

Subject Matter: Commercial Car Wash Water Recycling Ordinance

Date First Presented to Council at Public Meeting:
November 22, 2010

Date of Second Reading before Town Council:
December 6, 2010

Date of Adoption: December 6, 2010

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

ORDINANCE NUMBER 10-04

TOWN OF SHARPSBURG, GEORGIA

PREAMBLE & FINDINGS

WHEREAS, the Mayor and Town Council of the Town of Sharpsburg (the "Town") recognizes an imminent need to conserve water and, therefore, place reasonable restrictions on the use of water by commercial car washes to plan for future droughts; and

WHEREAS, Section 1.12(28) of the Town Charter grants the Town Council the power to define, regulate and prohibit any act, practice, conduct or use of property which is detrimental, or likely to be detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the Town; and

WHEREAS, the Metropolitan North Georgia Water Planning District recently adopted a model ordinance requiring new commercial conveyor car washes to install recycled water systems; and

WHEREAS, the Town Council finds necessity for legislative intervention by the enactment of the provisions of this Ordinance, for the purpose of conserving water resources; and

WHEREAS, it is the desire of the Town to promote and to provide for health, safety and general welfare of its citizens, it is the desire of the Town to enact this Commercial Car Wash Water Recycling Ordinance; and

WHEREFORE, THE TOWN OF SHARPSBURG HEREBY ADOPTS, ORDAINS AND ENACTS THE FORGOING COMMERCIAL CAR WASH WATER RECYCLING ORDINANCE AS FOLLOWS:

ARTICLE I

The Town of Sharpsburg hereby enacts and ordains the following ordinance regulating car washes in the Town of Sharpsburg:

Sec. 36-701 Title.

This ordinance shall be known as the "Commercial Car Wash Water Recycling Ordinance."

Sec. 36-702 Purpose and Intent.

The purpose of this ordinance is to reduce water consumption from commercial car wash facilities by requiring all new conveyor car washes to install operational recycled water systems.

Sec. 36-703. Commercial Car Wash Water Recycling Requirement.

- (a) *Conveyor car wash* means a commercial car wash where the car moves on a conveyor belt during the wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle.
- (b) *In-bay automatic car wash* means a commercial car wash where the driver pulls into the bay and parks the car. The vehicle remains stationary while a machine moves back and forth over the vehicle to clean it, instead of the vehicle moving through the tunnel.
- (c) *Recycled water system* means a water system that captures and reuses water previously used in wash or rinse cycles.
- (d) All new commercial conveyor washes, permitted and constructed after January 1, 2011 must install operational recycled water systems. A minimum of 50% of water utilized will be recycled. The requirements of this subsection (d) do not apply to in-bay automatic car washes.

ARTICLE II

This Ordinance shall become immediately effective upon its second reading and adoption by the Mayor and Town Council.

ARTICLE III

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as is fully set out herein.

ARTICLE IV

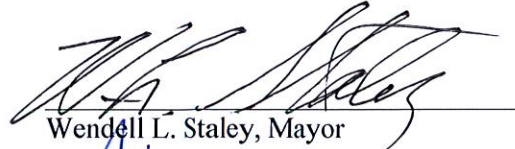
The Ordinance shall be codified within the Code of Ordinances of the Town of Sharpsburg, Georgia at Chapter 36 in a manner consistent with the laws of the State of Georgia and of the Town of Sharpsburg.

ARTICLE V

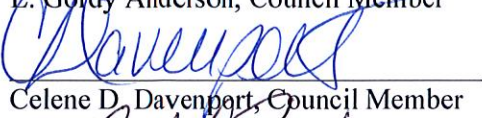
If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

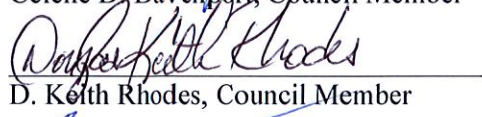
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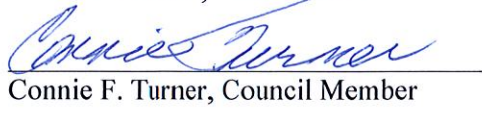
APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF SHARPSBURG, at a regular meeting of the Mayor and Council on the 6th day of December, 2010, by the following voting for adoption:


Wendell L. Staley, Mayor

Absent
L. Gordy Anderson, Council Member


Celene D. Davenport, Council Member


D. Keith Rhodes, Council Member


Connie F. Turner, Council Member

Attest:

Donna M. Camp, Town Clerk