

STATE OF GEORGIA
CITY OF MCDONOUGH

ORDINANCE NO. 12-10-15 (A)

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF MCDONOUGH, GEORGIA; TO AMEND TITLE 18, ENVIRONMENT AND NATURAL RESOURCES, CHAPTER 18.04, ILLICIT DISCHARGE AND ILLEGAL CONNECTION; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MCDONOUGH, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:

Section 1. That section 18.04.060, "Prohibition of illicit discharges" is hereby repealed in its entirety and a new section 18.04.060 is adopted in lieu thereof to read as follows:

18.04.060-Prohibition of illicit discharges.

- A. No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the City of McDonough or Henry County separate storm sewer system any pollutants or waters containing any pollutants, other than stormwater.
- B. Proper disposal is required for all discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at construction sites that may cause adverse impacts to water quality.
- C. The following discharges are exempt from the prohibition provision above:
 - 1. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;
 - 2. Discharges or flows from fire fighting, and other discharges specified in writing by the City as being necessary to protect public health and safety;

3. The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the state and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the City of McDonough or Henry County separate storm sewer system.

Section 2. All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

Section 3. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

Section 4. Except as modified herein, The Code of Ordinances of the City of McDonough, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter.

Section 5. This ordinance shall become effective immediately upon adoption.

SO ORDAINED this 15th day of October, 2012.

CITY OF MCDONOUGH, GEORGIA

(Signature on Original)
BILLY COPELAND, MAYOR

ATTEST:

APPROVED AS TO FORM BY:

(Signature on Original)
JANIS PRICE, CITY CLERK

(Signature on Original)
LEIGH C. HANCHER, CITY ATTORNEY