

ORDINANCE

An ordinance of the Elbert County Board of Health to amend the rules and regulations for On-Site Sewage Management Systems, approved by the Elbert County Board of Health on July 23, 2014 effective August 23, 2014 so as to add certain provisions and additional requirement thereto providing for a minimum lot size for use with on-site sewage management systems to provide for matters relative to the foregoing; to provide an effective date; to repeal conflicting ordinance, and for other purposes.

BE IT ORDAINED BY THE BOARD OF HEALTH OF ELBERT COUNTY, GEORGIA:

SECTION 1. The Rules and Regulations for Georgia DPH On-Site Sewage Management Systems, approved by the Board of Health of Elbert County, Georgia on July 23, 2014 effective August 23, 2014, amended August 22, 2018 effective September 22, 2018 are hereby amended by adopting the following as authorized by Georgia statute in OCGA 31-3-5(b)(2) to establish minimum lot sizes.

“The minimum lot size as established herein shall be 25,500 square feet, containing 25,500 square feet of usable soil area for and approved on-site sewage management system with public water and 51,000 square feet containing 25,500 square feet of usable soil area with non-public water. The above minimum lot sizes are for the typical size home (3 or 4 Bedroom) with basic appurtenances such as: driveway, minimum number of trees, and water supply line. If larger homes, swimming pools, tennis courts or outbuildings, etc. are proposed to be constructed or if trees would interfere with installation of an on-site sewage management system, the County Board of Health will require larger lots to assure usable soil area.

- A. The County Board of Health may also require larger lot sizes when physical factors indicate the need to do so. These factors include, but are not limited to, slope greater than 5%, percolation rates higher than 45 minutes per inch, need for subsurface drainage or adverse topographic features and building foundation types which require cutting and filling.
- B. Lots shall be a minimum width of one hundred feet (100') or one hundred fifty feet (150') measured within the area where an approved on-site sewage management system and replacement system are to be located when served by a public water supply system or non-public water supply system, respectively.
- C. The following land areas are not considered as a part of a lot when calculating the required minimum lot size: right of ways of roads, easements (such as power line or pipe line) that exclude installation of an on-site sewage management system, soil conditions that exclude the installation of an on-site sewage management system, slopes greater than 25%, bodies of water, land within 50 feet of a lake, river, stream, wetland or other bodies of water, flood plains and similar limiting factors.
- D. Usable soil area is defined as usable land area at a one-hundred-foot lot width (for public water) or one-hundred-fifty feet lot width (with nonpublic water) with suitable soil conditions for the installation and repair of an approved on-site sewage management system. Soils with “F” or “D” codes, the twenty-foot buffer from unusable soils, those which lay within setbacks and /or easements, graded/fill soil (road or drainage basin construction) as well as other conditions that are unsuitable should not be counted as usable soils in this table. Areas that are not large enough to install a complete system or areas that do not support a minimum run length of a fifty foot drainline cannot be counted towards minimum usable soil.
- E. There must be an unobstructed area on each lot for installation of an approved on-site sewage management system and an area equal in size for an approved replacement system for a conventional system or larger area, as appropriate; this will include sufficient area for necessary site modifications for installation of both the initial system and a replacement system. All pertinent County zoning setbacks and other space requirements must also be met.

- F. The maximum daily sewage flow for each lot or parcel of land shall not exceed 600 gallons per acre, per day, when served by non-public water system or 1200 gallons per acre per day when served by a public water system.
- G. Lot sizing requirements shall be the same for multi-family residential dwelling, all other non-single-family dwellings, and commercial structures, and this also includes mobile homes located in commercial mobile home parks. The minimum lot size shall be multiples of the number of units being served.

SECTION 2. The ordinance shall be effective on September 22, 2018

SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed and/or replaced.

THIS ORDINANCE IS ADOPTED AT A REGULAR MEETING OF THE BOARD OF HEALTH OF ELBERT COUNTY, GEORGIA ON THE 22nd DAY OF AUGUST

ELBERT COUNTY BOARD OF HEALTH

BY: _____

CHAIRMAN

ATTEST: _____

SECRETARY