5-95, § 2; Ord. of 1-4-05)

Secs. 23-112—23-115. Reserved.

ARTICLE IV. SERVICE CHARGES

DIVISION 1. GENERALLY

Sec. 23-116. Rates.

The rates for water, sewer, telecommunications (including cable television) and electrical service furnished by the city shall be as prescribed, from time to time, by the city council and nothing in this Code or the ordinance adopting this Code shall affect any ordinance prescribing such rates, and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.
Charter reference—Authority to assess and collect sewer service charges, § 6.105.
State law reference—Authority to prescribe and collect water and sewer service charges, OCGA § 36-34-5.

Sec. 23-117. Deposits as security for payment.

(a) Before any water, sewer, electrical, or telecommunications (including cable television) service are furnished to any customer by the City, the customer shall make deposits with the City as security for the prompt payment of all charges for such services. Such deposits shall be in the amount prescribed by the city council and nothing in this Code or the ordinance adopting this Code shall affect any ordinance prescribing the amount thereof and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

(b) A deposit made pursuant to this section shall be returned to the customer upon termination of the service, if all charges due the city for utility service have been paid. In the event the customer becomes in arrears in such charges, such deposit shall be used, in whole or in part, in liquidation of same, and the deposit by the customer shall be his consent to such use in such event.

(c) Amounts for deposits for the city shall be as prescribed, from time to time, by the city council.
(Ord. of 7-8-97, § 3; Ord. of 4-1-03, § 1)

Sec. 23-118. Reserved.

Editor's note—An ordinance adopted June 7, 1994, repealed § 23-118, Liability for water charges in case of multiple users from same tapping, derived from the 1967 Code, § 24-5.

Sec. 23-119. When due and payable; penalty for delinquency.

(a) Utility Billing Cycle 1. Every bill for electrical, water and sewer service rendered by the city in utility billing Cycle 1 shall have a billing date of the 15th calendar day of the month, and shall be due and payable on or before the 5th calendar day of the month following the billing

date. In the event such bill is not paid on or before such due date, the cut-off date shall be the 17th calendar day of the following month of the due date. (By way of example, for the month of January, the Cycle 1 billing date will be January 15, the due date will be February 5, and the cut-off date will be February 17.)

(b) Utility Billing Cycle 2. Every bill for electrical, water and sewer service rendered by the city in utility billing Cycle 2 shall have a billing date of the last calendar day of the month, and shall be due and payable on or before the 20th calendar day of the month following the billing date. In the event such bill is not paid on or before such due date, the cut-off date will be the 2nd calendar day of the following month of the due date. (By way of example, for the month of January, the Cycle 2 billing date will be January 30, the due date will be February 20, and the cut-off date will be March 2.)

(c) In the event for whatever reason the city billing date differs, either later or earlier, than shown in paragraphs (a) and (b) herein, then the due date will be twenty (20) days after the billing date, the due date to be printed on the city billing, and the cut-off date will be Twelve (12) days following the due date.

(d) Every bill for telecommunications (including cable television) service rendered by the city shall have a billing date of the first day of each month, and shall be due and payable on or before the 15th day following the billing date. In the event such bill is not paid on or before such due date, the cut-off date shall be the 20th calendar day following the billing date.

(e) In the event any utility billing of the city, including water, sewer, electrical, and telecommunications (including cable television) is not paid on or before the due date, a penalty will be assessed to any such account on the unpaid balance in an amount to be prescribed from time to time by city council.

(f) Local, state and federal governments and senior citizens who have exempts pursuant to Code Section 23-136 are excluded from the penalty set out by subparagraph (e).
(Code 1967, § 24-7; Ord. of 9-6-94; Ord. of 7-8-97, § 1)
Cross reference—Charge for collection of garbage and other debris by city to be included on utility bill, § 20-24.

Sec. 23-120. Discontinuance of service for delinquency.

(a) If any utility billing for water, sewer or electrical service rendered by the city is not paid before the cut-off date, the city shall have the right to discontinue such service to the premises, and the service will not be reinstated until the full utility bill, including any penalty thereon, has been paid in full, together with such reconnection charges as may be prescribed. Any customer who pays a utility bill on the cut-off day at the site of the premises to the city meter reader will be charged such collection fee as prescribed, from time to time, by the city council. If the full amount of the utility billing and any required

deposit upgrade is paid in full during regular business hours of the city of any business day or at such time that reconnect can reasonably be made by 5:00 p.m. on any business day, the reconnect charge will be as prescribed, from time to time by the city council. If any bill and any required deposit upgrade is paid in full before the close of business of any city business day or at such time that reconnect cannot reasonably be made by 5:00 p.m. of any business day, the reconnection charge will be as prescribed, from time to time, by the city council. If any bill and required deposit upgrade is paid by close of business of any city business day and the reconnection cannot be made before close of business, services will be restored the next business day.

(b) The preparation of cut-off lists, and the administrative handling of cut-offs will follow the following procedures:

(1) The cut-off list is prepared one (1) day prior to actual cut-off. The cut-off list contains names of customers who have not paid their bill twenty-five (25) days after the applicable billing date as set out by Code Section 23-119.

(2) The cut-off list will be reviewed by the City Administrator and the City Clerk. Exceptions for cut-off are set out in subparagraph (c) hereafter. (Amended 4-15-2014)

(3) The cut-off list will be given a final check immediately prior to sending out, to determine any payments made. The cut-off list shall be ready for delivery to meter-readers for cut-offs by 9:00 AM of the applicable cut-off day.

(4) Cut-offs are usually not done on a Friday, weekend or holiday unless special circumstances exist such as set out in subsections (5) and (6) hereafter.

(5) If a customer's payment check is returned for insufficient funds, the customer is notified by phone or door knob note, and the customer shall have twenty-four (24) hours from such notification to make payment in cash, money order, certified funds, cashier's check, or credit card to the city, to replace the insufficient funds check, and any service fees incurred by the city for the returned check, or service will be discontinued and cut-off.

If a customer's payment check is returned due to a "stop payment", the customer's services will be discontinued and cut off immediately without further notice, and the customer shall be liable for any service fees incurred by the City for the "stop payment".

(6) Once a customer has had two (2) checks returned in a twelve-month period, the customer shall be put on a "cash only" basis for the next twelve (12) months. After "cash only" period has expired and the customer is allowed to pay by personal check again, the customer will be put back on "cash only" basis if and when another check in payment is returned unpaid to the city. "Cash only" payments are cash (legal tender)

money, money order, certified funds, cashier's check, or credit card acceptable to the City of Forsyth.

(c) Exceptions to cut-off shall be as follows:

(1) If a customer has a medical letter on file. The medical letter must be renewed every three (3) months. A color-coded seal will be placed on the electric meter to eliminate the possibility of error. The medical letter does not relieve the customer from payment of the bill for services. Any customer with a medical letter that does not pay the due bill within the allotted twenty-five (25) days will be notified of pending disconnect by door knob notice.

(2) If the high temperature of the day is forty (40) degrees or less.

(3) Arrangements for payments shall not be made except in special or extenuating circumstances and when approved by those persons set out in subparagraph (b) hereinabove. Approval for any arrangement shall be documented in writing, notice of which shall be attached to the bill for which the arrangement is being made, and shall be effective for a definite limited period of time. Examples of special or extenuating circumstances shall include the exceptions set out in Section 23-120(c)(1)-(2), and (4)-(8), and those circumstances such as a catastrophic event in the City or to the customer or the customer's premises, a medical emergency to the customer, or other similar type events or circumstances. (Amended 4-15-2014)

(4) If a customer has established a good payment history for the past twelve (12) months. "Good payment history" is a customer who pays by the due date.

(5) If this is the customer's first utility billing after activation of the service.

(6) If the customer has a voucher from a non-profit agency recognized by the City to pay the utility billing in full, or a written agreement by a non-profit agency recognized by the City to pay a customer's bill, but which will take additional, reasonable time to process by the agency. (Amended 4-15-2014)

(d) When service has been disconnected for nonpayment, and if the deposit on hand with the city is not in the amount of the deposit required by the city at the time of cut-off, then the required deposit must be upgraded prior to reconnection of service. For example, if a customer has on deposit with the city a deposit of one hundred dollars ($100.00), and at the time of cut-off the present deposit rate would be two hundred dollars ($200.00), then in addition to all other charges, including the payment of the billing for services and any penalty, the customer must meet and pay the current required deposit.

(e) When services are disconnected for non-payment, or by request of the customer, any amounts due to the city for the utility services after the deposit held by the city is applied to

the billing will be due and payable within thirty (30) days of the final bill date. Any amounts left owing and delinquent after the thirty (30) days will be subject to the City's approved collection services.
(Code 1967, § 24-7; Ord. of 7-8-97, § 2; Ord. of 4-1-03, § 2)
Cross reference—Discontinuance of water and electrical service for failure to pay charges for collection of garbage and other debris, § 20-24.

Secs. 23-121—23-135. Reserved.

DIVISION 2. PARTIAL EXEMPTION FROM ELECTRICAL SERVICE CHARGE FOR CERTAIN SENIOR CITIZENS

Sec. 23-136. Granted.

Each resident of the city or each resident receiving residential electric service from the city who is the head of the household of the residential dwelling unit in which such person resides and upon whom is imposed a monthly residential electrical service charge for the residential dwelling unit in which such person resides, and who is sixty-five (65) years of age or older and who has a gross income from all sources, including the income of all members of such person's family residing within such residential dwelling unit, not exceeding twelve thousand dollars ($12,000.00) per annum, is hereby granted an exemption on the monthly bill for such service charge, which exemption shall be in the amount of six dollars and fifty cents ($6.50).
(Ord. of 12-20-77, § 1; Mo. of 1-2-80; Ord. of 1-4-94)

Sec. 23-137. Claimant's affidavit.

(a) The exemption provided for in Section 23-136 shall not be granted unless an affidavit of the person claiming such exemption, prepared upon forms prescribed and provided by the city clerk for that purpose, is filed with the city clerk. Such affidavit shall show the age of the person claiming the exemption on the date of the filing of such affidavit, the total amount of income received by such person from all sources during the immediately preceding calendar year, the total amount of income received during the immediately preceding calendar year from all sources by each other family member residing in the claimant's residential dwelling unit, together with a statement that such claimant's income, when added to the income of each other family member residing in such residential dwelling unit, will not exceed twelve thousand dollars ($12,000.00) in the calendar year in which such affidavit is filed, the exact address of the residence of such claimant and such other information as may be required by the city clerk.

(b) The affidavit required by this section shall be in substantially the following form:

UTILITIES

APPLICATION FOR SENIOR CITIZEN-LOW INCOME ELECTRICAL
SERVICE CHARGE APPLICATION

GEORGIA, MONROE COUNTY

Personally appeared before the undersigned attesting officer,

_____

(Name as shown on City Utility Bill)

who, upon being duly sworn, did depose and say that deponent is _____ years of age. (Date of Birth: _____), and resides at _____

(Complete Street and City Address)

and that deponent is the head of household at such residence and liable for a residential electric service charge at such residence; that the following named persons are all of the members of deponent's family who reside in said residence with deponent and that the income for each of said named persons for the immediately preceding calendar year is set forth immediately beside each person's name:

	NAME:	AGE:	INCOME:
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

When requested by the City Clerk, the deponent agrees to provide such written proof as to income as necessary to verify this application.

Deponent further says on oath that the deponent's total income from all sources will not, when added to the income of all said family members who reside in said residence with deponent, exceed $12,000 for the year 20_____.

Deponent further says on oath that deponent fully believes that deponent is entitled to the senior citizen-low income electrical service exemption provided by City Code § 23-136.

Deponent understands that it is unlawful to furnish false information to the City to obtain this exemption.

This _____ day of _____, 20_____.

_____ DEPONENT

Mailing Address: _____

_____

Sworn to and subscribed before me:

_____
Notary Public
Date of Exp. Of Comm.

(AFFIX SEAL)

(Ord. of 12-20-77, § 1; Ord. of 1-4-94, § 1)

Sec. 23-138. Furnishing false information to obtain.

It shall be unlawful for any person to willfully furnish any false information to the city clerk to obtain the exemption from a portion of the monthly electrical service charge as provided for in this division.
(Ord. of 12-20-77, § 1)

Sec. 23-139. Procedure upon recipient's disqualification.

In the event that any person has qualified under this division for a reduced electrical service charge and, subsequent thereto, such person becomes disqualified therefor, it shall be the duty of such person to immediately so notify the city clerk, who shall remove such person's name from the list of those receiving such exemption. In the event that any such person fails to so notify the city clerk and continues to receive such exemption after being no longer qualified therefor, such person shall be immediately liable to the city for the difference between the amount actually paid for electrical service by such person and the amount that would have been required to be paid by such person without such exemption. Upon the refusal of such person to pay such difference, the city clerk shall cause all city utility services to be discontinued as to such person's residence until such time as he has paid the difference in full.
(Ord. of 12-20-77, § 1)

Sec. 23-140. Violations of article.

Any person who violates any provision of this division shall, upon conviction, be punished as provided for in Section 1-14 of this Code and, in addition thereto, if such person has obtained an exemption under this division when not entitled thereto, such person shall be required to pay, in full, the amount of exemption obtained by such person to which such person was not entitled. Upon the failure of such person to make such payment, the city clerk shall cause all

city utility services to be discontinued as to such person's residence until such time as the improperly obtained exemption is paid in full.
(Ord. of 12-20-77, § 2)

ARTICLE V. WATER CONSERVATION

Sec. 23-141. Definitions.

(a) *Commercial* means any type of building other than residential.

(b) *Construction* means the erection of a new building or the alteration of an existing building in connection with its repair or renovation or in connection with making an addition to an existing building and shall include the replacement of a malfunctioning, unserviceable, or obsolete faucet, showerhead, toilet, or urinal in an existing building.

(c) *Residential* means any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel.
(Ord. of 2-4-92, § 1)

Sec. 23-142. Construction standards.

On or after the effective date hereof, no construction may be initiated within the City of Forsyth for any residential building of any type which:

(1) Employs a gravity tank-type, flushometer-valve, or flushometer-tank toilet that uses more than an average of 1.6 gallons of water per flush; provided, however, this paragraph shall not be applicable to one-piece toilets until July 1, 1992;

(2) Employs a shower head that allows a flow of more than an average of 2.5 gallons of water per minute at sixty (60) pounds per square inch of pressure;

(3) Employs a urinal that uses more than an average of 1.0 gallons of water per flush;

(4) Employs a lavatory faucet or lavatory replacement aerator that allows a flow of more than 2.0 gallons of water per minute; or

(5) Employs a kitchen faucet or kitchen replacement aerator that allows a flow of more than 2.5 gallons of water per minute.
(Ord. of 2-4-92, § 1)

Sec. 23-143. Commercial buildings.

On or after July 1, 1992, there shall be no construction of any commercial building initiated within the City of Forsyth for any commercial building of any type which does not meet the requirements of subparagraphs (1) through (5) of Section 23-142.
(Ord. of 2-4-92, § 1)

Sec. 23-144. Application to residential construction.

The requirements of Section 23-142 of this article shall apply to any residential construction initiated after the effective date hereof and to any commercial construction initiated after July 1, 1992, which includes repair or renovation of or addition to any existing building when such existing building includes replacement of toilets or showers or both.
(Ord. of 2-4-92, § 1)

Sec. 23-145. Exemptions.

(a) New construction and the repair or renovation of an existing building shall be exempt from the requirements of Sections 23-141, 23-142, 23-143 and 23-144 when:

(1) The repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets or showerheads within such existing buildings; or

(2) When such plumbing or sewage system within such existing building, because of its capacity , design, or installation would not function properly if the toilets, faucets or showerheads required by this ordinance were installed; or

(3) Such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individual's personal residence; or

(4) Units to be installed are:

a. Specifically designed for use by the handicapped,

b. Specifically designed to withstand unusual abuse or installation in a penal institution; or

c. Toilets for juveniles.

(b) The owner, or his agent, of a building undergoing new construction or repair or renovation who is entitled to an exemption as specified in subparagraph (a)(2), (3) or (4) of this section shall obtain the exemption by applying at the office of the building official for the City of

Forsyth. A fee of two hundred dollars ($200.00) shall be charged for the inspection and issuance of such exemption.
(Ord. of 2-4-92, § 1)

Sec. 23-146. Enforcement; penalty.

(a) This article shall be enforced by the office of the building official of the City of Forsyth. Citations for violations may be issued by the police department of the City on the complaint of the building official of the City of Forsyth.

(b) Any person, corporation, partnership or other entity violating this ordinance shall be tried before the municipal court of the City of Forsyth. Upon conviction, a violation of this ordinance may be punished by such fine as authorized by the laws of the City and/or imprisonment not to exceed such time as authorized by the laws of the City.
(Ord. of 2-4-92, § 1)