

**COUNTY OF DADE
STATE OF GEORGIA**

ORDINANCE NO. 06 – 07 – 18

AN ORDINANCE TO ADOPT THE STATE HIGH-EFFICIENCY PLUMBING CODE REQUIREMENTS OF THE STATE MINIMUM STANDARD CODES; TO PROVIDE FOR EXEMPTIONS TO THE CODE REQUIREMENTS; TO PROVIDE FOR PENALTIES FOR FAILING TO COMPLY WITH THE REQUIREMENTS; TO PROVIDE FOR AN APPEALS PROCEDURE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Dade County, Georgia, is the county governing authority of Dade County, Georgia;

WHEREAS, county governing authorities are authorized to adopt such ordinances as may be necessary for the purposes of protecting and preserving the public health, safety, and welfare of its citizens;

WHEREAS, the State Minimum Standard Codes, which include the International Plumbing Code, has been adopted by the State of Georgia (O.C.G.A. § 8-2-20(9)(B)(i));

WHEREAS, pursuant to O.C.G.A. § 8-2-3, the Georgia legislature adopted Georgia State Amendments to the International Plumbing Code to provide for high efficiency plumbing requirements;

WHEREAS, the said statutory amendments are designed to further the interests of the citizens of the State of Georgia by increasing the efficient uses of the State's resources, by reducing the State's water demands, and by lowering energy costs;

WHEREAS, the said statutory amendments authorize county governing authorities to provide for exemptions to the high efficiency plumbing requirements in certain circumstances;

WHEREAS, the Board of Commissioners of Dade County, Georgia, deem the high efficiency plumbing requirements adopted by the State, and the establishment of certain exemptions to those requirements, to be in the best interests of its citizens.

THEREFORE, BE IT ORDAINED as follows:

The International Plumbing Code as adopted as a State Minimum Standard Code by the State of Georgia, and the regulations issued pursuant thereto, is hereby amended by adding the following:

CHAPTER 2 DEFINITIONS

SECTION 202 GENERAL DEFINITIONS

As used in this Code section, the term:

- (1)** "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.
- (2)** "Department" means the Department of Community Affairs.
- (3)** "High efficiency plumbing fixtures and fittings" means as follows:
 - (A)** Dual flush water closet. A dual flush water closet or toilet that the average flush volume of two reduced flushes and one full flush does not exceed 1.28 gallons and is listed to the WaterSense Tank-Type High Efficiency Toilet Specification.
 - (B)** Kitchen faucet or kitchen faucet replacement aerator. A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 2.0 gallons of water per minute.
 - (C)** Lavatory faucet or lavatory faucet replacement aerator. A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.5 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.
 - (D)** Non-water urinal. A urinal that is designed to receive and convey only liquid waste through a trap seal into the gravity drainage system without the use of water for such function.
 - (E)** Single flush water closet. A single flush water closet or toilet, including gravity, pressure assisted, and electro-hydraulic tank types, that the average flush volume does not exceed 1.28 gallons and is listed to the WaterSense Tank-Type High Efficiency Toilet Specification.
 - (F)** Shower head. A shower head that allows a flow of no more than the average of 2.5 gallons of water per minute at 60 pounds per square inch of pressure.
 - (G)** Urinal. A urinal and associated flush valve that uses no more than 0.5 gallons of water per flush and is listed to the WaterSense Specification for Flushing Urinals.
- (4)** "Lavatory faucet" means a faucet that discharges into a lavatory basin in a domestic or commercial installation.
- (5)** The "Lead-free Pipe and Fittings" definitions is deleted in its entirety without substitution.
- (6)** "Plumbing fixture" means a receptacle or device that receives water, waste or both and discharges water, waste or both into a drainage system, and that is

either permanently or temporarily connected to the water distribution system of the premises and demands a supply of water there-from; discharges wastewater, liquid-borne waste materials or sewage either directly or indirectly to the drainage system of the premises; or requires both a water supply connection and a discharge to the drainage system of the premises. The term includes a kitchen sink, utility sink, lavatory, bidet, bathtub, shower, urinal, toilet, water closet, or drinking water fountain.

- (6) "Plumbing fixture fitting" shall mean a device that controls and directs the flow of water or conveys sanitary waste. The term includes a sink faucet, lavatory faucet, showerhead, or bath filler.
- (7) "Pressurized flushing device" means a device that contains a valve that:
 - (A) Is attached to a pressurized water supply pipe that is of sufficient size to deliver water at the necessary rate of flow to ensure flushing when the valve is open; and
 - (B) Opens on actuation to allow water to flow into the fixture at a rate and in a quantity necessary for the operation of the fixture and gradually closes to avoid water hammer.
- (8) "Public sewer" means that part of the drainage system of pipes installed or maintained by a city, township, county, public utility company or other public entity, on public property, in the street or in an approved dedicated easement of public or community use.
- (9) "Supply fitting" means a fitting that controls the volume and/or directional flow of water and is either attached to or accessible from a fixture, or is used with an open or atmospheric discharge.
- (10) "Toilet" means a water closet.
- (11) "Waste fitting" means a combination of components that conveys the sanitary waste from the outlet of a fixture to the connection to the sanitary drainage system.
- (12) "Water closet" means a fixture with a water-containing receptor that receives liquid and solid body waste and on actuation conveys the waste through an exposed integral trap into a drainage system and which is also referred to as a toilet.
- (13) "WaterSense" means a voluntary program of the United States Environmental Protection Agency designed to identify and promote water efficient products and practices.
- (14) "WaterSense Listed Plumbing Fixture or Plumbing Fixture Fitting" means a plumbing fixture or plumbing fixture fitting that has been tested by an accredited third-party certifying body or laboratory in accordance with the WaterSense Program of the United States Environmental Protection Agency, and has been listed (certified) by such body or laboratory as meeting the performance and efficiency requirements of the program, and has been authorized by the program to use its label.

CHAPTER 3 GENERAL REGULATIONS

SECTION 300 GENERAL APPLICABILITY STANDARDS

300.1 Scope. The provisions of this Code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within the state of Georgia. This Code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the *International Fuel Gas Code*.

300.2 Appendices. Appendices are not enforceable unless they are specifically referenced in the body of the Code or adopted by the Department of Community Affairs or the Authority Having Jurisdiction.

300.3 Intent. The purpose of this Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems.

300.4 Severability. If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.

300.5 General. The provisions of this Code shall apply to all matters affecting or relating to structures, as set forth in Section 300. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

300.6 Maintenance. All plumbing systems, materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe and sanitary condition. All devices or safeguards required by this Code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of plumbing systems. To determine compliance with this provision, the code official shall have the authority to require any plumbing system to be re-inspected.

300.7 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested, placed in good and proper working condition and approved.

SECTION 301 GENERAL

301.1.1 Requirements for high efficiency plumbing fixtures. The installation of high efficiency plumbing fixtures shall be required in all new construction.

301.1.2 Waiver of requirements for high efficiency plumbing fixtures. Waivers to the requirements for the installation of high efficiency plumbing fixtures relative to new construction and to the repair or renovation of an existing building may be under the following conditions:

1. When the repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets, or shower heads within such existing building;
2. When such plumbing or sewerage system within such existing building, because of its capacity, design, or installation, would not function properly if the toilets, faucets, or shower heads required by this part were installed;
3. When 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. When units to be installed are:
 - a. Specifically designed for use by person with disabilities;
 - b. Specifically designed to withstand unusual abuse or installation in a penal institution; or
 - c. Toilets for juveniles.

301.1.2.1 Procedures for applying for waiver of requirements. Applications for the waiver of the requirements of the high efficiency plumbing fixtures may be made by submitting a written application for the waiver with the Dade County Code Enforcement Officer prior to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems, upon such forms as may be provided by the Code Enforcement Officer. Any person adversely affected by any determination made by the Code Enforcement Officer relative to the issuance or denial of a request for waiver may appeal such determination to the Dade County Board of Commissioners. Any such appeal must be filed with the County within fifteen (15) days after the issuance of the determination by the Code Enforcement Officer. The appeal may approve, modify, or reject the determination made by the Historic Preservation Commission. Appeals from decisions of the Board of Commissioners may be taken to the Superior Court of Dade County in the manner provided by law for appeals from conviction for the Dade County ordinance violations.

301.3 Exceptions to connections to drainage system requirements. Exception: Bathtubs, showers, lavatories, clothes washers and laundry trays shall not be required to discharge to the sanitary drainage system where such fixtures discharge to an approved gray water system for flushing of water closets and urinals or for subsurface irrigation. Gray water may also be used for other purposes when designed by an engineer licensed in the State of Georgia and the system is approved by the Authority Having Jurisdiction.

301.4 Connections to water supply. Exception: Reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division.

CHAPTER 15 PENALTY PROVISIONS; REPEALER; EFFECTIVE DATE

1501.1 Penalty Provisions. Violations of any provisions of this Ordinance shall constitute a misdemeanor and shall be punishable by the penalties and costs, and in the same manner, as set forth in Sec. 1-19 of The Code of Ordinances of Dade County, Georgia. In addition to other remedies, the County may institute an action for an injunction, mandamus, or other appropriate action or proceeding to correct or stop such violation.

15.02 Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

15.03 Effective Date. This Ordinance shall become effective immediately upon its passage.

THEREFORE BE IT ORDAINED that the Board of Commissioners of Dade County, Georgia, does hereby ordain, resolve and enact the foregoing Amendment to the International Plumbing Codes.

PROPOSED AND FIRST READING took place on the 7th day of June 2018.
SECOND READING AND ADOPTION took place on the 14th day of June 2018.

BOARD OF COMMISSIONERS DADE COUNTY, GEORGIA



BY: _____
TED RUMLEY
Chairperson/County Executive

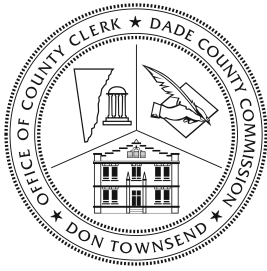
ATTEST:

BY: _____
DON TOWNSEND
County Clerk

CLERK'S CERTIFICATE

I, Don Townsend, County Clerk of Dade County Board of Commissioners, do hereby certify that the foregoing Ordinance constitutes a true and correct copy of the Ordinance, adopted on June 7, 2018 and June 14, 2018, by the Dade County Board of Commissioners. After due notice was given in accordance with law; and the Commission being duly called and assembled, at which a quorum was present, the Dade County Board of Commissioners did adopt the attached Ordinance, the original appearing as a public record in the Minute Book of said Commission which is in my custody and control.

Given under my hand and the Seal of Dade County this 14th day of June 2018.



Patrick D. Townsend, Jr.
County Clerk
Dade County, Georgia