

ORDINANCE: 06- 01

WELLHEAD PROTECTION ORDINANCE

BE IT ORDAINED by the Mayor and Council of the City of Sky Valley in Council duly assembled and it is hereby ordained by the authority of same that the following ordinance known as the Wellhead Protection Ordinance is adopted and made a part of the Code of Ordinances of the City of Sky Valley to wit:

Section 1 Short Title and Purpose

- a) This ordinance shall be known as the "Wellhead Protection Ordinance."
- b) The purpose of this ordinance is to insure the provision of a safe and sanitary drinking water supply for the City by the establishment of a wellhead protection area surrounding the wellheads for all wells which are the supply sources for the City water system and by the designation and regulation of property uses and conditions which may be maintained within such zones.

Section 2 Definitions. When used in this ordinance the following words and phrases shall have the meanings given in this Section:

- a) Wellhead – the upper terminal of a well, including adapters, ports, seals, valves and other attachments.

Section 3 Establishment of Wellhead Protection Area. There is hereby established a use district to be known as a wellhead protection area. The area will consist of two zones identified as follows:

- a) The Control Zone: Within this zone, the City shall control all activities so that there are minimal sources of potential pollution in the immediate vicinity of the wellhead. The Control Zone is all that area within a circle the center of which is the City Wellhead and the radius of which is 15 feet.
- b) The Management Zone: Within this zone, certain potential pollution sources are prohibited and certain activities must be performed in accordance with the State of Georgia "Rules for Safe Drinking Water, Section 391-3-5.40 Wellhead Protection". The Management Zone is all that area within a circle the center of which is the City Wellhead and the radius of which is 250 feet.

Section 4 Permitted Uses. Permitted uses within the Wellhead Management Area consist of any use permitted by the City's Land Use Plan with the exception of the uses outlined in Section 5.

Section 5 Prohibited Uses. Prohibited uses shall be in conformance with the "Rules for Safe Drinking Water, Section 391-3-5.4.0-8 and 9, Wellhead Protection". Section 391-3-5-.40 is attached and made a part of this ordinance. Some prohibited uses may be allowed if approved by The Georgia Environmental Protection Division.

Prohibited uses contained in the "Rules for safe Drinking Water" not allowed within the Management Zone include:

- a) Underground storage tanks;
- b) Non-domestic septic tanks with drain fields;
- c) Animal feedlots, poultry enclosures, or animal enclosures (this rule shall not be construed to apply to family pets);
- d) Environmental facilities permitted by the Georgia EPD or other potential pollution sources identified in the inventory unless EPD has determined that there will be no releases to the ground or that such releases, if they occur, will not be a threat to public health and safety. Domestic septic systems that are identified within the management zone shall be excluded from the requirements of this section, provided they are located in accordance with the criteria specified in Rule 391-3-5-.07 of this Chapter.

Section 6 Administration. The policies and procedures for administration of any wellhead protection area established under this ordinance, including without limitation those applicable to no-conforming uses, exceptions, enforcement and penalties, shall be the same as provided in the existing zoning ordinance for the City of Sky Valley, as the same is presently enacted or may from time to time be amended.

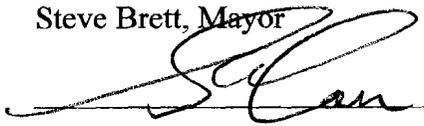
This Ordinance shall be effective as of _____, 2006. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

ENACTED AND ADOPTED this 10th day of April, 2006.

Approved:



Steve Brett, Mayor

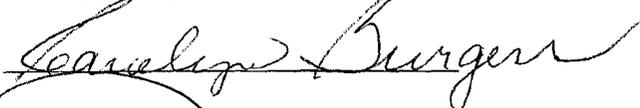


David Carr, Council President

Ray Becker, Councilor



Carolyn Burgess, Councilor



W. Delano Moore, Councilor



Dee Raye, Councilor

Attest:



Linda Wells, City Clerk

First reading approved by City Council on the 13th day of March, 2006.

Second reading approved by City Council on the 10th day of April, 2006.

or

Second reading waived by unanimous vote of all council members present