

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 150

AN ORDINANCE

To impose water conservation restrictions; to provide definitions; to provide for exemptions; to provide for penalties; to provide for related matters; to repeal conflicting ordinances and for other purposes.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

SECTION 1. 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.

SECTION 2. On or after July 1, 1991, no construction may be initiated within the City of Lookout Mountain 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 60 pounds per square inch of pressure;

(3) Employs a urinal that uses more than 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.

SECTION 3. On or after July 1, 1992, there shall be no construction of any commercial building initiated within the City of Lookout Mountain for any commercial building of any type which does not meet the requirements of subparagraphs (1) through (5) of Section 2 of this ordinance.

SECTION 4. The requirements of Section 2 of this ordinance shall apply to any residential construction initiated after July 1, 1991, and to any commercial construction initiated after July 1, 1992, which involves the repair or renovation of or addition to any existing building when such repair or renovation of or addition to such existing building includes replacement of toilets or showers or both.

SECTION 5. (a) Exemptions. New construction and the repair or renovation of an existing building shall be exempt for the requirements of Sections 2, 3 and 4 of this ordinance 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 buildings, 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 inspector for the City of Lookout Mountain. A fee of \$50.00 shall be charged for the inspection and issuance of such exemption.

SECTION 6. ENFORCEMENT, PENALTY. (a) This ordinance shall be enforced by the office of the building inspector of the City of Lookout Mountain. Citations for violations may be issued by the chief building inspector of the City of Lookout Mountain.

(b) Any person, corporation, partnership or other entity violating this ordinance shall be tried before the municipal court of the City of Lookout Mountain. Upon conviction, a violation of this ordinance may be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisonment not to exceed six months.

SECTION 7. SEVERABILITY. If any section, subsection, sentence or clause of this Ordinance be adjudged invalid, such adjudication shall not affect the validity of the Ordinance as a whole or of any section, subsection, sentence or clause hereof not adjudged invalid.

SECTION 8. REPEALER. All other ordinances or parts thereof heretofore enacted by the City in conflict herewith are hereby repealed.

SECTION 9. EFFECTIVE DATE. This ordinance shall become effective on June 30, 1991.

APPROVED ON first reading on February 21,  
1991.

[Signature]  
Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

[Signature]  
Mayor of Lookout Mountain, GA

APPROVED AND ADOPTED ON second reading on February 28,  
1991.

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Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

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Member of City Council  
Lookout Mountain, Georgia

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Mayor of Lookout Mountain, GA

ATTEST:

[Signature]  
City Clerk of Lookout  
Mountain, Georgia

