

## ARTICLE III. - FLOW-RATE RESTRICTIONS ON PLUMBING FIXTURES

*Footnotes:*

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**State Law reference**— *Flow-rate restrictions on plumbing fixtures, O.C.G.A. § 8-2-3.*

## Sec. 16-46. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Commercial* means any type of building other than residential.

*Construction* means the erection of a new building or the alteration of an existing building in connection with its repair or renovation or in connection with making an addition to an existing building and shall include the replacement of a malfunctioning, unserviceable or obsolete faucet, showerhead, toilet or urinal in an existing building.

*Residential* means any building or unit of a building intended for occupancy as a dwelling, but shall not include a hotel or motel.

**Cross reference**— Definitions generally, § 1-2.

## Sec. 16-47. - Enforcement of article.

- (a) This article shall be enforced by the office of the building official. Citations for violations may be issued by the building official of the city.
- (b) Any person, corporation, partnership or other entity violating this article shall be tried before the municipal court of the city. Upon conviction, a violation of this article may be punished as provided in section 1-12.

## Sec. 16-48. - Prohibited fixtures.

On or after July 1, 1991, no construction may be initiated within the city for any building of any type which:

- (1) Employs a gravity tank-type, flushometer-valve, or flushometer-tank toilet that uses more than an average of 1.6 gallons of water per flush; provided, however, that this subsection shall not be applicable to one-piece toilets until July 1, 1992;
- (2) Employs a showerhead that allows a flow of more than an average of 2.5 gallons of water per minute at 60 pounds per square inch of pressure;

- (3) Employs a urinal that uses more than an average of 1.0 gallons of water per flush;
- (4) Employs a lavatory faucet or lavatory replacement aerator that allows a flow of more than 2.0 gallons of water per minute; or
- (5) Employs a kitchen faucet or kitchen replacement aerator that allows a flow of more than 2.5 gallons of water per minute.

Sec. 16-49. - When effective.

The requirements of section 16-48 shall apply to any construction initiated after July 1, 1991, which involves the repair or renovation of or addition to any existing building when such repair or renovation of or addition to such existing building includes replacement of toilets or showers or both.

Sec. 16-50. - Exemptions.

- (a) New construction and the repair or renovation of an existing building shall be exempt from the requirements of this article when:
  - (1) The repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets or showerheads within such existing buildings;
  - (2) Such plumbing or sewage system within such existing building, because of its capacity, design or installation, would not function properly if the toilets, faucets or showerheads required by this article were installed;
  - (3) Such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individual's personal residence; or
  - (4) Units to be installed are:
    - a. Specifically designed for use by the handicapped;
    - b. Specifically designed to withstand unusual abuse or installation in a penal institution; or
    - c. Toilets for juveniles in schools, institutions, etc., not residential.
- (b) The owner, or his agent, of a building undergoing new construction or repair or renovation who is entitled to an exemption as specified in subsections (a)(2), (3) or (4) of this section shall apply for such exemption at the office of the building official. A fee as established by the city council from time to time shall be charged for the inspection and issuance of such exemption.

Secs. 16-51—16-70. - Reserved.