

**AN ORDINANCE OF DEKALB COUNTY, GEORGIA REQUIRING THAT NEW
COMMERCIAL BUILDING FIRE LINES BE METERED, AND FOR OTHER
PURPOSES**

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 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 identifies and reduces water losses; and

WHEREAS, the Governing Authority believes it is desirable to charge private commercial properties for water waster and non-fire protection usage;

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 25, Article II of the Code of DeKalb County, Georgia, is hereby amended as follows:

PART I. ENACTMENT

By amending Section 25-85 through 25-104 to read as follows:

Sec. 25-85. – Definitions and Metering Requirements¹.

(a) *Definitions*. For the purposes of this [section](#), certain terms and words are defined. Where words have not been defined, but are defined in section 1-2, those words shall have the meaning as defined therein. The following words, terms, and phrases, when used in this section shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Apartment means one (1) or more rooms with a private bath and kitchen facilities comprising an independent self-contained residential unit in a building(s).

Condominium for the purposes of this section is defined in the same manner as it is defined in section 27-~~349~~[1.3](#).

¹ The language highlighted in blue reflects the changes to these two sections of the Code.

Master meter means a utility-owned meter that measures and totalizes the volume of water flowing from the water distribution system into a multifamily dwelling unit as that term is defined in section 27-~~349.1.13~~, building piping system.

Newly constructed apartment means any structure for which a building permit for construction of an apartment is issued after June 1, 2008.

Newly constructed single-family dwelling or condominium means any structure for which a building permit for construction of a single-family dwelling or condominium is issued after June 1, 2008.

Separate water meter means a utility-owned meter that measures and totalizes the volume of water flowing from the water distribution system into a single family dwelling or condominium's piping system.

Single-family dwelling for the purposes of this section is defined in the same manner as it is defined in section 27-~~349.1.3~~ but also includes dwelling units on an individual lot attached to another dwelling unit by a common party wall, commonly referred to as a town house or town home.

Sub-unit water meter means water meters owned and managed by the property owner with a utility-owned master meter that bills for water service based on volume of use. Sub-unit water meters shall allow for the water use in each apartment to be tracked separately.

(b) *Meters.* All users not classified as fire line users shall be metered [in accordance with the following](#):

1. All meters shall be sized on the basis of expected volume of water usage.
2. All meters, except sub meters, are [deemed to be](#) part of the service line provided by the county and are the property of the county.

(c) [Private Fire Lines. Lines supplying commercial buildings shall have meters installed in accordance with section \(b\)\(1\) and \(b\)\(2\) above and the following:](#)

1. [Private fire lines supplying all new commercial buildings permitted after, \[NOTE TO CLERK, PLEASE INSERT EFFECTIVE DATE OF ORDINANCE\], the effective date of this ordinance shall be metered; and](#)
2. [Private fire lines supplying any commercial building that is undergoing renovation requiring a permit issued after, \[NOTE TO CLERK, PLEASE INSERT EFFECTIVE DATE OF ORDINANCE\], the effective date of this ordinance shall be metered.](#)

~~(e)~~(d) *Sub-unit water meters for newly constructed apartments.* No water shall be furnished to any newly constructed apartment except through sub-unit water meters so that the water use in each apartment can be accurately tracked. Sub-unit water meters allow tenants to know how much water they use and may encourage wiser use of water. Water service however, shall be billed by the county on a master meter basis and the property owner and/or landlord is responsible for paying the county for all charges contained in such bills. The enactment of this sub section in no way prevents property owners and/or landlords from using sub-unit water meters to bill

each tenant for actual water usage which will encourage wiser use of water by tenants in apartments.

~~(d)~~(e) *Separate water meters for single family dwellings and condominiums.* No water shall be furnished to any newly constructed single-family dwelling or condominium except through separate water meters. Water service shall be billed by the county to the property owner based on individual unit water meters and each property owner is responsible for paying the county for all charges contained in such bills.

Sec. 25-104. - Miscellaneous charges.

- (a) Certain noncontinuous services provided by the county water system have set charges as designated by the county. Charges shall be reviewed from time to time to assure that they cover the cost of services.
- (b) A charge shall be set by the Board of Commissioners for installing a service line and meter based on the size of the meter. ~~This charge shall apply to all classifications except fire line users.~~

PART II. EFFECTIVE DATE

This ordinance 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.

ADOPTED by the DeKalb County Board of Commissioners, this _____ day of _____, 2019.

JEFF RADER
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2019.

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
Director of Watershed Management
DeKalb County, Georgia

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia