

A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS TO AUTHORIZE THE IMPLEMENTATION OF A LEVEL 2 DROUGHT RESPONSE.

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of each county may adopt clearly reasonable ordinances, resolutions and regulations relating to its property, affairs and local government for which no provision has been made by general law and which is not inconsistent with the Constitution or any local law;

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph III thereof, that the governing authority of the County is empowered to provide for the development, storage, treatment, purification, and distribution of water; and

WHEREAS, the Newton County Board of Commissioners has determined that the County is currently suffering from drought conditions, with the water level of Lake Varner standing 10 feet below full pool as of November 9, 2016; and

WHEREAS, the Newton County Board of Commissioners has determined that the drought conditions pose a threat to the County's ability to provide water services and that aggressive mitigation measures are required; and

WHEREAS, on September 9, 2016, the Environmental Protection Division of the Georgia Department of Natural Resources declared a "Level 1" drought response for 53 counties, including Newton County, but has not yet declared a "Level 2" drought response for Newton County; and

WHEREAS, pursuant to O.C.G.A. § 12-5-7(a)(1) and Administrative Rule 391-3-30-.08 of the Georgia Department of Natural Resources, Newton County is authorized to request a variance to impose more stringent restrictions on outdoor water use than the restrictions currently imposed by the State of Georgia.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Newton County, Georgia as follows:

1.

County Staff, including without limitation the County Water Resources Director, are directed and authorized to prepare an application for a variance permitting the County to implement a "Level 2" drought response, as specified at Administrative Rule 391-3-30-.07(3) of the Georgia Department of Natural Resources and as set forth in Exhibit "A" hereto. The County Water Resources Director is authorized to execute such additional documents on behalf of the County as are necessary to request the variance.

2.

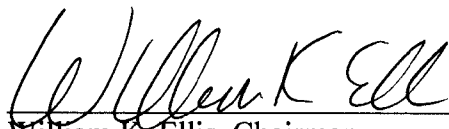
If the aforementioned variance is granted, County Staff are directed and authorized to take such steps as are necessary to implement and enforce the Level 2 water use restrictions.

3.

The effective date of this Resolution shall be the date of adoption.

SO RESOLVED this 15th day of November 2016.

NEWTON COUNTY BOARD OF COMMISSIONERS



William K. Ellis, Chairman

Attest:



Jackie B. Smith, County Clerk

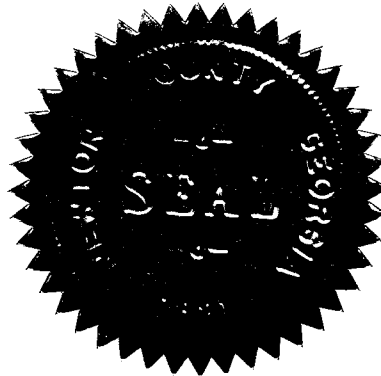


EXHIBIT "A"

Rule 391-3-30-.07 Drought Response Strategies

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- (3) Drought Response Level 2. During Drought Response Level 2, permittees shall implement all Drought Response Level 1 measures plus the following additional Drought Response Level 2 measures:
- (a) General Outdoor Watering. Outdoor irrigation for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants, as described in Rule 391-3-30-.03(1)(a), shall be limited to two days a week on an odd-even schedule. Even numbered addresses may irrigate on Wednesday and Saturday between the hours of 4:00 p.m. and 10:00 a.m. Odd numbered addresses may irrigate on Thursday and Sunday between the hours of 4:00 p.m. and 10:00 a.m. "Even numbered address" means an address number ending with the number 0, 2, 4, 6, 8, or the site does not have a numbered address. "Odd numbered address" means an address ending with the number 1, 3, 5, 7, or 9.
 - (b) Specific Categories of Outdoor Water Use. The outdoor water uses listed in Rule 391-3-30-.03(1)(b) shall be allowed.
 - (c) The following outdoor water uses shall not be allowed, except as provided below:
 - 1. Washing hard surfaces such as streets, gutters, sidewalks and driveways, except when necessary for public health and safety;
 - 2. Using water for ornamental purposes, such as fountains, reflecting pools, and waterfalls;
 - 3. Use of fire hydrants, except for the purposes of firefighting, public health, safety, or flushing;
 - 4. Washing vehicles, such as cars, boats, trailers, motorbikes, airplanes, or golf carts;
 - 5. Non-commercial washing, or pressure washing, of buildings or structures, except for immediate fire protection; and
 - 6. Charity, or non-commercial fund-raiser, car washes.
 - (d) Permittees that are public water systems shall select and implement four, or more, additional practices from the Drought Response Strategies Menu in paragraph (5). Such permittees shall submit monthly reports to the Division by the 10th of each following month detailing the drought response strategies the system has selected, the extent of implementation, and enforcement strategy, if applicable.