

**CITY OF WRENS
CODE OF ORDINANCES
TITLE 3
CHAPTER 5**

CHAPTER 5

GROUNDWATER RECHARGE AREA PROTECTION

§ 3-5-1	Title of the Chapter, Findings, and Objectives.
§ 3-5-2	Establishment of a Groundwater Recharge District.
§ 3-5-3	Determination of Pollution Susceptibility.
§ 3-5-4	Permit Requirements and Enforcement.
§ 3-5-5	Groundwater Protection Standards.
§ 3-5-6	Judicial Review.
§ 3-5-7	Amendments.
§ 3-5-8	Assessment Relief.

Sec. 3-5-1 Title of the Chapter, Findings and Objectives.

- a. Title of the Chapter. This chapter shall be known as the Groundwater Recharge Area Protection Ordinance of the City of Wrens, Georgia.

- b. Findings of Fact. In order to provide for the health, safety and welfare of the public and a healthy economic climate within the City of Wrens and surrounding communities, it is essential that the quality of public drinking water be ensured. For this reason, it is necessary to protect the subsurface water resources are contained within aquifers, which are permeable, rock strata occupying vast regions of the subsurface. These aquifers are replenished by infiltration of surface water runoff in zones of the surface know as groundwater recharge areas.

Groundwater is susceptible to contamination when unrestricted development occurs within significant groundwater recharge areas. It is, therefore, necessary to manage land use within groundwater recharge areas in order to ensure that pollution threats are minimized.

- c. Objectives. The objectives of this chapter are:
 - 1. Protect groundwater quality by restricting land uses that generate, use or store dangerous pollutants in recharge areas;
 - 2. Protect groundwater quality by limiting density of development; and
 - 3. Protect groundwater quality by ensuring that any development that occurs within the recharge area shall have no adverse effect on groundwater quality.

**CITY OF WRENS
CODE OF ORDINANCES
TITLE 3
CHAPTER 5**

Sec. 3-5-2 Establishment of a Groundwater Recharge Area District.

A Groundwater Recharge Area District is hereby established which shall correspond to all lands within the jurisdiction of City of Wrens that are mapped as significant recharge areas by the Georgia Department of Natural Resources in *Hydrologic Atlas*, 1989 edition.

Sec. 3-5-3 Pollution Susceptibility.

All recharge areas within the City of Wrens have a medium pollution susceptibility, as indicated by the Georgia Pollution Susceptibility Map prepared by the Georgia Department of Natural Resources.

Sec. 3-5-4 Permit Requirements and Enforcement.

No building permit, rezoning request or subdivision plan will be approved by the City of Wrens unless the permit, request, or plan is in compliance with the groundwater protection standards listed in section 3-5-5.

- a. Enforcement. The mayor and council of the City of Wrens, its agents, officers and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this chapter and may take or cause to be made such examinations, surveys or sampling as the City of Wrens deems necessary.
 1. The Zoning Officer is hereby designated as the administrator and enforcement officer for this chapter.
 2. The Zoning Officer shall have authority to enforce this chapter; issue permits hereunder; and address violations or threatened violations hereof by issuance of violation notices, administrative orders and civil and criminal actions. All costs, fees and expenses in connection with such actions may be recovered as damages against the violator.
 3. Law enforcement officials or other officials having police powers shall have authority to assist the Zoning Officer in enforcement.
 4. Any person who commits, takes part in or assists in any violation of any provision of this chapter shall be fined not more than \$100 for each offense. Each violation shall be a separate offense and, in the case of a continuing violation, each day's continuance shall be deemed to be a separate and distinct offense.
 5. The Zoning Officer shall have the authority to issue cease and desist orders in the event of any violation of this chapter. Cease and desist orders may be appealed to a court of competent jurisdiction, as identified in section 3-5-6.

**CITY OF WRENS
CODE OF ORDINANCES
TITLE 3
CHAPTER 5**

6. When a building or other structure has been constructed in violation of this chapter, the violator shall be required to remove the structure.
 7. When removal of vegetative cover, excavation or fill has taken place in violation of this chapter, the violator shall be required to restore the affected land to its original contours and to restore vegetation, as far as practicable.
- b. Permit Review and Site Plan Requirement. With the exception of certain exempted activities identified in section 3-5-4(c), applications for a development permit within the Groundwater Recharge Area District shall include a site plan. The following information is required for all site plans:
1. A map or maps, drawn to a scale of one inch equals 200 feet or other approved scale, showing all planned improvements including the width, depth and length of all existing and proposed structures, roads, water courses and drainage ways, water lines, wastewater and storm water facilities, and utility installations, shall be provided by the applicant.
 2. Location, dimensions and areas of all impervious surfaces, both existing and proposed, on the site.
 3. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
 4. Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than five feet.
 5. Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
 6. Calculations of the amount of cut and fill proposed and cross-sectional drawings showing existing and proposed grades in areas of fill or excavation. Elevations, horizontal scale and vertical scale must be shown on cross-sectional drawings.
 7. Activities to comply with site plan. All development activities or site work conducted after approval of the site plan shall conform to the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of storm-water runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the Zoning Officer. Minor changes, such as the realignment of streets or minor alternations to drainage structures and

**CITY OF WRENS
CODE OF ORDINANCES
TITLE 3
CHAPTER 5**

other infrastructure to meet unexpected conditions are exempted from this requirement.

- c. Exemptions to Site Plan Requirements. The following activities and developments are exempt from the requirement for detailed site plans:
 - 1. Single family detached homes constructed within a subdivision of fewer than five parcels.
 - 2. Repairs to a facility that is part of a previously approved and permitted development.
 - 3. Construction of minor structures, such as sheds or additions to single family residences.

- d. Review Procedures. The application shall be made to Zoning Officer and will be reviewed within 45 days. The review period shall include the preparation of findings (approval, approval with conditions or disapproval) by the Zoning Officer. The applicant will receive written notification of the findings of the Zoning Officer. If the review process is not completed within 45 days, the application is considered to be approved. Decisions of the Zoning Officer may be appealed to the mayor and council.

- e. Public Notice and Public Hearing. Public notice of permit applications, through publication in local newspapers, is required. A public hearing on the application, to be held before the mayor and council of the City of Wrens may be scheduled if requested by a citizen. Public announcement of the hearing shall be printed in a local newspaper of general circulation at least 14 days prior to the hearing. A record of the proceedings shall be made and kept on file by the City of Wrens. Any person may testify at the hearing. Decisions of the City of Wrens may be appealed to a Court of Competent Jurisdiction identified in section 3-5-6.

- f. Duration of Permit Validity.
 - 1. If construction described in the development permit has not commenced within 12 months from the date of issuance, the permit shall expire.
 - 2. If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire 12 months after the date that work ceased.
 - 3. Written notice of pending expiration of the development permit shall be issued by the Zoning Officer.

Sec. 3-5-5 Groundwater Protection Standards.

**CITY OF WRENS
CODE OF ORDINANCES
TITLE 3
CHAPTER 5**

- a. Waste Disposal Facilities and Synthetic Liners. For all pollution susceptibility areas, new waste disposal facilities must have synthetic liners and leachate collection systems.
- b. Requirements for Agricultural Compounds. New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution susceptibility area and exceed 15 acre-feet; or a low pollution susceptibility area and exceed 50 area-feet. As a minimum, the liner shall be constructed of compacted clay having a thickness of one foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the Natural Resource and Conservation Service.
- c. Hazardous Waste Disposal Facilities. No land disposal of hazardous waste shall be permitted within any Significant Groundwater Recharge Area.
- d. Hazardous Waste Handling and Storage. New facilities that handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on anyone day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.
- e. Above Ground Chemical and Petroleum Storage Tanks. For all Significant Groundwater Recharge Areas, new above ground chemical or petroleum storage tanks having a minimum of 660 gallons must have secondary containment for 110 percent of tank volume or 110 percent of the largest tanks in a cluster of tanks.
- f. Wastewater Treatment Facilities. For High Pollution Susceptibility Areas, new wastewater treatment basins shall have an impermeable liner approved by EPD.
- g. Stormwater Infiltration Basins. For High Pollution Susceptibility Areas, no new stormwater infiltration basins may be constructed.
- h. Wastewater Spray Irrigation Systems. For High Pollution Susceptibility Areas, wastewater spray irrigation systems or the land spreading of wastewater sludge shall be practiced in accordance with Department of Natural Resources criteria for slow rate land treatment. An application for a development permit for activities involving wastewater spray irrigation or land spreading of wastewater sludge must be accompanied by proof that the applicant has received a Land Application System permit from EPD.
- i. Minimum lot sizes for new homes. New homes served by septic tank/drain systems shall be on lots having minimum size limitations as follows, based on application of Table MT -1 of the Department of Human Resources' Manual for On-Site Sewage Management Systems (hereinafter "DHR Table MT -1") The

**CITY OF WRENS
CODE OF ORDINANCES
TITLE 3
CHAPTER 5**

minimums set forth in Table MT -1 may be increased further based on consideration of other factors (set forth in sections A-F) of the DHR Manual.

1. 150% of the subdivision minimum lot size calculated based on application of DHR Table MT -1 if they are within a high pollution susceptibility area;
 2. 125% of the subdivision minimum lot size calculated based on application of DHR Table MT -1 if they are within a medium pollution susceptibility area; and
 3. 110% of the subdivision minimum lot size calculated based on application of DHR Table MT -1 if they are within a low pollution susceptibility area.
- j. Minimum lot sizes for new mobile home parks. New mobile home parks served by septic tank/drain field systems shall have lots or spaces having the following size limitations as follows, based on application of Table MT-2 of the Department of Human Resources' (DHR) manual for On-Site Sewage Management Systems (hereinafter "DHR Table MR-2"). The minimums set forth in Table MT -2 may be increased further based on consideration of other factors set forth in Sections A-F of the DHR Manual.
1. 150% of the subdivision minimum lot or space size calculated based on application of DHR Table MT -2 if they are within a high pollution susceptibility area;
 2. 125% of the subdivision minimum lot or space size calculated based on application of DHR Table MT -2 if they are within a medium pollution susceptibility area; and
 3. 110% of the subdivision minimum lot size calculated based on application of DHR Table MT -2 if they are within a low pollution susceptibility area.
- k. No construction may proceed on a building or mobile home to be served by septic tanks unless the Jefferson County Health Department first approves the proposed septic tank installations as meeting the requirements of the Georgia Department of Human Resources for On-Site Sewage Management (hereinafter DHR Manual), and Sections (i) and (j) above.

3-5-6 Judicial Review.

- a. Jurisdiction. All final decisions of the mayor and council concerning denial, approval or conditional approval of a permit shall be reviewable in the Jefferson County Superior Court.
- b. Alternative Actions. Based on these proceedings and the decision of the court, the Zoning Officer may, within the time specified by the court elect to:

**CITY OF WRENS
CODE OF ORDINANCES
TITLE 3
CHAPTER 5**

1. Institute negotiated purchase or condemnation proceedings to acquire an easement of fee interest in the applicant' s land.
2. Approve the permit application with lesser restrictions or conditions (i.e. grant a variance); or
3. Institute other appropriate actions ordered by the court that fall within the jurisdiction of the Zoning Officer.

3-5-7 Amendments.

These regulations may, from time to time, be amended in accordance with procedures and requirements in the general statutes and as new information becomes available.

3-5-8 Assessment Relief.

Assessors and boards of assessors shall consider the requirements of these regulations in determining the fair market value of land.