

**CITY OF MOLENA**

(10) 1/3

**ORDINANCE NO. 10**

TO IMPOSE WATER CONSERVATION RESTRICTIONS: TO PROVIDE DEFINITIONS:  
TO PROVIDE FOR EXEMPTIONS: TO PROVIDE FOR PENALTIES: TO PROVIDE FOR  
RELATED MATTERS: TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER  
PURPOSES.

BE IT ORDAINED by the Mayor and council of the City of Molena:

**SECTION 1: Definitions.**

“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.

**SECTION 2:** On or after July 1, 1991, no construction may be initiated within the City of Molena for any residential building of any type which:

Employs a gravity tank-type, flushometer-valve, or flushometer-tank that uses more than an average of 1.6 gallons of water per flush; provided, however, this paragraph shall not be applicable to one-piece toilets until July 1, 1992.

Employs a shower head 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.

Employs a urinal that uses more than an average of 1.0 gallons of water per flush.

Employs a lavatory faucet or lavatory replacement aerator that allows a flow of more than 2.0 gallons of water per minute.

Employs a kitchen faucet or kitchen replacement aerator that allows a flow of more than 2.5 gallons of water per minute.

SECTION 4: The requirements of Section 2 of this ordinance shall apply to any residential construction initiated after July 1, 1991, and to any commercial construction initiated after July 1, 1992, 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.

SECTION 5: (a) Exemptions. New construction and the repair or renovation of an existing building shall be exempt from the requirements of Sections 2, 3, and 4 of this ordinance 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; or,

(2) When 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 ordinance were installed; or,

(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.

(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 subparagraph (a) (2), (3), or (4) of this section shall obtain the exemption by applying at the office of the building inspector for the City of Molena. A fee of \$10.00 shall be charged for the inspection and issuance of such exemption.

SECTION 6: Enforcement; Penalty. (a) This ordinance shall be enforced by the office of the building inspector of the City of Molena. Citations for violations may be issued by the chief building inspector of the City of Molena.

(b) Any person, corporation, partnership or other entity violating this ordinance shall be tried before the municipal court of the City of Molena. Upon conviction, a violation of this ordinance may be punished by a fine not to exceed \$500.00 or imprisonment not to exceed 30 days.

SECTION 7: All ordinances and parts of ordinances in conflict with this ordinance are repealed.

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The foregoing ordinance was introduced by Councilman Charles Oglesby and read at meetings on September 7, 1993, and October 5, 1993, and this day adopted by the City Council of the City of Molena, Georgia, and transmitted by me to the Mayor for his approval this 5<sup>th</sup> day of October, 1993.

/s/ \_\_\_\_\_  
City Clerk, City of Molena, Georgia

Approved by me and returned as "Approved" to said City Council, in open meeting, this 5<sup>th</sup> day of October, 1993,

/s/ \_\_\_\_\_  
Mayor, City of Molena, Georgia