

AN ORDINANCE OF DEKALB COUNTY, GEORGIA UPDATING REQUIREMENTS FOR AUTOMOBILE WASH SERVICES TO REQUIRE RECYCLING OF WATER

WHEREAS, Article 9, Section 2, Paragraph 3 (a) (7) of the Georgia Constitution gives the Governing Authority the authority to provide for distribution of water to its citizens; and

WHEREAS, the Governing Authority believes that enactment of this Requirement for New Car Washes to Recycle Water as part of the DeKalb County Zoning Ordinances under the Supplemental Use Regulations Division (Chapter 27 Article 4, Division 2) will help ensure that its citizens are provided with a continuous supply of potable water for domestic service and fire protection; and

WHEREAS, the Governing Authority is authorized to adopt such resolutions or regulations for the governing and policing of the county for the purpose of protecting and preserving the health, safety, and welfare of the citizens of the county; and

WHEREAS, the Governing Authority is required by the Metropolitan North Georgia Water Planning District's Water Supply and Water Conservation Plan (2009 onwards) to adopt an ordinance that requires new conveyor commercial car washes to recycle water;

WHEREAS, according to the Southeastern Car Wash Association, car washes use an estimated amount of 1.7 million gallons per day in the State of Georgia, and recycling water at car washes is estimated to reduce water consumption by thirty-five percent (35%); and

WHEREAS, requiring conveyor commercial car washes to recycle water will improve water conservation efforts in DeKalb County; and

WHEREAS, water resources may continue to decrease and droughts may continue to occur and the availability of a continuous adequate supply of water for domestic service and fire protection will be a serious issue in the coming years; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA, AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME, that Chapter 27, Article IV of the Code of DeKalb County, Georgia, is hereby amended by amending Section 27 - 4.2.13 to read as follows:

PART I. ENACTMENT

Section 27 – 4.2.13 is amended to read as follows:

Sec. 27 – 4.2.13 – Automobile wash service, principal, accessory, detail or mobile.

- A. Automobile wash services shall provide a paved area with capacity to store five (5) vehicles waiting to use automatic carwash facilities, and two (2) vehicles per bay for self-service car washes.
- B. Wastewater from all automobile wash services shall be pretreated in accordance with the DeKalb County Department of Watershed Management (DWM) standards prior to being drained into the public sanitary sewer as may be approved by DWM.
- C. No storage or repair of vehicles shall be allowed on property on which the car washing facility is located.
- D. An accessory single-bay automatic (not self-service) car wash completely enclosed except for openings necessary to allow entry and exit of vehicles shall be permitted subject to the following:
 - 1. The doors of the car wash building shall be fully closed when the facility is not available for operation.
 - 2. The car wash structure shall be located behind the rear building line of the principal building.
- E. All new commercial car washes constructed after [effective date of ordinance] where the car moves on a conveyor belt or moves via mechanical means during the wash must install an operational recycled water system that captures and reuses water previously used in wash or rinse cycles. The recycled water system must recycle a minimum of fifty percent (50%) of water utilized by the commercial car wash.
- F. The requirement in Section E does not apply to commercial car wash facilities where the customers wash their cars themselves with spray wands and brushes or to commercial car washes where the driver pulls into the bay and parks the car and the vehicle remains stationary while a machine moves back and forth over the vehicle to clean it, instead of the vehicle moving through a tunnel.

PART II. EFFECTIVE DATE

This resolution shall become effective upon adoption by the Board of Commissioners and approval by the Chief Executive Officer.

PART III. SEVERABILITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, nor any part thereof, other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

[SIGNATURES ON NEXT PAGE]

September 21, 2018

SO RESOLVED BY GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA.

ADOPTED by the DeKalb County Board of Commissioners, this _____ day of August, 2018.

JEFF RADER
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of August, 2018.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

APPROVED AS TO FORM:

REGINALD D. WELLS
Interim Director of Watershed Management
DeKalb County, Georgia

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia