

**AN ORDINANCE OF THE FORSYTH COUNTY BOARD OF COMMISSIONERS  
ADOPTING NEW REQUIREMENTS FOR LANDSCAPE IRRIGATION SYSTEMS  
AND AMENDING ORDINANCE NUMBER 88-B**

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November 1982, and effective July 1, 1983, provides in Article IX, Section 2, Paragraph 1 thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions, and regulations, and

**WHEREAS**, O.C.G.A. § 36-1-20 authorizes the County to adopt ordinances preserving the public health, safety, and welfare, and to adopt appropriate measures to enforce those ordinances; and

**WHEREAS**, Forsyth County is part of the Metropolitan North Georgia Water Planning District, and implements the District's comprehensive long-term water conservation program; and

**WHEREAS**, in the interests of the health, safety, and general welfare of the citizens of Forsyth County, Georgia, and to implement the requirements of the Metropolitan North Georgia Water Planning District's water conservation program, the Board of Commissioners of Forsyth County desires to exercise its authority to adopt the ordinance amendments attached hereto as Exhibit A; and

**WHEREAS**, appropriate notice and hearing on the amendments contained herein have been carried out according to general and local law.

**NOW, THEREFORE**, the Board of Commissioners of Forsyth County, Georgia hereby ordains as follows:

1. The text of current Chapter 18, Article 6, Section 18-189 of the Forsyth County Code of Ordinances, initially enacted pursuant to Section 1 of Ordinance Number 88-B, is hereby replaced

in its entirety by the text attached hereto as Exhibit A.

2. All conflicting elements of other County ordinances and resolutions are hereby repealed.

3. This Ordinance shall become effective immediately upon the date of adoption.

**BE IT RESOLVED** this <sup>5<sup>th</sup> R.P.H.</sup>~~10<sup>th</sup>~~ day of December, 2019.

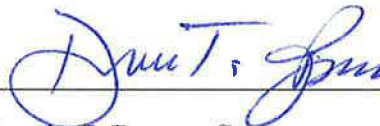
**FORSYTH COUNTY BOARD OF COMMISSIONERS**



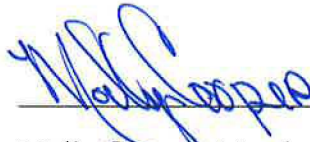
Laura Semanson, Chairman



Cindy J. Mills, Vice Chairman



Dennis T. Brown, Secretary



Molly Cooper, Member



Todd Levent, Member

Attest:



Rhonda P. Hansard, Clerk to the Board

# Exhibit A

## ARTICLE VI. - WATER USE AND WATER CONSERVATION

Sec. 18-189. – Permitting and technical requirements for landscape irrigation systems.

(a) As used in this section, the following terms are defined:

- (1) "flow sensor" means an inline device that produces a repeatable signal proportional to flow rate.
- (2) "landscape irrigation system" means an assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes.
- (3) "large landscape" means any single irrigated area that is greater than one acre (43,560 square feet) in size, subject to the clarifications and exceptions in this paragraph. A single irrigated area shall consist of the larger of: (i) the sum of all irrigated areas to be served by a single irrigation meter; (ii) the sum of all irrigated areas served on a single parcel of land; or (iii) the sum of all irrigated areas served by a single irrigation system as part of one single development. "Large landscapes" exclude single-family residential property, but include property owned by a homeowner association in a residential neighborhood.
- (4) "master shut-off valve" means an automatic valve such as a gate valve, ball valve, or butterfly valve) capable of being automatically closed by a remote controller. When this valve is closed water will not be supplied to the landscape irrigation system.
- (5) "rain sensor shut-off switch" means an electric device that detects and measures rainfall amounts and overrides the cycle of an irrigation system so as to turn off such system when a predetermined amount of rain has fallen.
- (6) "spray head" means a irrigation system component that discharges one or more jets of water, as opposed to discharging water in a fine mist.

(b) It shall be unlawful for any person to install any landscape irrigation system that:

- (1) Is equipped with an electronic controller that does not have a rain sensor shut-off switch, provided that: (1) This requirement shall not apply to either landscape irrigation systems installed on golf courses, or any system dependent upon a non-public water source; and (2) any person who installs a landscape irrigation system equipped with an electronic controller in violation of this subsection shall be subject to a fine not exceeding \$100.00 per violation;
- (2) Uses spray heads capable of spraying more than three feet distance in landscape strips narrower than 5 feet in width; or
- (3) Allows spray heads to spray across sidewalks or other impervious surfaces.

(c) Regardless of whether an irrigation meter is used, all irrigation systems serving large landscapes shall include the following:

- (1) A master shut-off valve for each controller installed as close as possible to the point of connection of the landscape irrigation system but downstream of the backflow prevention assembly;
- (2) At least one flow sensor, which must be installed at or near the point of connection of the landscape irrigation system, that when connected to an electronic controller will detect and

report high flow conditions to such controller and automatically shut master shut-off valves;  
and

- (3) Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, or other devices, installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.
- (d) It shall be unlawful to construct an irrigation system without an irrigation permit. As a condition of approval of an irrigation permit, the applicant shall supply the Forsyth County Water & Sewer Department with any paperwork and project information that may be required, including the following:
- (1) An agreement to release, indemnify and hold the County harmless to the extent the permitted irrigation system extends into the public right-of-way.
  - (2) If the applicant is a County water customer and will be applying for a discounted water rate available for irrigated areas greater than one acre (as set forth in the County's water rate resolution):
    - (A) The applicant shall supply a plan that shows the layout of the irrigation system, including:
      - (i) the size of the irrigated area;
      - (ii) all public rights-of-way(s);
      - (iii) the number and location of irrigation meters;
      - (iv) the location of a WaterSense-labeled controller (or functional equivalent), connected to a rain-sensor shut off switch or switches such as but not limited to a ground moisture switch;
      - (v) pressure regulators;
      - (vi) master shut-off valves;
      - (vii) flow sensors that detect and report high flow conditions due to failure of irrigation system components; and
      - (viii) a design that will not result in violations of Section 18-188 of this Article.
    - (B) The irrigation system design shall comply with the technical requirements of subsections (b) and (c) of this section, even if those subsections would not otherwise apply to the property in question.
    - (C) All submitted plans shall be drawn and signed by a landscape architect, a professional land surveyor, a professional engineer or an Irrigation Association Certified professional (CIT, CLIA, CIC, CID, or CLWM).
    - (D) After installation of the irrigation system, the person responsible for the irrigation plan shall submit a certification performed by an Irrigation Association Certified professional (CIT, CLIA, CIC, CID, or CLWM) to Forsyth County Water and Sewer Department (attn: Backflow Prevention Program), confirming that the irrigation system was installed in accordance with the plan.
  - (3) If the applicant is not a County water customer or if the applicant is a County water customer but will not be applying for a discounted water rate available for irrigated areas greater than one acre (as set forth in the County's water rate resolution):

- (A) If the irrigation system serves a single residential lot (this does not include HOA common areas), the applicant shall submit a plan that includes the layout of the irrigation system and, if required by subsection (b), the installation of a rain-sensor shut off switch. Such plan may be drawn by a master plumber or a landscape irrigation contractor.
  - (B) If the irrigation system serves any other type of property:
    - (i) The applicant shall submit a plan that shows the layout of the irrigation system, including:
      - a. the size of the irrigated area;
      - b. all public rights-of-way(s);
      - c. compliance with subsections (b) and (c) of this section; and
      - d. a design that will not result in violations of Section 18-188 of this Article.
    - (ii) Such plan shall be drawn and signed by a landscape architect, a professional land surveyor, a professional engineer or an Irrigation Association Certified professional (CIT, CLIA, CIC, CID, or CLWM).
- (e) Violations of this section shall be subject to enforcement and penalties (except as limited by this section) as set forth in section 18-185.