

CLAYTON COUNTY

LAND DISTURBANCE AND RIGHT-OF-WAY CONSTRUCTION GUIDELINES

As Approved June 5, 2007
per Resolution No. 2007-93

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2007 - 93

A RESOLUTION TO PROVIDE FOR THE ADOPTION OF THE CLAYTON COUNTY LAND DISTURBANCE AND RIGHT-OF-WAY CONSTRUCTION GUIDELINES, FORMERLY KNOWN AS THE CLAYTON COUNTY LAND DEVELOPMENT GUIDELINES; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners has previously adopted land development guidelines setting forth procedures, specifications, and requirements for land development or land disturbing activities in the unincorporated portions of Clayton County, Georgia, and whose most recent modifications were accepted by resolution on June 18, 2002; and

WHEREAS, the Director of the County's Transportation and Development Department has recommended certain changes to those guidelines be implemented to meet Georgia Department of Community Affairs requirements as they relate to conservation use and other similar land uses, and to account for modifications to said guidelines in that the new guidelines do not address storm water management, water quality and land use; and

WHEREAS, it appears to be in the best interest of the citizens of Clayton County, and the County will best be served by adopting the Clayton County Land Disturbance and Right-of-Way Construction Guidelines for the purpose above-mentioned.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby rescinds the Clayton County Land Development Guidelines as previously adopted, and in their place and stead, hereby adopts new land development guidelines to be known as the Clayton County Land Disturbance and Right-of-Way Construction Guidelines, 2007, a copy of which is attached hereto.

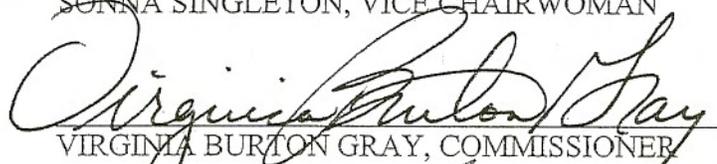
Section 2. This Resolution shall become effective upon its approval by the Board of Commissioners.

SO RESOLVED, this the 5th day of June, 2007.

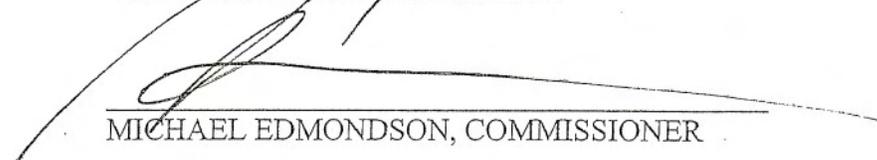
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

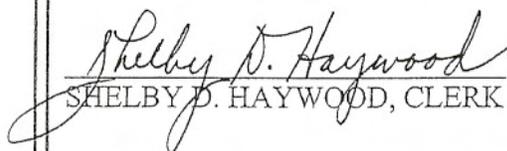

SONNA SINGLETON, VICE CHAIRWOMAN


VIRGINIA BURTON GRAY, COMMISSIONER


WOLE RALPH, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK

Clayton County's Land Disturbance and Right-of-Way Construction Guidelines

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COUNTY ORDINANCES

| | |
|---|--------------------------|
| Subdivision | Ordinance No. 96 – 11 |
| Soil Erosion and Sediment Control | Ordinance No. 2004 - 73 |
| Stormwater Utility | Ordinance No. 2006 - 44 |
| Stormwater Management | Ordinance No. 95 -19 |
| Floodplain Management / Flood Damage Prevention | Ordinance No. 2007-38 |
| Stormwater Post-Development | Ordinance No. 2004 - 39 |
| Illicit Discharge and Illegal Connection | Ordinance No. 2004 – 40 |
| Stream Buffer Protection | Ordinance No. 2005 - 34 |
| Retaining Walls | Ordinance No. 2006 – 112 |

{Please check the County's Website (MuniCode) for any updates to these and any other related Ordinances}

WWW.co.clayton.ga.us

NPDES

National Pollutant Discharge Elimination System (NPDES) General Permits for construction activity, fee system; including application forms for EPD and Clayton County

STANDARDS AND DETAILS INCLUDED IN **APPENDIX C**

CLAYTON COUNTY

Traffic Signage and Pavement Markings Standard Specifications
Custom Signage for Subdivisions
Sign Placement and Sign Height Detail

GEORGIA DOT Please remember to check for updates on the GDOT Web Site:
http://tomcat2.dot.state.ga.us/stds_dtls/index.jsp

No. T-12A Pavement Marking Arrow Location
No. T-13A Pavement Marking Words – Sheet 1 of 2
No. T-12B Pavement Marking – Arrows
No. T-14 Pavement Marking – Hatching
No. M-3 Construction Details of Median Crossovers

STANDARDS AND DETAILS INCLUDED IN **APPENDIX D**

CLAYTON COUNTY

| | |
|----------|--|
| No. 101 | Curb & Gutter |
| No. 102 | Sidewalk Construction - Residential Areas – (Interior Streets) |
| No. 102a | Sidewalk Construction – Residential Areas – along the frontage of Existing County Roadways fronting the Property |
| No. 103 | Sidewalk Construction - Commercial Areas – (Interior Streets) |
| No. 103a | Sidewalk Construction – Commercial Areas – along the frontage of Existing County Roadway fronting the property |
| No. 103b | Sidewalk Construction Industrial Areas – (Interior Streets) |
| No. 103c | Sidewalk Construction – Industrial Areas – along the frontage of Existing County Roadways fronting the property |
| No. 104 | Junction Box w / metal cleanout lid |
| No. 105 | Junction Box with Weir inlet (drop inlet) |
| No. 106 | Construction Exit (Co) |
| No. 201 | Deceleration Lanes |
| No. 202 | Residential cul-de-sac Details |
| No. 203 | Commercial & Industrial cul-de-sac Details |
| No. 204 | Standard Landing Requirements |
| No. 205 | Commercial & Industrial Driveways |
| No. 301 | Typical Section - Residential Street with Curb & Gutter |
| No. 302 | Typical Section - Residential Street without Curb & Gutter |
| No. 303 | Typical Section - Commercial Road |
| No. 304 | Typical Section - Industrial Road |
| No. 305 | Typical Section – Residential Street without Curb & Gutter WITH Sidewalk |
| No. 401 | Ditch Section Detail for Open Drainage Channels |
| No. 402 | Trenching, Bench and Backfilling Utility Cuts & Type “C” Pavement Repair |
| No. 501 | Traffic Circle Detail – Cross Road Intersection |
| No. 502 | Traffic Circle Detail – for “T” Intersection |
| No. 503 | Mid-Block Diverter |

GEORGIA DOT Web Site Address http://tomcat2.dot.state.ga.us/stds_dtls/index.jsp

| | |
|-----------|--|
| No. A2 | <i>Replaces No. 9031J</i> Concrete Valley Gutter and Driveway |
| No. A3 | <i>Replaces No. 9031W</i> Standard Concrete Sidewalk Details Curb Cut (Wheelchair) ramps |
| No. A4 | Detectable Warning Surface Truncated Dome Size, Spacing & Alignment Requirements |
| No. 9013 | Concrete Spillway – typical use: along roadway at end of curb |
| No. 1019A | Precast Drop Inlets |
| No. 1019A | Standard Drop Inlets (built-in-place) |
| No. 1030D | Standard Pipe Culverts |
| No. 1033D | Precast Catch Basins (single wing) |
| No. 1033D | Standard Catch Basins (single wing) |
| No. 1034D | Precast Catch Basins (double wing) |
| No. 1034D | Standard Catch Basins (double wing) |
| No. 1040 | Standard Circular Base Units & Risers for Catch Basins & Drop Inlets |
| No. 1120 | Flared End Sections for Pipes |
| No. 1125 | Standard Inlet Headwall - Outlet Headwall |

GEORGIA SOIL & WATER CONSERVATION COMMISSION

| | |
|-------|---|
| Sd1-C | Sediment Barrier / Type C Silt Fence 36 inches wide with Wire Reinforcement |
|-------|---|

INTRODUCTION

The objective of this manual is to provide guidance, assistance and direction to developers, surveyors and engineers while designing projects in the unincorporated areas of Clayton County.

Clayton County's Land Disturbance and Right-of-Way Construction Guidelines are recommendations and set forth the procedures, specifications and minimum requirements for land disturbing activities in the unincorporated portions of Clayton County, Georgia. These guidelines address erosion control, grading, driveway specifications, and road construction for commercial and residential construction projects. Sewer plans are reviewed by this section, regarding their location in relationship to state waters and erosion control. They **do not address** stormwater management, water quality, land use, zoning, landscaping, water and sewer or building construction procedures.

The Clayton County Water Authority (CCWA) reviews and approves all stormwater management, water quality, floodplain, drinking water and sanitary sewer design plans separately and must be submitted directly to their Headquarters Building located at 1600 Battle Creek Road, Morrow, GA 30260. These guidelines also outline procedures for plan review, permitting and site inspection by the Land Development Section of the Transportation and Development Department only.

The Land Development Section of the Transportation and Development Department administers these guidelines. Decisions regarding implementation of these criteria are made by the Director of Transportation and Development or his representative; decisions can be appealed in writing to the Director of Transportation and Development or to the Clayton County Board of Commissioners.

A goal of the Land Development Section is to ensure that construction projects in Clayton County are designed and built in a manner to achieve the following:

- enhance public transportation safety;
- enhance traffic flow patterns;
- minimize environmental impacts such as erosion; *and*
- provide high quality construction within the County rights-of-way which minimizes future maintenance needs

These guidelines also address the requirements of several County Ordinances adopted by the Board of Commissioners in relation to land disturbances. These Ordinances include the Subdivision Ordinance, Soil Erosion and Sediment Control, Stormwater Utility, Stormwater Management, Floodplain Management / Flood Damage Prevention, Stormwater Post-Development, Illicit Discharge and Illegal Connection, Stream Buffer Protection and the Retaining Walls Ordinance. Copies of these ordinances are included in this manual. Questions regarding the interpretation of these guidelines and ordinances should be directed to the County Engineer.

For additional details regarding stormwater system designs, you may also refer to the Georgia Stormwater Management Manual and the CCWA Stormwater Development Guidelines. For your convenience, we have also added a section pertaining to the National Pollutant Discharge Elimination System (NPDES) with fee system explanations and application forms for EPD and Clayton County.

PLAN REVIEW AND PERMITTING

TRANSPORTATION AND DEVELOPMENT'S PLAN REVIEW PROCESS

Permits are required for all land development or land disturbing activities in Clayton County, except for agricultural operations, or exceptions listed in the State Erosion and Sedimentation Law. The Land Development Section issues Land Disturbance Permits for erosion and sedimentation control and grading. An approved set of site construction plans are required before permits are issued. The flow charts on the following pages illustrate the normal sequence for plan review and permitting for projects in Clayton County. The process is also discussed below. Appendix A includes information and contacts for other County Departments involved in this process.

Four sets of site construction plans, a submittal form, plan review and permit fees, NPDES fees, Notice of Intent (NOI) and a copy of the Stormwater Management Plan, also known as a Hydrology Report, should be submitted to the following location:

Clayton County Transportation and Development

Land Development Section

7960 N. McDonough Street, Jonesboro, Georgia 30236

Phone: 770-477-3681

Plans may be submitted anytime Monday through Friday, 8:00 a.m. to 5:00 p.m. Plans submitted after 4:00 p.m. will not be placed in routing until the following business day. Copies of the submittal form can be obtained from the Land Development Office, the County Website at: www.co.clayton.ga.us and is included in

the back of the plan review checklist section of this guideline (see Appendix B). The Property owner's name, company, addresses and phone number must be provided.

The State Erosion and Sedimentation Control Act requires that land development permits be issued to property owners only. The Act also requires that all ad valorem taxes owed on the subject property are to be paid before a permit is issued. A copy of the submittal form is forwarded to the Tax Assessors Office for review. For subdivisions, a preliminary plat must be approved by Planning and Zoning before submitting site construction plans. For commercial developments, a preliminary site plan or concept plan must be approved by Planning and Zoning before submitting site construction plans.

Site construction plans are routed through Planning & Zoning, the Fire Marshall, Traffic Engineering, and the County Engineer for review and comments. If applicable, site plans are also routed through Environmental Health for review and comments. Three sets of plans and one hydrology report must be submitted directly to the CCWA. The Land Development Section reviews the plans for grading, stream buffer protection, right-of-way improvements and erosion control features. The Land Development Section will compile comments received from Planning & Zoning, the Fire Marshall, Traffic Engineering, and the County Engineer and schedule a plan review meeting with the design engineer and/or developer. You will be notified when the plan review is complete and a meeting will be scheduled at your earliest convenience. All plan review notes from this meeting will be mailed to the owner the next business day.

FIGURE 1. Flow Chart for Single Site Plan Review and Permitting Land Development Procedures

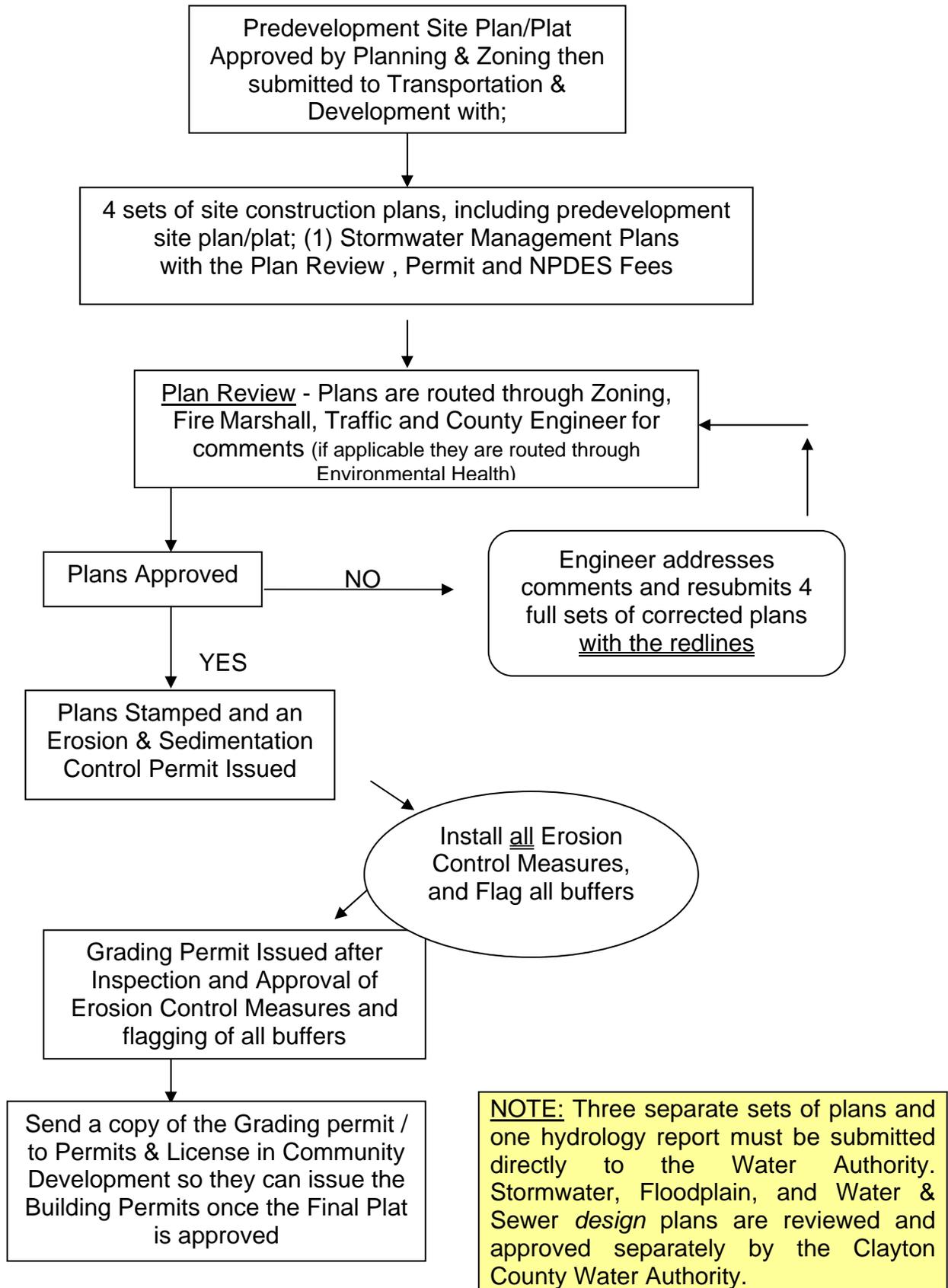
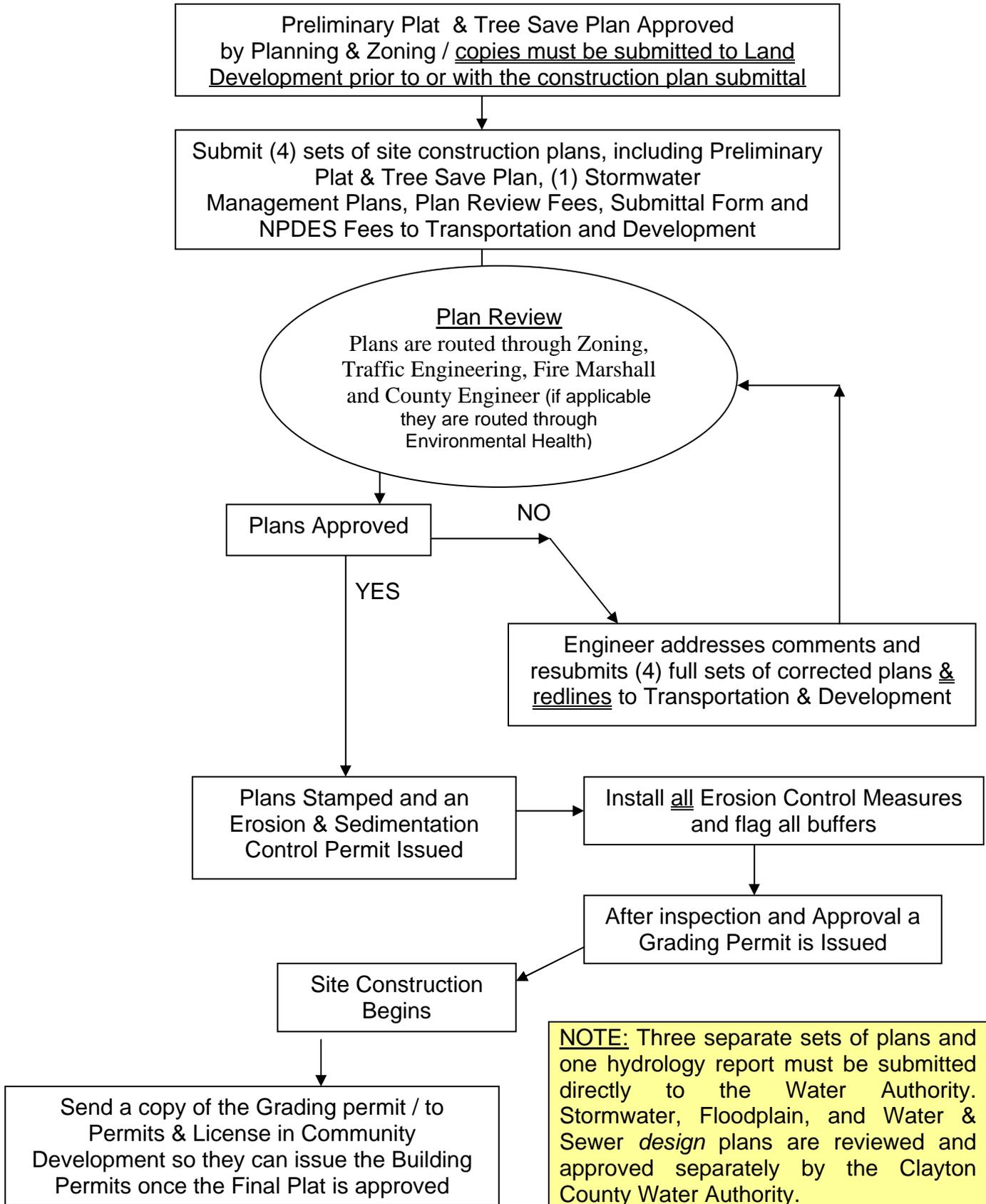


FIGURE 2. Residential, Commercial and Industrial Subdivision Plan Review and Permitting Process for Land Development Review



Land Development Plan Review Fee Requirements

Fees must be paid up front with the initial plan review submittal and are assessed as follows:

| | |
|--|-------------------------|
| Commercial and Industrial Single Site Development {With a Minimum fee of \$500.00} | \$50 / per acre |
| Residential Subdivision Development {With a Minimum fee of \$500.00} | \$30 / per lot |
| NPDES General Permits for Construction Activity {To be paid to EPD & Clayton County in equal amounts in the form of two separate checks} | \$40 per disturbed acre |
| No-Grade Site Inspection & Sign-Off (Per inspection) | \$50.00 per inspection |
| Re-Inspection Fee (Per inspection) | \$100.00 per inspection |

Additional fees will be assessed on projects after the initial plan review and one re-submittal review. Additional fees will be assessed at the same rate as the initial plan review submittal. All plan review comments are to be addressed in the first re-submittal by revision to the plans or an explanation of the omission of the requested revision. Any revisions to the plans other than those requested in the plan review and in response to County comments are to be accompanied by a written description and explanation of the changes. Re-Inspection fees may be assessed where projects require or request additional inspections after the initial inspection. (i.e.; if an inspector is called out for a test roll inspection and the site is not ready when they arrive and it is necessary for an additional inspection to be scheduled)

PLAN REQUIREMENTS

All plans are to be prepared and stamped by a licensed professional surveyor, architect, landscape architect or professional engineer registered in the State of Georgia; drainage calculations and the stormwater management plan must be stamped by a registered professional engineer or landscape architect. Plans should include the following basic information.

- ◇ A **Site Plan** with an accurate boundary survey and sufficient topography (two foot contour intervals) to document existing conditions. The site plan should show the location of any existing and proposed structures {i.e. all existing Driveways, Streets, Drainage structures and Utility Poles adjacent to, adjoining and opposite from the development} improvements including environmental features such as State Waters, state waters buffers, stream protection buffers, setbacks and water quality buffers, the 100 year flood plain limits and elevations, floodway limits, and wetlands boundaries within and 200 feet outside of the property boundaries. Include statements on the plan addressing the presence or absence of these environmental features. This plan should also include; a Pollution Prevention Plan, and the NPDES Monitoring Plan, driveway locations, road signage type (custom or County-installed), and the location of proposed improvements to County roads.
- ◇ A **Grading Plan** delineating the clearing limits, the extent of grading and the existing and proposed contours.
- ◇ A **Stormwater Management Plan**, meeting the criteria in the CCWA Stormwater Development Guidelines and Georgia Stormwater Management Manual. For all new developments, a long-term plan for protecting stormwater quality must be included and approved by the Clayton County Water Authority. The **Stormwater**

Quality Plan shall be developed to minimize the impact of the development on stormwater quality.

- ◇ An **Erosion and Sediment Control Plan** that provides best management practices consistent with the current guidelines and the Manual for Erosion and Sediment Control in Georgia.
- ◇ As part of House Bill 285, new education and training certification requirements included in the 2003 amendments to the Georgia Erosion Control Act and adopted by Clayton County on May 18, 2004, **all persons involved in land disturbing activity must provide proof of certification issued by the Georgia Soil and Water Conservation Commission.**

A detailed plan review checklist that covers each of the areas listed is included in Appendix B.

The Planning and Zoning Office, of the Department of Community Development, reviews the residential preliminary plat / preliminary commercial concept plan, tree save / preservation plans, and landscaping plans, then distributes them to the appropriate departments for their review and comment. When the preliminary plat, tree save plan and/or commercial concept plan has been approved, Construction Site Plans are submitted to Transportation and Development for review and approval. The Planning and Zoning office then reviews the site construction plan, landscaping plan, and parking space dimensions to ensure that all Land Use and Zoning Requirements are met. Plans will be reviewed in general by this Department with respect to the areas listed above; specific details and calculations may not be checked. The stamp and signature of the design professional guarantees the accuracy of the submitted

plans. Plan approval does not obligate the County to accept the work, nor does it relieve the developer from compliance with any other County, State or Federal Ordinances. Plan approval does not relieve the developer from the responsibility for damages to adjacent or downstream property resulting from his development.

PERMITS

An Erosion & Sedimentation Control Permit is required before any clearing or grading activity is conducted. No permits will be issued until an Erosion and Sediment Control plan has been approved and the Tree Preservation Ordinance has been addressed. All Sites require the staking and flagging of buffers before a Grading permit can be issued. This office issues two types of Land Disturbance Permits: **Erosion & Sedimentation Control** and **Grading**, *Table 1* lists the type of permit and applicable activities.

Table 1. Land Development’s Land Disturbance Permits and associated activity

| | |
|--|---|
| Erosion & Sedimentation Control | Authorizes the installation of erosion control measures, including the Crushed Stone Construction Exit (Co) {see County Standard 106}, and all Buffers and tree preservation areas must be flagged and pass inspection. |
| Grading | Issued after all erosion control measures and buffers are installed and inspected, and the “seven-day letter” issued. A Grading Permit is required before building permits are issued. |

Please note that Building permits for single site commercial and industrial developments are not issued by the Community Development Department until the Land Development Section of Transportation and Development has issued the Grading permit.

Permits must be posted on the site. Grading permits will not be issued until all erosion and sediment control measures are installed and approved by the design engineer by way of the "seven-day letter", the contractor has a set of approved plans and a Land Development Inspector has given his/her approval. Activities conducted without the necessary permits will be subject to a Stop Work Order or other enforcement action provided for by County Ordinances. A permit is valid until construction is complete or for six months from the plan approval date, if the site is not active. After six months of no activity, permits issued by this office will be revoked, reapplication and re-approval of plans will be necessary before the permit can be reinstated or a new one issued. **This will include new permit application fees.** The owner/developer will be required to update plans to address any new standards or regulations. The developer and engineer are responsible for obtaining any other applicable permits from other agencies or County Departments. Land Disturbance Permits issued by the Land Development Section do not authorize other activities such as dredging or filling of wetlands, inert landfill operations, State Route driveways, etc. Permits for these activities are the responsibility of the developer to obtain. The United States Army Corps of Engineers is the authorizing agency for activities associated with wetlands disturbances. The Georgia Department of Natural Resources, Environmental Protection Division is the authorizing agency for landfill operations, construction work

on EPD – regulated dams (category 1 / category 2 dams) and variances to State Waters Buffer requirements. All work within the Georgia Department of Transportation right-of-way is to be reviewed and approved by the State DOT.

The Land Development Section of Transportation and Development also **conduct “No-Grade” site inspections.** If it is determined that no Erosion & Sedimentation Control or Grading permits are required for the project due to the limited size of the site and the proposed scope of the work; a **No-Grade Memo** is issued and forwarded to Community Development, so that a Building Permit can be issued. All adequate sediment control procedures must be in place for the duration of the project. You must submit a site plat, submittal form, and a No Grade Site Inspection fee to the Land Development Office.

ROAD DESIGN STANDARDS AND CRITERIA

STREET DESIGN

The standards and specifications in this section are provided to establish criteria for developers and engineers in the preparation of plans for road and street construction or improvements in commercial, industrial and residential subdivisions. These standards apply primarily to undivided subdivision streets. Variances to these standards may be granted by the Director of Transportation and Development depending on the proposed property use, the type and volume of traffic, and topographic features. Alternative criteria may be established by the Director for single lane streets or roadways with four or more lanes of traffic. The geometric standards in this manual or those recommended by the Director are generally consistent with The American Association of State Highway and Transportation Officials (AASHTO) book, A Policy on Geometric Design of Highways and Streets. The design criteria for two or three lane undivided streets are listed in Table 2. Intersecting streets designed with the use of an eyebrow cul-de-sac must intersect at 90 degrees with a minimum tangent of 100 ft. All alignments other than 90 degrees must be constructed as a curve, with a 200 ft. minimum radius.

Note: Existing streets with deficient road width, generally less than 24 feet, must be improved to meet current County Guidelines along the entire frontage of the development including acceleration and deceleration lanes. All streets not intended for approval and dedication to Clayton County must meet all Clayton County Standards and Specifications.

Table 2. Basic Standards for Undivided 2 and 3 Lane Subdivision Streets

| | Residential | Commercial/ Residential | Industrial |
|---|---|---|--------------------------------|
| Pavement Width (ft) | 24 ⁵ | 24 | 36 |
| Curb & Gutter (in) | 24 | 24 | 30 |
| Total Width (ft) | 28 (24) ⁴ | 28 | 41 |
| R/W Width (ft) | 50 (60) ² | 60 | 60 |
| Sidewalk Width (ft) | 5 feet | 6 feet | 6 feet |
| Cul-de-sac radius to BOC (ft) | 40 | 60 | 60 |
| Cul-de-sac R/W radius (ft) | 50 | 75 | 75 |
| Pavement Thickness, | 1.25 inch Type I 9.5mm Superpave | 1.5 inch Type II 9.5mm Superpave | 2 inch 12.5 mm Superpave |
| Binder Thickness, 19mm Superpave | 2 ½" | 3" | 3 ½" |
| Base Thickness - GAB (in) | 6 | 8 | 8 |
| Maximum Grade (%) | 12 | 12 | 12 |
| Minimum Grade (%) | 1.5 | 1.5 | 1.5 |
| Minimum Vertical Curve Factor | 10 ³ | Per AASHTO ¹ | Per AASHTO ¹ |
| Intersection Sight Distances | | | |
| Min. Sight Distance | Per AASHTO ¹ | Per AASHTO ¹ | Per AASHTO ¹ |
| Minimum Horizontal Curve (ft) | 200 | Per AASHTO | Per AASHTO |
| Crown (in/ft) | 0.25 | 0.25 | 0.25 |
| Minimum sub-grade and base compaction (%) | 100 | 100 | 100 |

¹ Intersection sight distance and stopping sight distance must be noted on all **preliminary plats and construction plans** for developments encompassing existing streets, proposed streets and proposed driveway locations. For additional information, please refer to **Table 3; Stopping Sight Distance and Intersection Sight Distance**.

² 60 feet for roadway without curb and gutter, Clayton County Standard 302

³ Multiply algebraic difference in grades times factor to get minimum vertical curve length in feet

⁴ 24' pavement without curb and gutter, Clayton County Standard 302

⁵ **Applies to interior residential streets only. Director reserves the right to require different widths as conditions dictate.**

The typical sections and detailed specifications for these types of streets are found in Appendix D, Clayton County Standard Details 301, 302, 303 and 304. Sidewalks are to meet Standard Details 102 and/or 103. All construction in existing or future right-of-way should meet Georgia DOT specifications if no specific County standard applies.

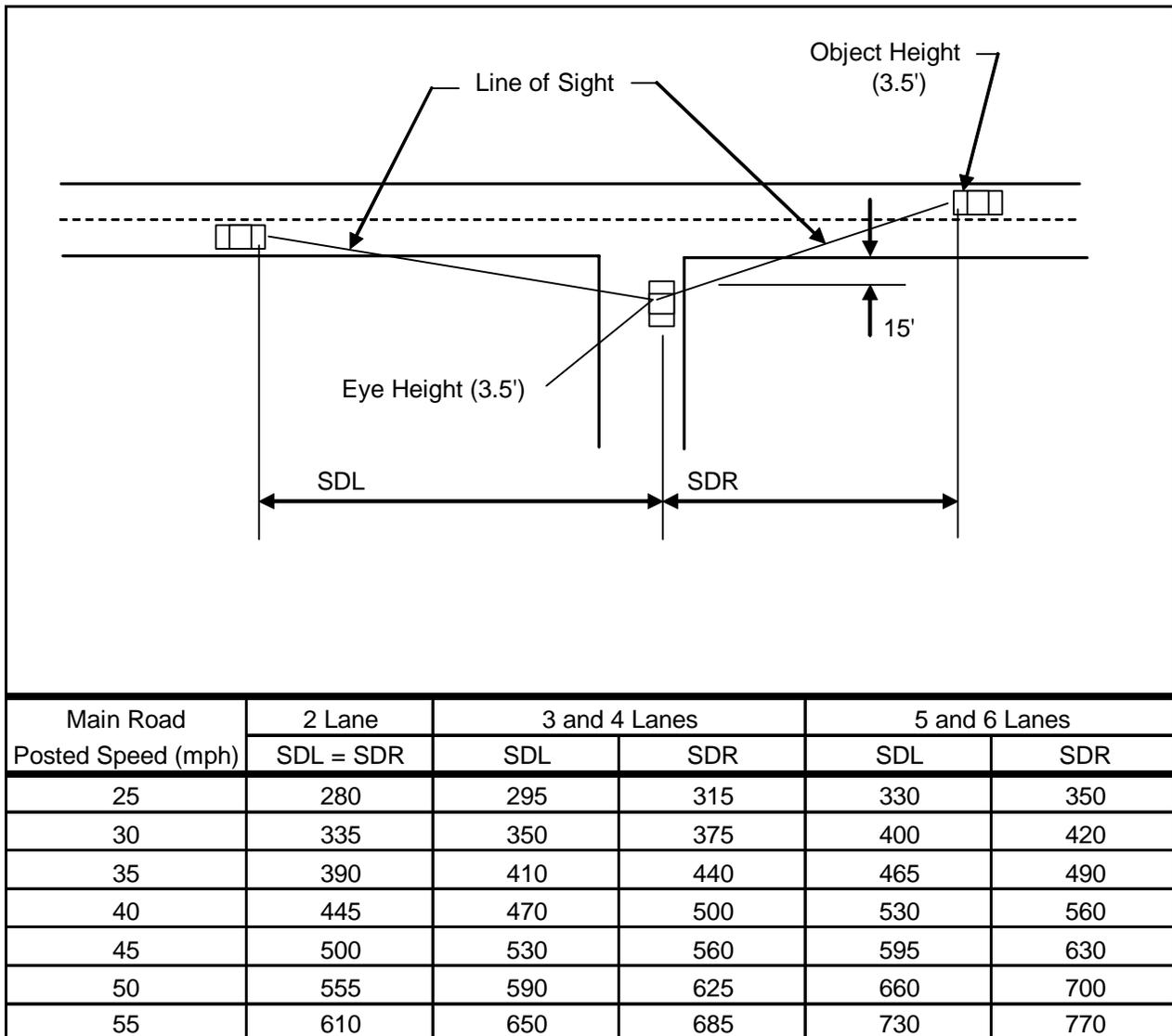
Please refer to the Clayton County Subdivision Ordinance for additional requirements for subdivision streets. The ordinance recommends that subdivisions have two points of access and provide for interconnection to similar adjacent land uses. Plans are to include consideration of tying to existing stub-out streets in adjacent subdivisions. The streets should be laid out to discourage through traffic.

Streets should also be laid out to discourage excessive speed. Long straight tangent roadway sections are not recommended. Where applicable, side streets designed to intersect main streets near other existing or proposed streets should be aligned to intersect at one location, thus creating a four-leg intersection instead of two closely spaced three-leg intersections. The development may also be responsible for other on-site as well as off-site improvements to ensure the safe and efficient movement of vehicles and pedestrians. The maximum length of cul-de-sac streets should be 800 feet. Larger subdivisions should be designed to accommodate school bus traffic. Long cul-de-sac streets may need a 50 foot radius to back of curb on the cul-de-sac to allow school bus and emergency equipment a safe area to turn around.

INTERSECTION SIGHT DISTANCE IMPEDIMENTS

Sight Triangles described as *Line of Sight* to meet intersection sight distance shall be satisfied within the County Right-of-Way. There shall be no obstructions that will impede sight distance with the sight triangles.

Table 3. Intersection Sight Distance Requirements



STOPPING SIGHT DISTANCE

Table 4. Stopping Sight Distance Requirements

| Design Speed (mph) | Stopping Sight Distance (ft) | | | | | | |
|--------------------|------------------------------|-----|-----|-----|----------|-----|-----|
| | Downgrades | | | | Upgrades | | |
| | <3% | 3% | 6% | 9% | 3% | 6% | 9% |
| 25 | 160 | 158 | 165 | 173 | 147 | 143 | 140 |
| 30 | 200 | 205 | 215 | 227 | 200 | 184 | 179 |
| 35 | 250 | 257 | 271 | 287 | 237 | 229 | 222 |
| 40 | 305 | 315 | 333 | 354 | 289 | 278 | 269 |
| 45 | 375 | 378 | 400 | 427 | 344 | 331 | 320 |
| 50 | 425 | 446 | 474 | 507 | 405 | 388 | 375 |
| 55 | 500 | 520 | 553 | 593 | 469 | 450 | 433 |

SPECIAL DESIGN SUBDIVISIONS

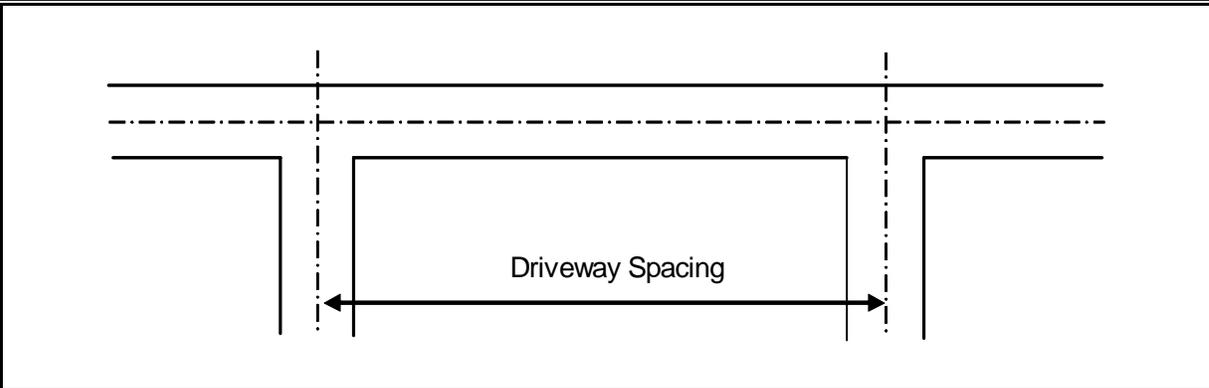
Temporary cul-de-sacs are required on stub-out streets that exceed three hundred (300) linear feet in length or that provide access to three or more lots. The cul-de-sac must be constructed with a minimum of a twenty five-foot radius and may be required to maintain the standard typical section.

Residential Collectors are entrance streets into a large subdivision, which collect traffic from the majority of lots within the subdivision. The typical section for this type of roadway should meet the specifications in Clayton County Standard No. 301. The designation of a roadway as a Residential Collector will be determined by the Director.

Commercial driveways should be constructed with concrete according to County Standard No. 205 or Georgia DOT Standard No. A2 (which replaced 9031J), (6" depth for light commercial and 8" depth for heavy commercial/industrial). Concrete can be omitted in areas without curb and gutter, and as determined by the Director if using a heavy duty paving specification similar to County Standard No. 304. Recommended

driveway widths and radii are given in County Standard No. 205. Driveway locations are evaluated on a case-by-case basis considering vertical and horizontal curves and sight distance, traffic conditions and proximity to other intersections or driveways. Where applicable, driveways should align with other adjacent streets or driveways to intersect at one location, thus creating a four-leg intersection. However, should the driveway not align with an adjacent drive or street, minimum driveway separation shall be met. These distances are provided in **Table 5**, as outlined in Georgia Department of Transportation’s Regulations for Driveway and Encroachment Control. It is recommended to limit the number of driveway access points and construct joint use driveways for commercial and industrial developments.

Table 5. Driveway Spacing Criteria



| Posted Speed (mph) | Driveway Spacing Minimum (ft) |
|--------------------|-------------------------------|
| 25 | 125 |
| 30 | 125 |
| 35 | 150 |
| 40 | 185 |
| 45 | 230 |
| 50 | 275 |
| 55 | 350 |

MINIMUM REQUIREMENTS FOR RIGHT TURN DECELERATION LANES

Right turn deceleration lanes must be construction at no cost to Clayton County if either the Average Daily Traffic (ADT) or site generated Right Turn Volumes (RTV) based on the ITE Trip Generation (assuming a reasonable distribution of entry volumes) meet or exceed the volumes shown in Table 6. Passing lanes sections fall under the criteria of two or more lanes.

Table 6. Minimum Right Turn Deceleration Lane Requirements

| Main Road | | Site | Result |
|-----------------|-----------|-----------------|-----------------------------|
| Posted Speed | ADT | Trip Generation | |
| < 40 mph | <3000 VPD | <400 VPD | No Right Turn Lane Required |
| < 40 mph | <3000 VPD | >400 VPD | Right Turn Lane Required |
| < 40 mph | >3000 VPD | NA | Right Turn Lane Required |
| 40 mph and over | NA | NA | Right Turn Lane Required |

Table 7. Minimum Right Turn Lane Lengths

| Main Road | Full Width Storage | Taper Length (ft) |
|-------------|--------------------|-------------------|
| Speed (mph) | | |
| <= 40 | 150 | 50 |
| 45 | 175 | 100 |
| 50 | 225 | 100 |
| 55 | 250 | 100 |

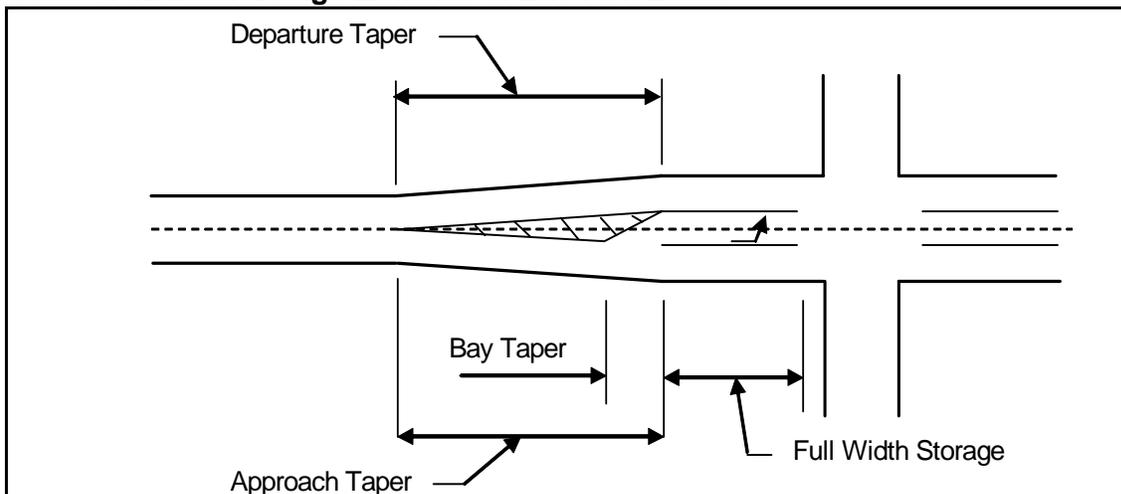
Left Turn Deceleration Lanes must be construction at no cost to Clayton County, if either the ADT or the daily site generated Left Turning Volumes (LTV) based on ITE Trip Generation (assuming a reasonable distribution of entry volumes) shown in Table 8 are met, provided the existing Right-of-Way adjacent to the proposed development is sufficient. Passing lane sections fall under the criteria of two or more lanes. The director may also require the addition of a left turn lane, even when the conditions in Table 8 are not met, if the roadway geometry or field conditions indicate that the safety of the traveling public would be improved. If the conditions of a left turn lane are met, the Director may require a 3-lane roadway section be constructed in lieu of a typical left turn lane. Complete asphalt overlay of the road section will be required when left

turn lanes or three lane sections are required. The overlay limits will begin at the lane transition point for the left turn pocket, and end at the departure lane transition.

Table 8. Minimum Requirements for Left Turn Deceleration Lane

| Posted Speed | 2 Lane Roads | | More than 2 Lanes on Main Road | |
|----------------|-----------------|-----------------|--------------------------------|-----------------|
| | ADT | | ADT | |
| | <6,000 | >=6,000 | <10,000 | >=10,000 |
| 35 mph or Less | 300 LTV per Day | 200 LTV per Day | 400 LTV per Day | 300 LTV per Day |
| 40 to 50 mph | 250 LTV per Day | 175 LTV per Day | 325 LTV per Day | 250 LTV per Day |
| >= 55 mph | 200 LTV per Day | 150 LTV per Day | 250 LTV per Day | 200 LTV per Day |

Table 9. Minimum Design Elements of Left Turn Lanes



| Posted Speed Limit (mph) | Approach Taper | | Bay Taper Length (ft) | Full Width Storage |
|--------------------------|----------------|-------------|-----------------------|--------------------|
| | 6 ft Shift | 12 ft Shift | | |
| 25 | 65 | 125 | 50 | 150 |
| 30 | 90 | 180 | 50 | 150 |
| 35 | 125 | 250 | 50 | 150 |
| 40 | 160 | 320 | 100 | 200 |
| 45 | 270 | 540 | 100 | 200 |
| 50 | 300 | 600 | 100 | 250 |
| 55 | 330 | 660 | 100 | 250 |

CLEAR ZONE REQUIREMENTS FOR COUNTY ROADWAYS

Table 10. Clear Zone Distances in Feet From the Edge of the Through Travel Way

| Design Speed | Design ADT | Foreslopes | | | Backslopes | | |
|----------------|-------------|------------------|----------------|-------|------------|----------------|------------------|
| | | 1V:6H or flatter | 1V:5H to 1V:4H | 1V:3H | 1V:3H | 1V:5H to 1V:4H | 1V:6H or flatter |
| 40 mph or Less | Under 750 | 7 - 10 | 7 - 10 | ** | 7 - 10 | 7 - 10 | 7 - 10 |
| | 750 - 1500 | 10 - 12 | 12 - 14 | ** | 10 - 12 | 10 - 12 | 10 - 12 |
| | 1500 - 6000 | 12 - 14 | 14 - 16 | ** | 12 - 14 | 12 - 14 | 12 - 14 |
| | Over 6000 | 14 - 16 | 16 - 18 | ** | 14 - 16 | 14 - 16 | 14 - 16 |
| 45 - 50 mph | Under 750 | 10 - 12 | 12 - 14 | ** | 8 - 10 | 8 - 10 | 10 - 12 |
| | 750 - 1500 | 12 - 14 | 16 - 20 | ** | 10 - 12 | 12 - 14 | 14 - 16 |
| | 1500 - 6000 | 16 - 18 | 20 - 26 | ** | 12 - 14 | 14 - 16 | 16 - 18 |
| | Over 6000 | 18 - 20 | 24 - 28 | ** | 14 - 16 | 18 - 20 | 20 - 22 |
| 55 mph | Under 750 | 12 - 14 | 14 - 18 | ** | 8 - 10 | 10 - 12 | 10 - 12 |
| | 750 - 1500 | 16 - 18 | 20 - 24 | ** | 10 - 12 | 14 - 16 | 16 - 18 |
| | 1500 - 6000 | 20 - 22 | 24 - 30 | ** | 14 - 16 | 16 - 18 | 20 - 22 |
| | Over 6000 | 22 - 24 | 26 - 32* | ** | 16 - 18 | 20 - 22 | 22 - 24 |

* Where a site specific investigation indicates a high probability of continuing crashes, or such occurrences are indicated by crash history, the designer may provide clear-zone distances greater than the clear-zone shown in the above table.

** Since recovery is less likely on the unshielded, traversable 1V:3H slopes, fixed objects should not be present in the vicinity of the toe of these slopes.

TRAFFIC CALMING DEVICES

Traffic Calming devices may be installed on residential streets where the posted speed limit is no greater than 25 mph. The implementation of traffic calming devices should not be used as a mitigation tool for street layout. It should be used as a tool to augment street design to ensure conformance to the 25 mph speed limit. There are two types of calming devices available, a traffic circle that is located at intersections, and a mid-block diverter that is located at mid-blocks. Detailed specifications for these traffic calming devices are found in Clayton County Standard Details 501, 502, and 503.

Traffic calming devices are recommended between roadway sections greater than 700 feet of straight travel lanes, but may be required at lesser intervals if so desired by the Director of Transportation and Development. They may be designed on horizontal and/or vertical curves only if adequate sight distance is provided. Traffic calming devices may be installed at intersections where sight distance is at least 280 feet.

Roadway signage installed by Clayton County or the Developer within traffic calming devices to direct traffic in the proper travel lanes must remain erected at all times.

Permanent structures will not be allowed within the traffic calming devices without prior approval of the Director.

Landscaped vegetation within traffic calming devices must not exceed two and one-half (2½) feet at maximum maturity height. All vegetation must be planted so that no part of it will exceed the perimeter of the traffic-calming device. All maintenance associated with the landscaping within the traffic-calming device is the responsibility of the **Mandatory Deed Restrictive Homeowners Associations**, and must be noted on the plat.

Each traffic-calming device incorporates a one-foot concrete strip inside the back of the curb as shown in the standard details. This strip may be concrete, inlaid brick, or any other type of mountable, transversable material approved by the Director.

All **pavement markings** are to be in accordance with the MUTCD (Manual of Uniform Traffic Control Devices) standards and shall meet the requirements of the standard

details and the Standard Specifications for Road and Bridge Construction, Georgia Department of Transportation. The pavement marking material is to be thermoplastic or to be determined by the Director and must be indicated on the construction plans. All long lines (i.e. center, lane and edgelines) are to be 5 inches in width and the centerline should have a 4-inch space between lines. Striped long lines (more than 150 linear feet) are to be applied by a highway type truck mounted machine. All pavement markings are to be pre-lined by the contractor and inspected by the County prior to application of paint or thermoplastic. Pavement markings are required on the main road at the entrance of the subdivision and may be required inside a subdivision under certain circumstances. See Appendix C for more information regarding pavement markings.

All **traffic signage** to be placed in the County right-of-way is to be made of retro-reflective sheeting, high intensity material or equivalent, and meet MUTCD standards. Plans should indicate the type of signage to be used, whether purchased from the County or custom signage. Plans should also indicate the approximate location and type of signage for each development. See Appendix C, for more information about traffic signage. All commercial development driveway cuts must provide 36 inch Stop Signs at street intersections. All residential developments must provide 30 inch Stop Signs at street intersections.

GENERAL CONDITIONS OF STREET DESIGN

Any modifications to adjacent traffic signal equipment will be the responsibility of the developer. In some cases, **a traffic impact study may be required** for site development by the generated traffic volumes and future growth traffic volumes when addressing mitigating measures.

STORMWATER MANAGEMENT AND DESIGN

Clayton County Water Authority (CCWA) approves all Stormwater Management Plans and Stormwater Design Plans. Plans must be submitted to the CCWA for review and approval.

DRAINAGE DESIGN

Drainage systems and inlet structures should be designed to accommodate the twenty-five (25) year peak discharge. Pipes and structures should be designed according to appropriate Georgia DOT standards and/or Clayton County standards, and / or CCWA Guidelines. A list of common standards used in stormwater system construction is found in the Table of Contents for Standards and Specifications and these standards are included in this publication.

PIPE SYSTEMS

A drainage schedule or pipe chart will be required and should contain adequate information to assure that all drainage systems are properly identified, sized and located. Pipe charts should include the following information:

| | |
|-----------------------|---|
| Pipe ID | Structure type at each end of pipe |
| Drainage area | Runoff coefficient |
| Time of concentration | Rainfall intensity (twenty-five year storm) |
| Design discharge | Pipe roughness coefficient |
| Pipe slope | Inlet invert |
| Outlet invert | Pipe length |
| Pipe diameter | Headwater Depth |
| Velocity | |
| Pipe material | |

The following criteria also apply to the design of drainage systems in residential subdivisions and any commercial system that connects to the County's right-of-way system.

- In residential subdivisions, stormwater pipes carrying water from the street must extend to a minimum of:
 - 1) To within 10 feet of the rear property line or vegetated buffer if required;
 - 2) 140 feet from the back of curb; or
 - 3) The 100 year flood plain boundary.
- All inlet and discharge points must provide a concrete headwall or a flared end section for longitudinal systems.
- All discharge points are to have rip-rap for energy dissipation. For any discharge in excess of 5 fps, a special design velocity dissipator should be provided as described in the [Georgia Stormwater Management Manual](#).
- Junction boxes are required where there are changes in direction, slope, size or material of pipes. All junction boxes should contain access covers (metal ring and cover) and be set to / above finish grade for maintenance purposes.
- Minimum pipe size in the County right-of-way is 18 inches, except for residential driveway pipes, which may be a minimum of 15 inches.
- Pipe systems should be designed to maintain a minimum velocity of 3 feet per second.

The following pipe type is accepted for use within the Clayton County right-of-way or as part of a system that connects to the County's right-of-way.

- ◆ RCP (Reinforced Concrete Pipe)
- ◆ HDPE (only allowed in Flowing Streams)

Absolutely no joints are allowed under the pavement unless the pipe has a watertight sealed joint. All pipes under roadways must be a reasonably perpendicular crossing. Only RCP or HDPE is *allowed in flowing streams and outlet devices of detention ponds*. HDPE and RCP must have sealed watertight joints.

All pipes located outside the right-of-way must be contained in a **drainage easement**. The easement width must be a minimum of twenty feet or two times the depth of the bottom of the pipe in feet. **No permanent structure can be built in this easement.**

OPEN DRAINAGE DITCHES

Drainage ditches are to be provided to prevent stormwater flow from one lot onto another except within a designated drainage easement. Open ditches located outside the right-of-way should be contained in a drainage easement at least twenty (20) feet in width. The drainage easement should be wide enough to contain the ditch and side slopes. Open drainage ditches must be designed with side slopes of 4:1 or flatter. See detail 401 in Appendix D.

Design open drainage ditches to accommodate the total volume of the stormwater discharge. Ditch profiles and cross sections may be required for review in some instances. Open drainage ditches must be located outside tree save areas or any other required buffer area.

Refer to the Georgia Stormwater Management Manual for appropriate velocities for different types of channel materials. Velocities should be calculated for open channels to determine if additional stabilization is required. Provide energy dissipators to maintain a non-erosive velocity in grassed ditches/swales.

ROADWAY DRAINAGE DESIGN

Catch basins should be located no more than 400 feet apart or a distance that will allow no more than an eight foot gutter spread from the face of the curb for twenty-five (25) year peak flows. All other requirements are discussed above.

STORMWATER STORAGE FACILITIES

Clayton County Water Authority (CCWA) approves all Stormwater Management Plans and Stormwater Design Plans. Plans must be submitted directly to the CCWA for review and approval.

STORMWATER QUALITY MANAGEMENT

Clayton County Water Authority (CCWA) approves all Stormwater Quality Management Plans. Plans must be submitted directly to the CCWA for review and approval.

ENVIRONMENTAL CONSIDERATIONS

EROSION AND SEDIMENT CONTROL PLANS

No land disturbing activity should be conducted until the County has approved an erosion and sediment control plan and has issued an Erosion & Sedimentation Control Permit and a Grading Permit. The Clayton County Soil Erosion and Sedimentation Control Ordinance defines land disturbing activity as; *“for general purposes this is any activity that involves the removal of trees by the roots or changing the existing grades of the property by excavating or filling.”*

When developing an erosion and sediment control plan you should refer to the current version of the Manual for Erosion and Sediment Control in Georgia for standards and specifications. Plans must clearly identify all “State Waters”, “streams” and “floodplain areas” as per the current Stream Buffer Protection Ordinance, provide a fifty (50) foot undisturbed natural vegetative buffer, measured horizontally, on both banks (as applicable) of the stream measured from the top of the stream bank, with an additional twenty-five (25) foot setback beyond the undisturbed natural vegetative buffer, in which all impervious cover is prohibited. Grading, filing, and earthmoving shall be minimized within the setback. No septic tanks or septic tank drain fields shall be permitted within the buffer or setback area. Management of activities within the State Waters buffers is to meet the requirements as stated in Georgia Code O.C.G.A. 12-7-1. Any planned disturbance of the State Waters buffer, other than for road crossings and sewer crossings as required by State Law will require a variance which must be issued by the State Environmental Protection Division. Any disturbance in the County stream buffer will require the Board of Commissioner’s

approval as per the Stream Buffer Ordinance. Mass grading will not be permitted unless the developer agrees to stabilize the site, including all disturbed areas, prior to Clayton County approving the development plans. Plans should also indicate the limits of clearing. An approved Preliminary Plat and Tree Preservation Plan will be required before plans are reviewed and an Erosion and Sedimentation Control permit is issued.

WETLANDS

Plans should identify any wetlands on the property or immediately adjacent to the development site. The Director of Transportation and Development or his designee will use the National Wetlands Inventory Map of the U. S. Department of the Interior Fish and Wildlife Service to identify the presence of wetlands at a development site. If necessary, the Developer will be requested to submit a site specific Wetlands Identification prepared by the United States Army Corps of Engineers and/or his qualified Wetlands Specialist. If wetlands disturbance is indicated at the development site, Clayton County will not issue a Land Disturbance Permit until documentation has been provided to show the applicant has approval from the United States Army Corps of Engineers in the form of a "Letter of Permission" or a Section 404 permit. Wetlands containing standing water could be considered State Waters and a buffer variance may be required to disturb these areas.

FLOODPLAINS

Clayton County Water Authority (CCWA) approves all Plans as they relate to Floodplain. Plans must be submitted directly to the CCWA for review and approval. All regulated floodplain areas should be identified on the plans. The plans should refer to the current FEMA flood insurance rate map (FIRM) panel. The elevation of the 100-year floodplain should be accurately and clearly identified on the plans. Elevations should be provided every 100 feet or at lot lines if less than 100 feet between lines. All buildable lots must be 80% outside the limits of the floodplain.

INERT WASTE LANDFILLS / “BURY PITS”

When using significant amounts of broken concrete, cured asphalt or similar materials as fill, the site may require an inert landfill permit from the State Environmental Protection Division. The State defines inert landfills as “a disposal facility accepting only wastes that will not or are not likely to cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, limbs and leaves. This definition excludes industrial and demolition waste not specifically listed above.”

Bury Pits on residential construction sites are also considered inert landfills and must be shown on final plats. “Home builders in recent years have used inert landfills on individual home building lots as a means of disposal of the land clearing debris. This practice has resulted in numerous complaints from homeowners who discover the burial pits once the debris has decomposed, resulting in the formation of depressions or sink holes. Under the July 8, 2005, Rule this practice will be prohibited unless the lot consists of several acres of land. Therefore, home builders will be required to use alternatives such as on-site grinding of the material for mulch, off-site disposal in an inert landfill or construction and demolition waste landfill, or off-site disposal at a wood

Recycling center.” (Georgia Rules for Solid Waste Management, Chapter 391-3-4-.06 (c) 2. ***“No portion of the waste disposal area shall be located within 100 linear feet of any property line or enclosed structure.”***)

If you have any questions regarding inert waste landfills or bury pits, please contact the nearest EPD Regional Office or the Solid Waste Management Program at (404)362-2692.

CONSTRUCTION AND INSPECTION

GENERAL

Construction should not begin until all site plans have been approved and an Erosion & Sedimentation Control Permit has been issued. All buffers and tree save areas must be flagged and inspected by the Director's representative before any clearing is done. A grading permit will not be issued until appropriate erosion controls are installed, "seven-day letter" issued and a set of approved plans are on the site.

All items of construction must be in accordance with the approved plans and specifications. The finished work must be in reasonable close conformity to the approved lines and grades. All materials incorporated in the work are required to meet the applicable specifications. The developer may be required to provide certified engineering or inspection documents to substantiate that the work, or various items of the work, are constructed in accordance with the approved plans. The developer may be required to provide certified test results or invoices to assure that the various materials are in accordance with the specifications.

The Director's representative may inspect any or all phases of the work or he may designate other professionals to fulfill certain inspection obligations. The developer or contractor may be required to furnish assistance or equipment for certain inspection activities. Assistance will normally be of the nature to determine the accuracy of certain lines, grades, or cross sectional dimensions or to determine test load capabilities of soils, bases, or pavements.

Routine inspections may be on a scheduled or unscheduled basis. Routine inspections should be scheduled to coincide with the normal and regular construction activities. However, the Director's representative may require some construction activities be scheduled to coincide with a scheduled inspection visit. In general, the following types of inspections will be conducted by the County. The contractor should contact the County inspector twenty-four (24) hours before an inspection is required.

SUBDIVISIONS

- Flagging of all buffers
- Erosion Control – Type Sd1-C silt fence and construction exit {Co}, (County Std. 106), etc.
- Curb set up
- Sub-grade - check crown and compaction; proper equipment on site
- Base - check crown and compaction; proper equipment on site
- Paving – subgrade and base adequately prepared; proper equipment on site
- Pre-final inspection - check stabilization, curbing and paving and all concrete work

COMMERCIAL

- Flagging of all buffers
- Erosion Control – Type Sd1-C silt fence and construction exit, {Co} (County Std. 106), etc.
- Improvements to County Right-of-Way (grading, curb and gutter, sidewalks, road widening or construction, driveways)
- Final inspection for recommending the Certificate of Occupancy

The Director's representative will work with the developer and his design engineer to resolve questions which arise that concern the interpretation of Clayton County specifications. The Director's representative will also evaluate and determine the quality of materials that is furnished and the acceptability of the work. Developers or Owners may request that the Director of the Department of Transportation and Development review any decision of the Director's representative. The Clayton County Board of Commissioners is ultimately responsible for the review of any decision that remains unresolved.

EROSION AND SEDIMENT CONTROL

Effective best management practices are an essential part of each phase of every construction activity. The developer will take those measures necessary to insure that erosion is minimized and that siltation of adjacent lands, streams, watercourses, or lakes is prevented or held to a minimal and acceptable level. All State Waters and/or stream protection buffers must be flagged and pass an inspection before clearing begins. Erosion controls should be installed immediately as an area is cleared.

The Director's representative will conduct frequent sediment control inspections. The developer will be notified of all erosion or sediment control deficiencies and given the opportunity to make the necessary corrections. Failure to make the necessary corrections in the allotted time may result in the Director issuing a Stop Work Order. The Stop Work Order will prohibit any and all construction activities from proceeding until the sediment control procedures are corrected. Persistent violators of the Clayton County Soil Erosion and Sediment Control Ordinance may be cited for violation of this County Ordinance.

CLEARING

Clearing shall not begin until all buffers are accurately located. Clearing shall consist of the removal and disposal of undesirable items or objects from the limits of clearing or right-of-way. These items include trees, logs, brush, rubbish, trash, and other debris lying on the earth's surface. Sediment control measures are to be installed during this phase of construction and must be maintained throughout the project.

GRADING

The grading items outlined in these guidelines are primarily related to roadway and street construction. Grading as related to areas outside the right-of-way will be in accordance with the approved plans. The following requirements are established for unclassified excavation, backfill, and embankment.

- A) **Unclassified Excavation.** This classification consists of all roadway and drainage excavation and the subsequent removal and disposal of all unsuitable material. Unsuitable materials such as highly organic soils, peat, muck, high volume change soils, and highly plastic soils, will be removed from the limits of the road bed and front slopes. Rocks and boulders that are uncovered within the limits of the roadway will also be removed. Excavated areas will be backfilled and compacted with suitable materials.
- B) **Pipe and Culvert Backfill.** Drainage pipes and culverts will be backfilled with materials that meet the Georgia Department of Transportation Specification for Roadway Materials, Section 810, Roadway Materials, Class I or Class II. Backfills will be constructed in six to twelve inch vertical layers and thoroughly compacted. The compacted dry weight per cubic foot for each layer of backfill will be at least ninety-five percent of the maximum laboratory dry weight per cubic foot.
- C) **Embankment.** Areas that are to contain embankment will be cleared and grubbed before any fill material is deposited in the immediate area. All trees, stumps, roots, vegetation, brush, and debris will be removed. The

original surface will be scarified to a depth of six (6) inches. In general, embankments must be built as outlined herein, however construction procedures will vary with the various soils and conditions as indicated below. Suitable materials will be deposited and spread in uniform layers. The layer will be graded to uniform thickness of six (6) to nine (9) inches in depth. Each layer will be brought to a moisture content that is proper to enhance compaction efforts. The top twelve (12) inches of the embankment will be compacted to a least one hundred (100) percent of the maximum laboratory dry density. Each lift that is below the top twelve (12) inches will be compacted to a density of at least ninety-five (95) percent of maximum laboratory dry density. Layers of fill that are more than ten (10) feet below the top of the embankment will be compacted to at least ninety (90) percent of maximum laboratory density. All density tests will be based upon AASHTO T 99 method of test.

D) **Slopes.** The slope for embankments will be in accordance with the typical section and details approved with the plans. The maximum slope for other embankment must be:

- ◇ **2H: 1V** for Commercial/Industrial development,
- ◇ **4:1** for Residential development so the future homeowner can maintain it.

CURB AND GUTTER

High back curb and gutter (Clayton County Standards 101 & 301) are required for all streets except on residential streets in subdivisions with one (1.0) acre or larger lot minimums. The larger lot minimum subdivisions may be constructed without curb and gutter. However, these streets will require twenty-four (24) feet of paving and sixty (60) foot rights-of-way to include the space for road-side drainage ditches (Clayton County Standard 302). **Roll back curb and gutter** is allowed in Townhome Developments when approved by the Director of Transportation and Development.

Curb and gutter must be constructed with class "B" Portland Cement Concrete that is supplied by an Approved Ready Mix Concrete Plant that is listed on the Georgia Department of Transportation's list of Approved Ready Mix Concrete Plants. The developer, upon the Director's request, will require the concrete supplier to submit a certified delivery ticket with each load of concrete that is used in the curb and gutter. The delivery ticket will certify the quantity of concrete, the concrete mix proportions, and the class of concrete delivered. The developer will retain the certified tickets and make them available to the inspector.

The grade at which curb and gutter is to be placed will be prepared as established on the approved plans. All soft, loose, yielding, or unsuitable material will be removed from within the curb lines. In general, curb and gutter will be constructed in substantial compliance with the requirements for Georgia Standard Specifications, Miscellaneous Concrete, Section 441 Standard Specifications, Georgia Department of Transportation. However, it is not the intent of these specifications to place

restrictions on concrete placement equipment, curb machines, or concrete curb and gutter forms. It is the intent of these guidelines to emphasize the importance of the horizontal and vertical alignments of the in-place curb and gutter. Curb alignment contributes to proper street drainage and must be carefully controlled. The vertical string line tolerance must not exceed one-quarter (1/4) inch in ten (10) feet along the gutter line and one-eighth (1/8) inch in ten (10) feet along the curb line. Gutter surfaces will be finished to present a uniform appearance.

SIDEWALKS are required on major thoroughfares and within developments to satisfy pedestrian safety and needs. Five foot wide sidewalks are required on both sides of all interior streets in all subdivisions, condominiums and townhome developments (except in Agricultural zoning), adjacent to public parks, open spaces, adjacent to commercial facilities, areas designated as walk areas by the Clayton County Board of Education, and along the existing right-of-way of the adjacent County roadway. Sidewalks will be required along the frontage of all Residential, Commercial and Industrial developments with stamped colored concrete between the back of the curb and sidewalk to be approved by the Director of Transportation and Development or his designee. Commercial and Industrial developments shall provide six foot wide sidewalks, required on both sides of all interior streets within the development. Sidewalks must be planned and constructed in accordance with details of Clayton County Standard No. 102, 102a, 103 and/or 103a. Wheelchair ramps are required at all street intersections and are to be located in the center of the radius. All ramps must meet Georgia Department of Transportation's, GDOT Special Detail A3. Also, ADA ramps for mid block locations and other logical pedestrian crossings will be

determined during plan review. Other sidewalk needs will be determined by the Director of Transportation and Development or his designee.

RETAINING WALLS are allowed in some settings - and are considered to be a structure and are not inspected or approved by the Land Development Section of the Transportation and Development Department. For Retaining Wall inspections you must contact the Clayton County Department of Community Development. A Professional Engineer must certify that all retaining walls are designed and installed for the appropriate application and they are not allowed within the Right-of-Way. (Refer to County Ordinance No. 2006-112 adopted August 15, 2006.)

STREET LIGHTING is required in all **NEW** residential developments. A completed street light petition is to be submitted to the Street Light Coordinator for processing and all fees must be paid by the Owner/Developer to the appropriate utility company. Street light petitions may be obtained from your Land Development Inspector or from the Utility Coordination Section of Transportation and Development. The lighting design and accessed pole fees will be provided to the Owner/Developer by the appropriate utility company. A completed, original petition must be on file and all fees paid to the appropriate utility company prior to a representative of Transportation and Development signing off on the Final Plat.

GRADED AGGREGATE BASE; Base will be prepared and constructed in accordance with the approved plans or according to details specified in the Clayton County Standard No.'s 301, 302, 303, or 304. The base will be placed upon a prepared sub-grade. The sub-grade will be constructed in accordance with the approved plans, and it will be tested for compaction immediately prior to base construction. Aggregate for graded aggregate bases will meet the requirements established in the Georgia Department of Transportation, Standard Specifications, Section 815. The material will be supplied by a producer currently listed on the Georgia Department of Transportation "List of Approved Coarse Aggregate Producers". Note: Graded Aggregate Base is the only material accepted as a road base material on roads to be dedicated to the County for maintenance.

Aggregate will meet the following specifications:

| <u>SIEVE #</u> | <u>% PASSING BY WEIGHT</u> |
|----------------|----------------------------|
| 2" | 100 |
| 1 ½" | 97 - 100 |
| ¾" | 60 - 100 |
| #10 | 25 - 45 |
| #60 | 5 - 30 |
| #200 | 0 – 15 |

Graded aggregate bases will be constructed in accordance with techniques that meet the applicable requirements of Section 310 of the Georgia Department of Transportation, Standard Specifications. The construction techniques will also produce a homogenous base that is free of irregularities and uniform in density as determined by Standard Proctor Test conducted in accordance with ASTM D 698 or

AASHTO T 99. Inspectors will verify that the proper equipment for preparing the subgrade (motor grader, vibratory roller, rubber tire roller, rubber tire loader, water wagon) and the base (motor grader, sheepsfoot compactor, or steel roller, water wagon) is on-site.

All Utilities must be installed prior to sub-grade inspections

HOT ASPHALTIC CONCRETE PAVEMENTS

Pavement surface courses and pavement binder courses for streets or roads will be a designed type of bituminous plant mix asphaltic concrete. The plans will designate the type, thickness, and width of each pavement course on a Typical Section Plan Sheet. The Typical Section Plan Sheet will specify the pavement criteria required in table 2 for Basic Standards for Undivided Two and Three Lane Subdivision Streets. Bituminous plant mix asphalt that is used within the right-of-way for streets that are proposed for dedication to Clayton County will be furnished by a producer that is approved on the Georgia Department of Transportation's Qualified Products List No. 45, List of Approved Hot Mix Asphalt Plants. Each load of plant mix asphalt that is incorporated into the pavement system will be certified by the producer on the plant's official certified delivery ticket. Plant mix asphalt will be placed on prepared surfaces that conform to the lines, grades, and thickness shown in the Typical Cross Sections. The gutter edge must be covered with a tack coat before placing asphalt. The placement, spreading, rolling, and compaction operations of asphaltic plant mix for street construction will be in general agreement with the intent of the Georgia Department of Transportation, Standard specification, Section 411, Hot Mix Asphaltic Concrete.

CONSTRUCTION. The construction operation must result in an acceptable pavement system that is uniform in appearance, free of defects, and true to lines and grades. The pavement will also be compacted to the specified density. Superpave asphalt mixes meeting Georgia D.O.T. specifications will be accepted for use in Clayton County.

SIGNING

All roadway signage must be installed to meet County standards and specifications prior to street acceptance by the Clayton County Board of Commissioners. All signs must meet or exceed minimum reflectivity, standards of shape, size, color, legend size, and style as set forth in the Manual of Uniform Traffic Control Devices (MUTCD). All signage must be installed to meet minimum height requirements as outlined in the MUTCD.

Sign location must be reviewed by the Traffic Engineering Section on the construction plans. The developer has three options:

- 1) Pay the County to manufacture and install the signage
- 2) Pay the County to manufacture the plates only, which developers install on custom posts; or
- 3) Manufacture and install his own sign plates and posts to Clayton County Specifications.

No matter what option you choose, all signage must be paid for, installed and pass an inspection by Traffic Engineering, prior to street acceptance by the County.

County Manufactured and Installed

Once the developer has provided a final plat, the Director's representative will determine the signage required and inform the developer of the actual sign material costs. This will normally be done with the pre-final inspection letter. The developer should pay the County as soon as possible to insure timely placement of the signs. Payment of signage costs is also required before a representative of Transportation and Development signs off on the final plat and streets are accepted by the County.

Developer Installed (Custom Signage)

When the final plat is submitted, the Director's representative will inform the developer of the location and type of signage required. The developer must then install the signage to County specification before the streets can be accepted by the County.

Please refer to Appendix C for more details on sign materials and construction.

ACCEPTANCE OF STREETS, ROADWAYS, AND DRAINAGE SYSTEMS

The developer will provide a statement on the final plat that certifies that all streets, curbing, shoulders, and drainage systems will be maintained by the developer for a period of twenty-four months. The costs of providing these maintenance services will be the developer's responsibility for the two year period that begins on the date the final plat is accepted by the Board of Commissioners. Coring data for the roadway pavement are to be provided prior to accepting the final plat.

The statement on the final plat must be worded as follows:

“The developer warrants the streets, curbing, drainage systems, signs, and shoulders within the right-of-way to be free from defects in materials and workmanship including theft, graffiti and vandalism for a period of twenty-four months from the date of acceptance by Clayton County.”

The developer will also provide a statement on the final plat that holds him responsible for the overall sediment and erosion control for the development.

The statement on the final plat must be worded as follows:

“The developer will be held responsible for the erosion control for the referenced development until all lots are completed and stabilized.”

The developer must also provide a statement regarding the signage on his development.

The statement on the final plat must be worded as follows:

“If Clayton County installs the signage on behalf of the developer, the County relinquishes all maintenance responsibility for a period of twenty-four months as dictated in the developer’s final plat warranty.”

Prior to acceptance, the developer is required to add to the final plat and sign the Developer Maintenance Agreement. The statement on the final plat should be worded as follows:

“The Developer agrees that he will be responsible for the monitoring and maintenance of all major drainage easements and stormwater storage facilities. The removal of all temporary sediment ponds will be at a time requested by the Director of Transportation & Development or his designee. If any of these responsibilities are transferred through the sale of the property, it should be verified through a contractual agreement and such agreement copied to the Director of Transportation and Development. Failure to do so will not relieve the Developer of his responsibility.

Developer / Owner

Clayton County Water Authority has also requested that the developer provide a warranty statement for all sanitary sewer and water distribution system improvements.

The statement on the final plat must be worded as follows:

“The Developer warrants the stormwater management systems within the right-of-way and pipes directly connected to the right-of-way to be free from defects in materials and workmanship for a period of twenty-four months from the date of acceptance by the Clayton County Water Authority”

Wetlands statements and detention pond statements are to be included on the final plat when appropriate.

When the developer submits the final plat and the streets have been paved, the Director’s representative will conduct a pre-final inspection of the subdivision and prepare a Prefinal Letter (*punch list*) of items, which need to be completed, repaired and possibly replaced. All construction items, drainage systems, sign installation, signage fees, erosion control measures, street light petitions and street lighting fees should be complete before the Director recommends approval of the final plat. **No building permit can be obtained for individual lots until the final plat has been approved.**

AS-BUILT DRAWINGS are to be submitted as electronic files to the CCWA and Transportation and Development Offices. A digital file of the as-built development is required. All features depicted in the as-built drawings must be surveyed after construction to an accuracy of ≤ 0.1 ft. All as-built drawings must be geo-referenced to the U.S. State Plane coordinate system, NAD 83, GA West Zone, US Survey Feet. All drawings must contain a reference survey marker (pin) tied to the Clayton County Water Authority (CCWA) monument network. A copy of the more than 65 CCWA survey monument pair locations can be found on the CCWA website at: http://www.ccwa1.com/GIS_Monuments/GISMonumentDisclaimer.asp or may be obtained in person at the CCWA Administrative complex located on Battle Creek Road. The file should contain all the information given on the construction plans as well as the final topography. All files are to be delivered on single disk media in AutoCAD (release 14 or higher) or DXF format (for projects created in Microstation). CD's, 3-1/2" floppies, and ZIP disks are all acceptable media. Files should not be spanned over more than one disk. For further questions, contact the County Engineer of the Transportation and Development Department.

CERTIFICATE OF OCCUPANCY FOR COMMERCIAL PROJECTS

Certificates of Occupancy are issued by the Community Development Department after all Departments involved in the construction process have completed their inspections and signed off; this includes the Transportation and Development Department. The following items are inspected by a Transportation and Development Project Inspector and must be complete before this department recommends any release for the Certificate of Occupancy.

- ◆ Stormwater Drainage Systems must be inspected and approved by the Clayton County Water Authority; including a Detention pond certification form signed by a professional engineer registered in the State of Georgia
- ◆ Curbing and paving improvements in the County right-of-way
- ◆ Sidewalk improvements within the County right-of-way
- ◆ Concrete driveway apron
- ◆ Drainage system and associated improvements that are within or connect to the County right-of-way are stabilized with permanent vegetation
- ◆ All Detention ponds must have a 5 ft security fence installed around the pond with a 16 ft (minimum) double entry gate for maintenance access
- ◆ Buffers have been provided as shown on the approved site plans
- ◆ Stabilization of all disturbed areas with permanent vegetation
- ◆ If the project is on State right-of-way, all widening / road improvements, must be completed and approved by the State inspector
- ◆ As-built digital file in (CAD) format must be submitted for approval to the County Engineer of Transportation & Development

APPENDIX A

**PLAN REVIEW AND PERMITTING
APPENDIX A**

CONTACT LIST

CLAYTON COUNTY

Transportation and Development - Land Development Section
(Plan Review, Land Disturbing Permits – Erosion & Sediment Control & Grading Permits)

Land Development Engineer (770) 477-3681
Street Light Coordinator (770) 477-3696

Community Development - Planning and Zoning Office
(Zoning Review, Site plan review, preliminary and final plats, Land Use, Tree Preservation and Landscaping Plans)

Zoning Administrator (770) 477-3678

Community Development - Permits and Licenses
(Building permits and plan reviews, Certificates of Occupancy)

Permit Supervisor (770) 473-5463
Plan Review Coordinator (770) 477-3575

Fire Department - Fire Prevention
(Site plan and building permit review)

Fire Marshall - Plan Review Office (770) 473-3832

Clayton County Water Authority
(Water, Stormwater and Sewer plan review)

Keith Watkins, Engineer (770) 961-2130
Kevin Osbey, Stormwater Utility Program Manager (678) 422-5145
Ext. 204

Clayton County Environmental Health Department
(Septic tanks, health codes)

Walter Howard, Director (770) 961-8399

CITY CONTACT NUMBERS

Each City conducts independent plan reviews and permitting

| | |
|--------------|----------------|
| College Park | (404) 767-1537 |
| Forest Park | (404) 366-4720 |
| Jonesboro | (770) 478-3800 |
| Lake City | (404) 366-8080 |
| Lovejoy | (770) 471-2304 |
| Morrow | (770) 961-4002 |
| Riverdale | (770) 997-8989 |

APPENDIX B

**CLAYTON COUNTY
TRANSPORTATION AND DEVELOPMENT
LAND DEVELOPMENT SECTION
APPENDIX B**

Plan Review Check List

General Items - Site or Subdivision Plans

Provide the following information on the construction plans:

- ◇ Indicate the project name and type of business on the construction plans
- ◇ Vicinity map - A small map locating the site in relationship to the surrounding area
- ◇ North Arrow
- ◇ Location - the location of the site with respect to nearby creeks, rivers, buildings. Show land lot lines, public rights-of-way, etc. Provide a reference distance to the nearest public right-of-way.
- ◇ Land Lot, District, County and State – give the tax ID number for the parcel
- ◇ Scale of the drawing
- ◇ Total acreage of site or development
- ◇ Total disturbed acreage of the site or development
- ◇ Acreage in floodplain/wetlands. Acreage to be disturbed in floodplain/wetlands.
- ◇ All zoning buffers
- ◇ All easements, utility or other
- ◇ An accurate boundary survey giving bearings and distances
- ◇ An accurate topographical survey showing existing and proposed contours at two foot intervals. Provide this information for a distance of 200 feet, minimum, outside property lines.
- ◇ Provide Contact Names and Georgia Soil and Water Conservation Commission Certification Numbers for all persons involved in Land Disturbing Activities.
- ◇ The source of the boundary and topographic surveys including the bench mark used as a reference in establishing elevations. A FEMA RM is preferred for surveys adjacent to the flood plain. Label the monument, on site, used to tie aerial data to field conditions.

- ◇ All existing and proposed sewer lines
- ◇ Show all existing Driveways, Streets, Drainage structures and Utility Poles adjacent to, adjoining and opposite from the development.
- ◇ Show all N/F property owners adjacent to, adjoining and opposite from the development.
- ◇ All existing stormwater structures and easements immediately upstream and downstream and any other off-site sources of runoff that will affect this development. Show the 100 year ponding elevation on all lakes and detention ponds.
- ◇ Show the limits of clearing and grading.
- ◇ All plans must be stamped with a professional engineer's, architects, or registered land surveyor's stamp and signature.
- ◇ All design calculations must be stamped by a Professional Engineer.
- ◇ Provide the name, address, and telephone number of the owner, the developer, and the engineer on the plans.
- ◇ Provide the name and contact number of the 24 hour Erosion Control Contact
- ◇ A floodplain statement, by note, indicating if any portion of the site is within the 100 yr. flood plain. If so, show the location and elevation of the 100 year flood plain as identified on FEMA Flood Insurance Rate Maps on the grading and drainage plans.
- ◇ Show state waters buffers and water quality buffers. Add note:

“Wetlands shown on this plan are under the jurisdiction of the U.S. Army Corps of Engineers. Lot owners may be subject to penalty by law for disturbance to these wetland areas without proper authorization.”
- ◇ A statement addressing the absence or presence of state waters on the site
- ◇ A statement addressing the absence or presence of wetlands on the site. Provide a copy of the wetlands delineation study.

Wetlands and Floodplain Development

If a portion of the proposed project lies within a FEMA designated zone A, label the 100 year floodplain elevation every 100' or on each adjacent property. Where encroachment into 100 year floodplain is proposed, provide documentation that the project is in compliance with appropriate regulations.

For developments adjacent to or encroaching into Wetland areas, show documentation of contact with the U.S. Corps of Engineer's regarding appropriate permits. Include the following note on the plan:

"The Owner/Developer and Engineer have reviewed the appropriate local, state, and federal regulations regarding development activities adjacent to floodplains, state waters, and wetlands and have determined that this development plan satisfies the standards presented in applicable regulations."

Provide state waters buffers around all wetlands as per Georgia Code O.C.G.A 12-7-1

All land development activities subject to the Clayton County **Stream Buffer Protection Ordinance** must meet the following requirements:

- ≈ An undisturbed natural vegetative buffer shall be maintained for 50 ft, measured horizontally, on both banks (as applicable) of the stream as measured from the **top** of the stream bank.
- ≈ An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover is prohibited. Grading, filing and earthmoving shall be minimized within the setback.
- ≈ No septic tanks or septic tank drain fields are permitted within the buffer or setback.

Additional stream buffers may be required as per the Clayton County Stream Buffer Protection Law. A county map indicating areas of all drinking water supply watersheds is located at the Clayton County Water Authority, Headquarters Office and in the Land Development Office of Transportation and Development.

If floodway is associated with the 100 yr. floodplain, the floodway boundary must be shown on the plans. No encroachment is allowed in the floodway.

Drainage - General

Provide a drainage plan that includes existing and proposed drainage structures and easements. The drainage plan is to be shown on the Grading Plan with contours. Profiles of the proposed drainage systems are required. Water, Sewer and Erosion Control should be shown on separate sheets.

Provide curbing within the project as necessary to control drainage. Indicate on the plan sheet the location of curb and gutter within the interior of the site. Provide a detail of the curb and gutter to be constructed.

Label all stormwater pipes within the project and provide a pipe chart indicating the design criteria Q, Q_T , C, I_{25} , A, n, slope, diameter (18" minimum under roadways), type, class, head, and velocity (allowable range is 3-15 fps). Indicate headwalls or flared end sections at the outlet end of all pipes. For outlet velocities in excess of 5 fps,

additional erosion control measures will be required for ditch stabilization and to dissipate the discharge velocity. Pipe is to be placed per Georgia D.O.T. Std. 1030 D.

If the engineer feels that there is no significant effect on adjacent areas due to this development supporting calculations should be submitted.

Drainage Requirements for Dedicated Roads

If a proposed road is to be constructed for dedication to Clayton County, indicate on the plans that it is to be a dedicated road. Consult the Clayton County Planning and Zoning Office concerning the applicability of subdivision regulations. Construction within the proposed rights-of-way must meet the standards presented in the Land Development Guidelines. Refer to current Georgia D.O.T. Standards for all catch basins, drop inlets, headwalls and other drainage structures to be within proposed right-of-way.

The following standard drainage notes and corresponding details should be included in the plans:

- ◇ All pipe that is part of the roadway drainage system is to be RCP, 14 gauge minimum BCCMP
- ◇ Pipe is to be installed per Ga. D.O.T. Std. 1030D.
- ◇ All drop inlets are to be per Ga. D.O.T. Std. or other acceptable design modified with a raised weir inlet and a metal clean out cover.
- ◇ All headwalls are to be per Ga. D.O.T. Std. 1125.
- ◇ All catch basins are to be constructed per Ga. D.O.T. Std. 1033D or 1034D.
- ◇ All flared end sections are to be per Ga. D.O.T. Std. 1120 concrete.
- ◇ All junction boxes are to be per Ga. D.O.T. Std. or other acceptable design modified with a metal clean out cover.
- ◇ Drainage easements are required to prevent stormwater flow from one lot onto another except within a designated drainage easement.
- ◇ Only RCP or HDPE in flowing streams / outlet devices

Show the **correct drainage easement width - 20' minimum** (or 2 times the depth of pipe invert) for piped systems, 20' minimum for open easements, or to contain the total width of the ditch/swale. Show arrows on drainage easements to indicate direction of flow. Open drainage ditches must have 4:1 side slopes or flatter. The entire drainage ditch must be within an easement. Between residential lots, storm sewer drainage pipe

must go at least to the rear of the property line, 140 feet from the street, or to the flood plain limits. The pipe should end a minimum distance of six times the diameter of the pipe, to allow for the storm drain outlet protection. If a proposed street intersects an existing roadway with a ditch, provide a drainage system for the existing ditch flow.

Roadway Considerations

Driveways on County Roadways

Each driveway providing access to a public roadway is to be constructed according to Georgia D.O.T. Standard A2 (which replaced 9031J) (concrete apron) or Clayton County Standard No. 205 unless heavy duty paving is provided. Provide the detail on the plans.

The width and radii of each driveway are to meet the requirements of Standard No. 205 in the Land Development Guidelines. The profile should provide a high-point (or low point) to prevent runoff from flowing out the driveway onto the street.

Indicate the distance from each driveway to the nearest public road intersection.

Sidewalks may be required as described in the County Guidelines and Ordinances. If sidewalk is required, provide a standard detail of the sidewalk and clearly indicate its location. Refer to County Standards located in Appendix D of these Guidelines.

Indicate the right-of-way of all public roads bordering this property. Clearly indicate the width of the existing roadway (indicate whether this dimension includes the curb and gutter if applicable). Show the angle of the driveway from the existing roadway if other than 90°. Further review by this department may be necessary depending on the severity of the angle. Provide an enlarged detail of the curbing to be used within the right-of-way of the County road.

Flared end sections may be required as the end treatment on driveway pipe in lieu of headwalls to meet traffic safety requirements.

If the driveway accesses Georgia D.O.T. rights-of-way, a driveway permit must be applied for through the Georgia D.O.T.

Acceleration/deceleration lanes

If a widened section is required, provide a typical section that indicates the following:

- ◇ asphalt and base thickness and type, Please refer to Table 2. Basic Standards for Undivided 2 and 3 Lane Subdivision Streets of the County Guidelines
- ◇ shoulder width

- ◇ type of curb and gutter (indicate dimensions)
- ◇ total right-of-way width
- ◇ compaction requirement
- ◇ maximum and minimum shoulder slopes and crown to match the existing cross slope of the roadway

A flume may be required at the end of a widened section to control runoff. If so, indicate size and location. On the Plan Sheet, clearly indicate the length of the acceleration/deceleration lane, the length of tapers, and the location of curb and gutter. Provide a standard detail for the curb and gutter.

Subdivision Development - Roadway Construction

- ◇ Indicate the radii of curbs at intersections - 25 foot minimum for interior streets in a subdivision, 35 foot minimum for an intersection with an existing county roadway - provide a standard detail.
- ◇ Provide a typical section of the proposed road showing the asphalt and base thickness, paving widths, shoulder widths, total right-of-way widths, compaction requirements, base and asphalt type, maximum and minimum shoulder slopes and road crown - standard detail is available from this department. If underground power is proposed, provide stub-outs for future street lighting based on an approved street lighting plan.
- ◇ Show an enlarged detail of the curbing to be used - standard detail.
- ◇ Show the cul-de-sac and right-of-way dimensions and the location of the center of the radius.
- ◇ Horizontal and vertical curves shall have the curve data provided. The minimum radii of a horizontal curve is 200 feet. The maximum grade is 12% and minimum grade is 1.5%. The minimum length of vertical curves is 10 X the algebraic difference in grades.
- ◇ Provide a profile of all roads at a scale of 1" = 10' vertical and 1" = 50' horizontal. Show all tangent slopes and vertical curve lengths.
- ◇ Acceleration and deceleration lanes may be required.
- ◇ Five foot wide minimum sidewalks are to be installed on both sides of interior streets and next to County roadways, provide a location plan. If not, note on the typical section that it is to be excluded.
- ◇ Add a note to the plans that all areas used as burial pits during development must be located outside the right-of-way and are to be located and identified on the final plat. Georgia DNR EPD requirements are to be met: "no portion of waste disposal area shall be located within one hundred (100) linear feet of any property line or enclosed structure." This means that home builders will not be able to place an inert waste landfill on most lots smaller than one-and-one-half acres.
- ◇ Indicate the locations and types of street signs to be installed - custom signs or MUTCD signage purchased from Clayton County.

A final inspection will be made based on the approved plans. All changes to the approved plans must be made in writing so that these changes may be reviewed before approval.

SEDIMENT CONTROL

Provide an Erosion and Sediment Control Plan based on the current edition of the *Manual for Erosion and Sediment Control in Georgia* that includes measures to prevent sediment from leaving the site as outlined in Clayton County's Soil Erosion and Sediment Control Ordinance. Provide certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan. Location of sediment and erosion control practices must be shown on the Erosion Control Plan using the uniform coding symbols from the *Manual For Erosion and Sediment Control in Georgia*. Provide a Plan for each individual lot within the subdivision, commercial or industrial development, you must represent the minimum standards within a typical section or detail drawing, including but not limited to the type and placement of silt fence and gravel pad for each individual lot. The Developer will be held responsible for the erosion control for the referenced development until all lots are completed and stabilized with permanent vegetation. If this responsibility is transferred through the sale of an individual lot or property as a whole, it should be verified through a contractual agreement and such agreement copied to the Director of Transportation and Development. Failure to do so will not relieve the Developer of his responsibility.

All silt fence installed must be Sd1-C, Type C wire back for property perimeters, State Waters protection and other critical areas. Details of practices are to be included. Any structural practice used that is not referenced to the *Manual for Erosion and Sediment Control in Georgia* or other handbook should be illustrated with detail drawings.

Provide temporary sediment basins during construction. Include specific design information and calculations for all structural measures on site, such as temporary sediment basins, retrofitted detention ponds, and swales. Include the following note on the plans:

"When the site is stabilized and at the direction of the County Engineer, the developer is to remove the sediment basins and stabilize the disturbed areas."

Include in narrative or note form the following:

An Activity Schedule: A graph or narrative showing anticipated starting and completion dates for the following:

- a. installation of sediment control measures
- b. clearing, grubbing and grading
- c. grassing (including temporary and permanent vegetation)
- d. final landscaping, grassing etc., cleaning of storm drains.

A Vegetative Plan: A description of what will be planted, (appropriate to the season) for all temporary and permanent vegetative practices. Include species, planting dates, and seeding, fertilizing, lime, and mulch rates. The vegetative plan shall be site specific for appropriate time of year that seeding will take place and for the appropriate geographic region of Georgia. Indicate that temporary grassing will begin two weeks from initial disturbance.

Maintenance: The following statement must be put on the plans with the necessary information supplied:

“The escape of sediment from the site shall be prevented by the installation of erosion control measures and practices prior to, or concurrent with, land-disturbing activities. Erosion control measures will be maintained at all times and the inspections and repairs will be made by:

NAME: _____
ADDRESS: _____
PHONE (24 hr.): _____

If full implementation of the approved plans does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source.”

An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the Top of the stream bank. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the setback. No septic tanks or septic tank drain fields shall be permitted within the buffer or setback. Where encroachment into the buffer is proposed, provide documentation that appropriate variances have been obtained. For additional information, refer to Clayton County’s Stream Buffer Protection Ordinance.

Show all water quality buffers and setbacks.

Show storm drain pipe and weir velocities and demonstrate how receiving area will accommodate discharges without erosion. Give square footage of rip rap at discharge points.

Soils - A brief description of the soils on the site giving such information as soil names, mapping unit, erodibility, permeability, depth, texture, and soil structure. The boundaries of the different soil types should be shown on a map.

Critical erosion areas - Areas with potentially serious erosion problems should be shown on a map.

Show stabilization of all sanitary sewer easements. Add the following note:

“Sanitary sewer easements are to be stabilized with temporary and permanent vegetation as soon as each segment is completed. Stream bank restoration and stabilization required in all disturbed state waters buffers. The stream bank canopy is to be restored within the state waters buffers. Geomat and rip rap are to be placed as necessary to prevent erosion within the stream banks.”

Erosion and Sediment Control Plan Review Checklist

Project Name: _____ SWCD: _____

City/County: _____ Date on Plans: _____

Address: _____

| Plan Page | Included: Y/N |
|--------------|------------------|
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SITE PLAN:

1. Show graphic scale and north arrow.

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2. Provide vicinity map showing site's relation to surrounding area, including designation of specific phase, if necessary.

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3. Provide both existing and planned contours with contour lines drawn at an interval in accordance with the following:

| Map Scale | Ground Slope | Contour Interval, ft. |
|-------------------------------------|--------------|-----------------------|
| 1 inch = 100 ft. or larger scale | Flat 0-2% | 0.5 or 1 |
| | Rolling 2-8% | 1 or 2 |
| | Steep 8% + | 2, 5 or 10 |

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4. Delineate contributing drainage areas, with acreage, both on and off site. Include hydrology study and maps of drainage basins for both the pre-and post-developed conditions.

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5. Delineate all state waters located on or within 200 feet of the project site.

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6. Show location of erosion and sediment practices using uniform coding symbols from the Manual for Erosion and Sediment Control in Georgia, Chapter 6, with legend.

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7. Delineate 25-foot undisturbed buffers of state waters and 50-foot buffers along designated trout streams. Clearly note areas of impact.

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8. Include soil series and their delineation.

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9. Identify the project receiving waters and describe adjacent areas – neighboring areas such as streams, lakes, residential areas, etc., which might be affected.

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10. Phase E&SC plans into an initial perimeter control E&SC plan, intermediate E&SC plan for grading and drainage and a final phase E&SC plan.

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11. Provide an E&SC plan for a typical lot and each situational lot.

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12. Show limits of disturbance on E&SC plan.

Narrative Notes and Other Information: (Notes or narrative should be located on the site plan under general notes or under erosion and sediment control notes.)

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1. Provide revision and/or initial date on E&SC plans.

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2. Provide description of existing land use at project site and description of proposed project. Include land lot and district numbers for site location. Describe critical areas and what extra measures will be utilized for these areas.

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3. Provide name, address and phone number of developer/owner.

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4. Provide name and phone number of 24-hour local erosion and sediment control contact.

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5. Show certification number, signature and seal of qualified plan designer.

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6. Note total and disturbed acreage (the disturbed area shall be the total estimated disturbed area of the primary and secondary permittees) of the project or phase under construction.

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7. Provide detailed construction activity schedule – show anticipated starting and completion dates for project events, include vegetation and mulching timeline.

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8. Clearly note this statement in bold letters– **“The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures and practices prior to, or concurrent with, land disturbing activities.”**

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9. Provide 67 cubic yards per acre sediment storage. Include specific design information and calculations for structural measures on site. Sites with more than 10 total acres must have a temporary sediment basin.

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10. Show storm-drain pipe and weir velocities and provide appropriate outlet protection to accommodate discharges without erosion.

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11. Provide vegetative plan, noting all temporary and permanent vegetative practices. Include species, planting dates and seeding, fertilizer, lime and mulching rates. Vegetative plan shall be site specific for appropriate time of year that seeding will take place and for the appropriate geographic region of Georgia.

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12. Provide detailed drawings for all structural practices. Specifications must, at a minimum, meet guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.

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13. Clearly note maintenance statement – **“Erosion control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source.”**

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14. Clearly note the statement: **“Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding.”**

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15. Provide certification stating that the plan designer has visited the site prior to the design of the E&SC plans.

Linear Project Erosion and Sediment Control Plan Review Checklist

Project Name: _____ SWCD: _____

City/County: _____ Date on Plans: _____

Address: _____

| Plan Page | Included: Y/N | SITE PLAN: |
|--------------|------------------|--|
| | | 1. Show graphic scale and north arrow. |
| | | 2. Provide vicinity map showing site's relation to surrounding area, including designation of specific phase, if necessary. |
| | | 3. Provide both existing and planned contours in accordance with the following: <ul style="list-style-type: none"> • Existing contours: USGS 1" : 2000' topographical sheets • Proposed contours: 1" : 400' centerline profile |
| | | 4. Delineate on-site drainage and off-site watersheds using USGS 1" : 2000' topographical sheets. |
| | | 5. Delineate all state waters located on or within 200 feet of the project site. |
| | | 6. Show location of erosion and sediment practices using uniform coding symbols from the Manual for Erosion and Sediment Control in Georgia, Chapter 6, with legend. |
| | | 7. Delineate 25-foot undisturbed buffers of state waters and 50-foot buffers along designated trout streams. Clearly note areas of impact. |
| | | 8. Include soil series and their delineation. |
| | | 9. Identify the project receiving waters and describe adjacent areas – neighboring areas such as streams, lakes, residential areas, etc., which might be affected. |
| | | 10. Show limits of disturbance on E&SC plan. |

Narrative Notes and Other Information: (Notes or narrative should be located on the site plan under general notes or under erosion and sediment control notes.)

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1. Provide revision and/or initial date on E&SC plans.

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2. Provide description of existing land use at project site and description of proposed project. Include land lot and district numbers for site location. Describe critical areas and what extra measures will be utilized for these areas.

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3. Provide name, address and phone number of utility contractor.

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4. Provide name and phone number of 24-hour local erosion and sediment control contact.

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5. Show certification number, signature and seal of qualified plan designer.

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6. Note total and disturbed acreage (the disturbed area shall be the total estimated disturbed area of the primary and secondary permittees) of the project or phase under construction.

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7. Provide detailed construction activity schedule – show anticipated starting and completion dates for project events, include vegetation and mulching timeline.

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8. Clearly note this statement in bold letters– **“The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures and practices prior to, or concurrent with, land disturbing activities.”**

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9. Provide 67 cubic yards per acre sediment storage. Include specific design information and calculations for structural measures on site.

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10. Show storm-drain pipe and weir velocities and provide appropriate outlet protection to accommodate discharges without erosion.

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11. Provide vegetative plan, noting all temporary and permanent vegetative practices. Include species, planting dates and seeding, fertilizer, lime and mulching rates. Vegetative plan shall be site specific for appropriate time of year that seeding will

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12. Provide detailed drawings for all structural practices. Specifications must, at a minimum, meet guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.

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13. Clearly note maintenance statement – **“Erosion control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented.”**

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14. Clearly note the statement: **“Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding.”**

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15. Provide certification stating that the plan designer has visited the site prior to the design of the E&SC plans.

Clayton County Department of Transportation and Development

Wayne Patterson
Director
Telephone: (770) 477-3686
Fax: (770) 473-3990

7960 North McDonough Street
Jonesboro, Georgia 30236

Andrew C. Adams
Deputy Director
Telephone: (770) 477-3673
Fax: (770) 473-5702

LAND DEVELOPMENT PLAN REVIEW & PERMIT APPLICATION

PROJECT NAME: _____

Location / Address: _____

Land Lot: _____ District: _____ CD: _____ # of Lots: _____ Total Acreage: _____

Type of Project: Commercial _____ Residential _____ Industrial _____ Disturbed Acres: _____

Submittal Fees: \$ _____ NPDES Fees: \$ _____ Date Fees Paid: _____

All Fees are to be paid at the time of submittal

PROPERTY OWNER: _____ **Certification #:** _____

Contact Name: _____ **Phone #:** _____

Mailing Address: _____

City, State, Zip: _____ **Fax #:** _____

DEVELOPER: _____ **Certification #:** _____

Contact Name: _____ **Phone #:** _____

Mailing Address: _____

City, State, Zip: _____ **Fax #:** _____

ENGINEERING FIRM: _____ **Certification #:** _____

Contact Name: _____ **Phone #:** _____

Mailing Address: _____

City, State, Zip: _____ **Fax #:** _____

24 Hour Erosion Control Information
Contact Name, Number, and Certification #: _____

HAS THE PLANNING & ZONING OFFICE APPROVED A PRELIMINARY PLAT OR PREDEVELOPMENT SITE PLAN FOR THIS PROJECT? If YES, When: _____ or NO _____ or UNDER REVIEW: _____

HAS THIS PROPERTY BEEN APPROVED THROUGH A RE-ZONING APPLICATION?
YES _____, WHEN: _____ or NO _____

IS THIS A NEW SUBMITTAL **IS THIS A RESUBMITTAL** **IS THIS A REVISION**

PLEASE PRINT YOUR NAME

DATE

FOR COUNTY USE ONLY

Tax Commissioners Approval: _____ Date: _____

Comments: _____

Note: Additional fees will be assessed on projects after the initial plan review and one re-submittal review. (This fee applies if you do not address all red lined comments after the plan review meeting and are required to make more than one re-submittal. This also applies to revisions after your plans have been approved. In this instance it would be considered a submittal for full plan review) Please refer to the Land Development Guidelines, page 7.

Updated 2007 / sc

APPENDIX C

STANDARDS AND DETAILS INCLUDED IN APPENDIX C

CLAYTON COUNTY

Traffic Signage and Pavement Markings Standard Specifications
Custom Signage for Subdivisions
Sign Placement and Sign Height Detail

GEORGIA DOT Please remember to check for updates on the GDOT Web Site:
http://tomcat2.dot.state.ga.us/stds_dtls/index.jsp

No. T-12A Pavement Marking Arrow Location
No. T-13A Pavement Marking Words – Sheet 1 of 2
No. T-12B Pavement Marking – Arrows
No. T-14 Pavement Marking – Hatching
No. M-3 Construction Details of Median Crossovers

TRAFFIC SIGNAGE & PAVEMENT MARKINGS STANDARD SPECIFICATIONS

1. All Facings for signs are to be made of a retro-reflective sheeting, high intensity material or equivalent, and meet MUTCD (Manual of Uniform Traffic Control Devices) standards.
2. All pavement markings to be pre-lined by the contractor, and when requested by County personnel, to call Traffic Engineering at (770) 477-3691 for inspection approval prior to application.
3. All long lines (i.e. center, lane and edgelines) to be 5" in width and the centerline to have a 4" space between lines.
4. Striped long lines (more than 150' linear or gross) to be applied by a highway type truck mounted machine.
5. All pavement markings to be in accordance with the MUTCD standards and shall meet the requirements of the standard details and the Standard Specifications for Road and Bridge Construction, Georgia Department of Transportation.
6. Selection of pavement marking material to be used (i.e. paint, thermo plastic, pre-formed, etc.) shall be determined by the County and shall be indicated on the construction plans.

SPECIFICATIONS:

CUSTOM SIGNAGE FOR SUBDIVISIONS

SIGNAGE & LOCATION

A sign plan indicating what signs and the general location shall be submitted and approved before any installations are made. Actual field location and orientation to be as per details attached or approval by Traffic Engineering.

DEVELOPER SUPPLIED SIGN FACING MATERIAL

A 12" x 12" sample of the proposed sign facing material for any custom signage must be approved by Clayton County Traffic Engineering's personnel, prior to sign fabrication. Also, a material data specification sheet outlining the warranty life of the material, initial minimum brightness, and minimum brightness of material at the end of its warranty life.

POST

Structural characteristics should not exceed the breaking strength of the cross-section of a wood 4" x 4" or in the case of a metal post, should not be stronger than the bending strength of a non-re-enforced two-and-one-half (2 1/2") inch pipe; 2 lb/ft U-Channel, or square Qwik-Punch or equivalent. If a structure exceeds this criteria it shall have appropriate break-away measures provided; for which prior approval must be obtained from Traffic Engineering and meet Georgia Department of Transportation standard 911.

GENERAL SIGNAGE

Uniformity in design includes shape, color, dimensions, legends and reflectorization, shall show the same shape and color both day and night. Detailed specifications and drawings are per the Standard Specifications Construction of Roads and Bridges available from the GDOT and the Manual of Uniform Traffic Control Devices (MUTCD).

SIGN FACING REQUIREMENTS

Sign facing material shall maintain a minimum life warranty of ten (10) years.

Sign facing material shall meet or exceed the minimum brightness warranty as follows:

| COLOR | INITIAL BRIGHTNESS (Millicandellas) | BRIGHTNESS AT END OF WARRANTED LIFE (Millicandellas) |
|--------|---|--|
| White | 250 | 200 |
| Yellow | 170 | 135 |
| Green | 45 | 35 |
| Red | 45 | 35 |
| Blue | 20 | 15 |

STREET NAME SIGNS (SNS)

At least one street name sign shall be erected at all street intersections and the names of both streets shall be displayed, one over the other. Also, where designated, a "NO OUTLET" sign shall be incorporated into this structure (refer to details for options, heights, and relative positioning of signs on a post). Lettering on street name signs should be at least 4" inches high. Supplementary lettering to indicate the type of street (e.g., Street, Avenue, Road, etc...) or section of City (e.g., N.W.) may be in smaller lettering, at least 2" inches high. Conventional abbreviations are acceptable except for the street name itself.

A symbol of letter designation may be included to identify the development or governmental jurisdiction. If used, the length of the designation shall not exceed the height of the sign, and should be positioned to the left of the street name.

The Street Name sign should be reflectorized or illuminated. The legend and background shall be of contrasting colors and should have a white message on a green background.

SIGN PLATE SUBSTRATE

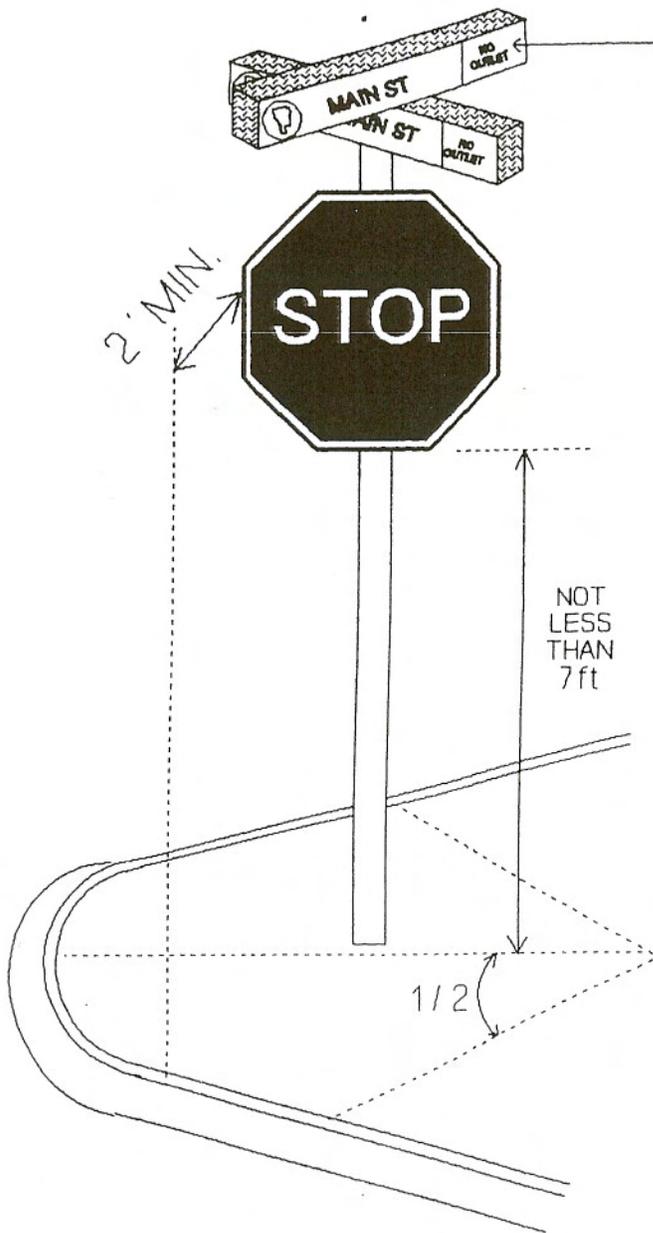
Material(s) to be the same size and shape as the specified sign message; to be of a composition which will not rust or experience excessive deterioration over time. These materials and hardware can be, but not limited to, galvanized steel, aluminum, plastic, preservative treated wood or materials of like characteristics.

SIGN PLACEMENT

All sign post shall be installed 8'-0" from the edge of the nearest edge of pavement. At an intersection a minimum of 8'-0" shall be maintained from the sign post and the nearest edge of pavement of the approaching travel lane. (see attached detail).

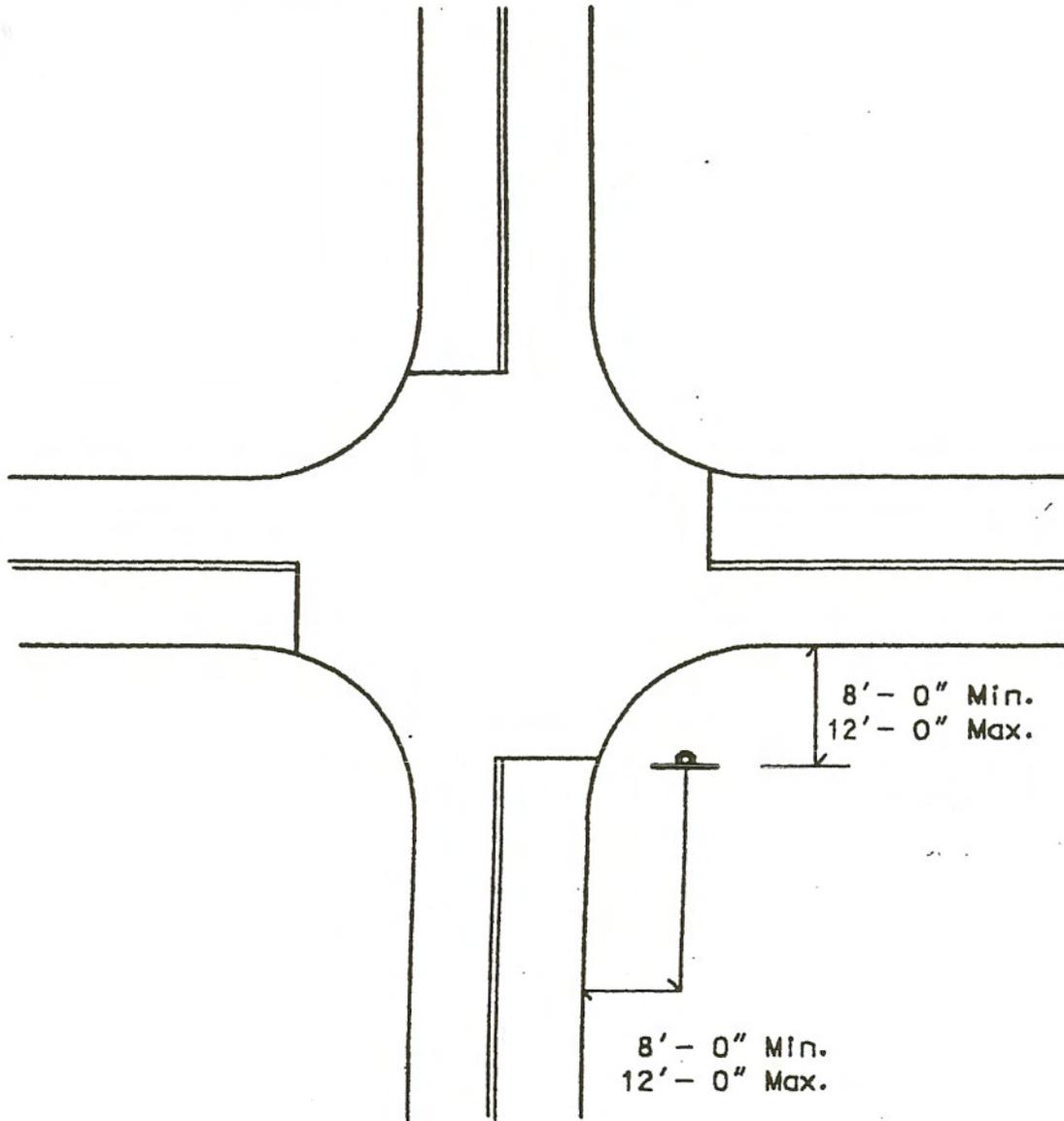
NOTE:

NO OUTLET CAN BE AS A 3rd. PLATE STACKED OR A ISOLATED SIGN ON THE RIGHT SIDE OF ENTRANCE STREET

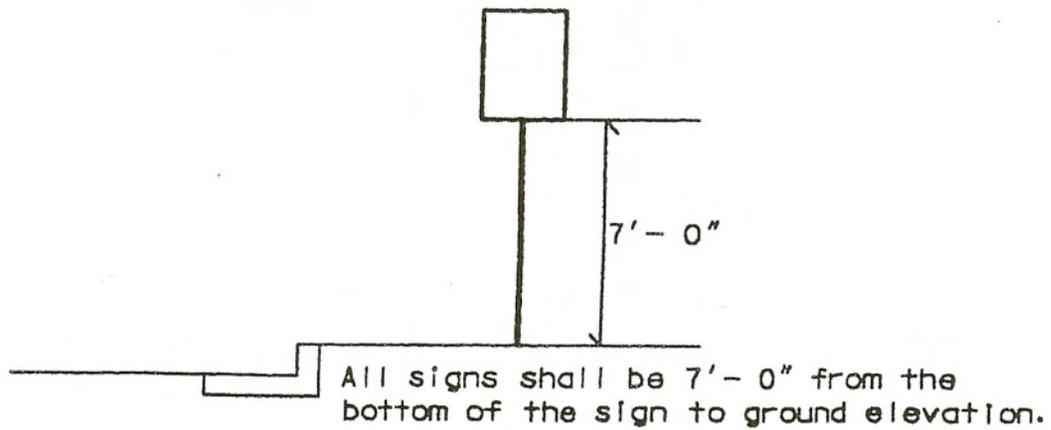


150

Sign Placement Detail

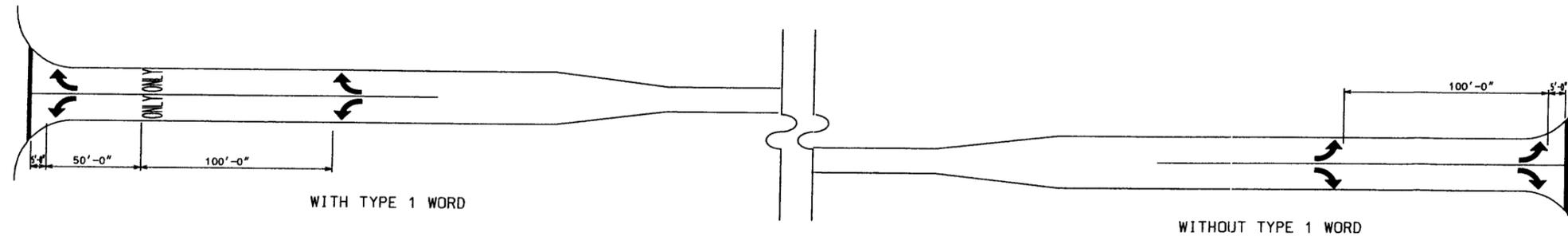


Sign Height Detail

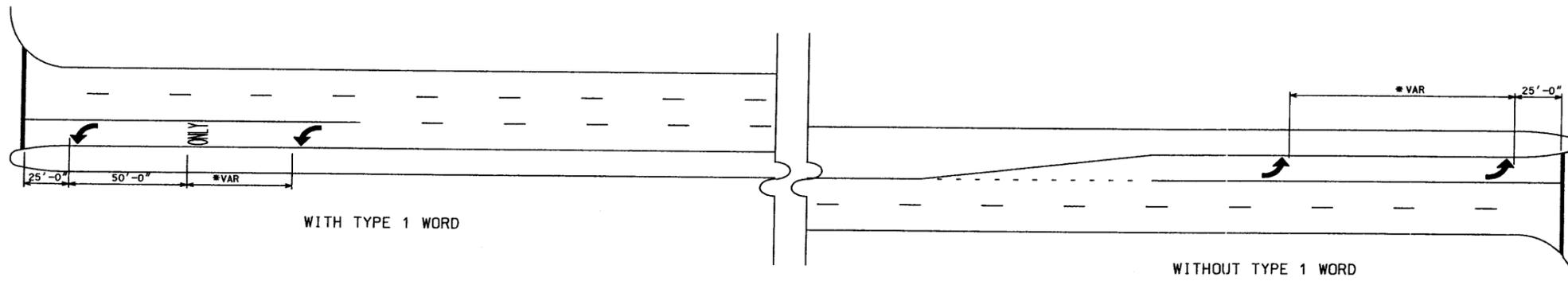


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|-------|----------------|-----------|--------------|
| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
| GA. | | | |

EXIT RAMP

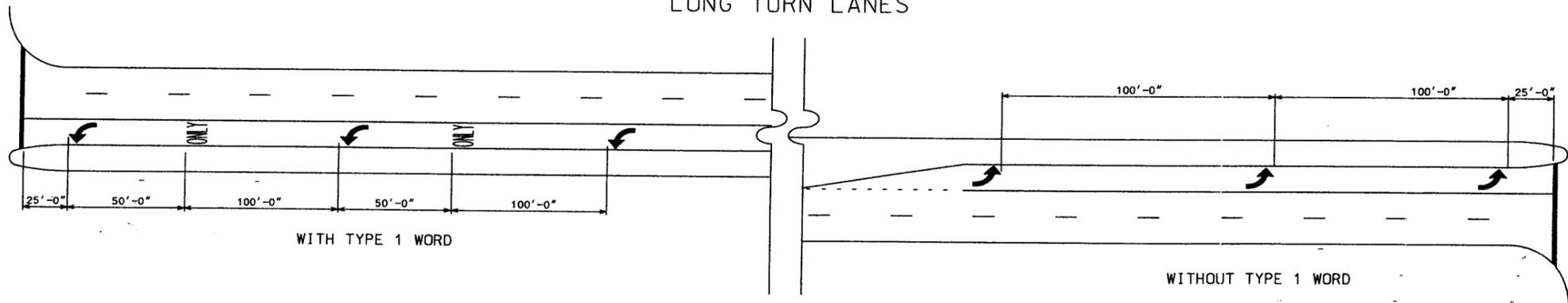


SHORT TURN LANES



* ADJUST TO MEET LOCAL CONDITIONS (NOT LESS THAN 50' NOR MORE THAN 100')

LONG TURN LANES



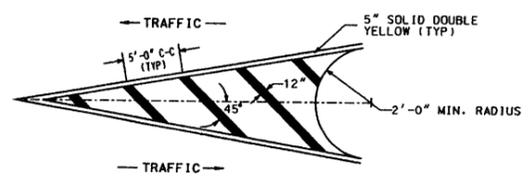
GENERAL NOTES:

1. SPACING OF TYPE 2 ARROW IS REPRESENTATIVE OF SPACING FOR TYPE 1, TYPE 3, TYPE 4, & TYPE 5 ARROWS.
2. ALL TURNING LANES SHALL HAVE A MINIMUM OF 2 ARROWS.
3. GROUND MOUNTED OR OVERHEAD SIGNING SHALL BE SUPPLEMENTED BY TYPE 1 WORD.

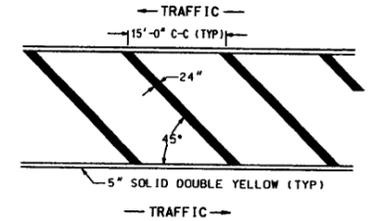
| DATE | REVISIONS | GEORGIA DEPARTMENT OF TRANSPORTATION OFFICE OF TRAFFIC SAFETY & DESIGN |
|------|-----------|---|
| | | DETAILS OF PAVEMENT MARKING ARROW LOCATION |
| | | NO SCALE JANUARY 2000 |

| | | | |
|-------|----------------|-----------|--------------|
| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
| GA. | | | |

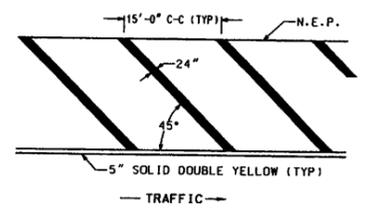
DETAIL "A" (YELLOW)



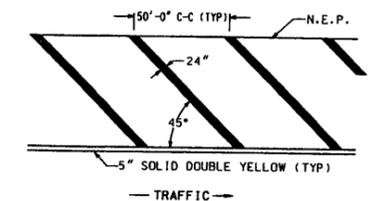
DETAIL "B" (YELLOW)



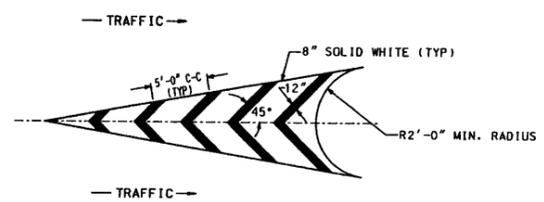
DETAIL "C" (YELLOW)



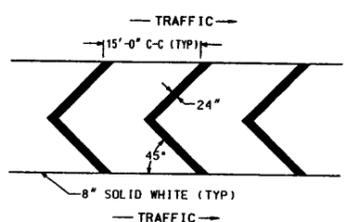
DETAIL "D" (YELLOW)



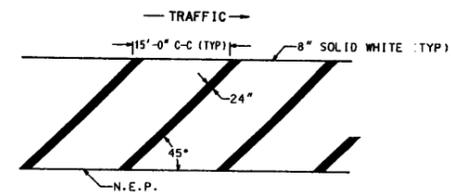
DETAIL "A" (WHITE)



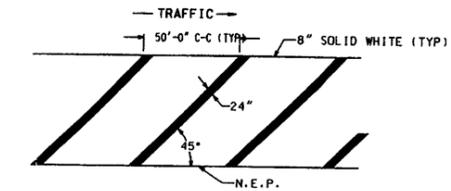
DETAIL "B" (WHITE)



DETAIL "C" (WHITE)



DETAIL "D" (WHITE)



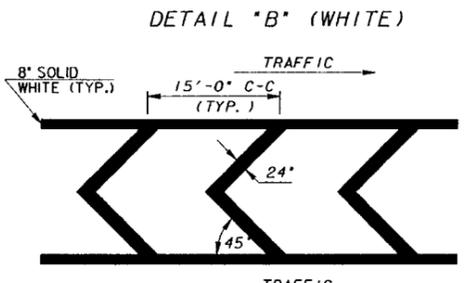
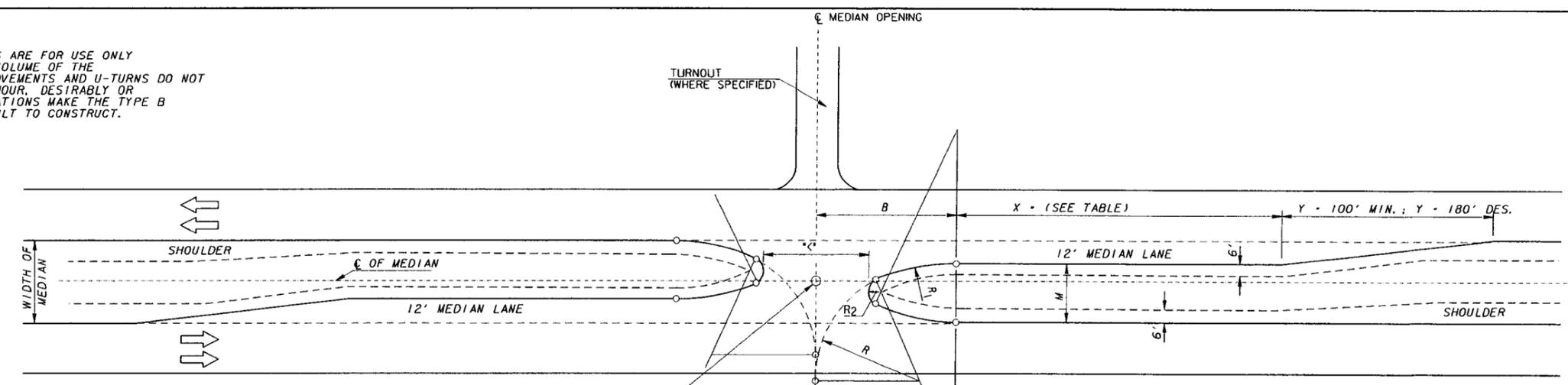
GENERAL NOTES:

1. FOR YELLOW STRIPING, THE SQUARE YARDS SHOWN ON PLAN, SUMMARY AND DETAILED ESTIMATE SHEETS INCLUDES THE AREA WITHIN THE BORDERS. THE 5" SOLID DOUBLE YELLOW BORDERS SHALL BE SUMMARIZED AND PAID FOR SEPARATELY.
2. FOR WHITE STRIPING, THE SQUARE YARDS SHOWN ON PLAN, SUMMARY AND DETAILED ESTIMATE SHEETS INCLUDES THE AREA WITHIN THE BORDERS AS WELL AS THE 8" SOLID WHITE BORDER.

| DATE | REVISIONS | GEORGIA DEPARTMENT OF TRANSPORTATION OFFICE OF TRAFFIC SAFETY & DESIGN |
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DETAILS OF
PAVEMENT MARKING HATCHING
NO SCALE JANUARY 2000

NOTE:
TYPE A MEDIAN CROSSOVERS ARE FOR USE ONLY WHERE THE FUTURE TOTAL VOLUME OF THE COMBINED LEFT TURNING MOVEMENTS AND U-TURNS DO NOT EXCEED 20 VEHICLES PER HOUR, DESIRABLY OR WHERE DRAINAGE CONSIDERATIONS MAKE THE TYPE B MEDIAN CROSSOVER DIFFICULT TO CONSTRUCT.



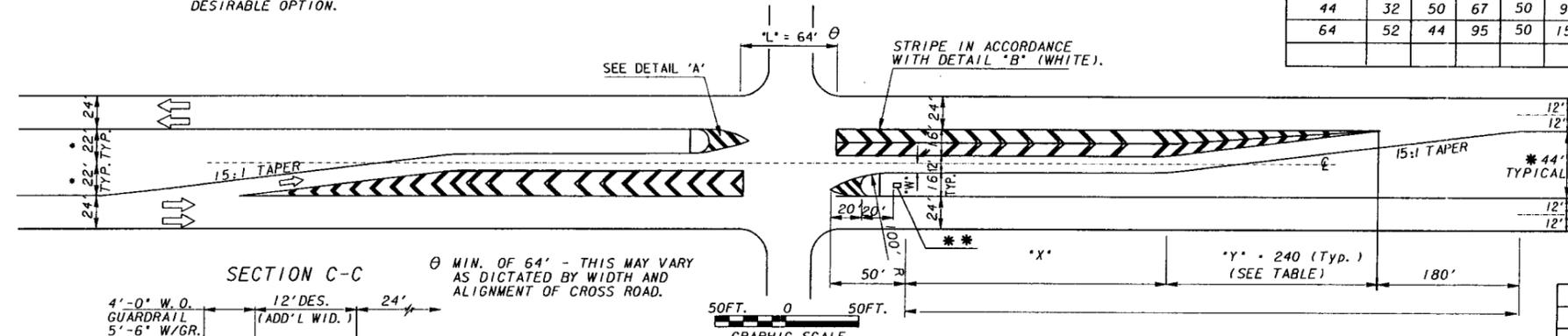
NOTE:
TYPE B MEDIAN CROSSOVERS ARE THE PREFERRED TYPE OF MEDIAN CROSSOVER. TYPE A MEDIAN CROSSOVER CAN BE USED IN LOW VOLUME SITUATIONS WHERE DRAINAGE CONSIDERATIONS MAKE THE TYPE A MEDIAN CROSSOVER A MORE DESIRABLE OPTION.

TYPE A MEDIAN CROSSOVER

| TYPE A MEDIAN CROSSOVERS | | | | | | | | | | |
|--------------------------|----|----|----|----|----------------|----------------|---------------------------------|--------------|--------------|---------|
| WIDTH OF MEDIAN | M | L | B | R | R ₁ | R ₂ | DECELERATION LENGTH - X Δ (FT.) | | | Y (DES) |
| | | | | | | | DESIGN SPEED | | | |
| | | | | | | | 45 MPH | 55 MPH | 65 MPH | |
| 40 | 28 | 50 | 67 | 50 | 90 | 6 | 400(250 MIN) | 525(400 MIN) | 700(525 MIN) | 180 |
| 44 | 32 | 50 | 67 | 50 | 90 | 8 | 400(250 MIN) | 525(400 MIN) | 700(525 MIN) | 180 |
| 64 | 52 | 44 | 95 | 50 | 150 | 10 | 400(250 MIN) | 525(400 MIN) | 700(525 MIN) | 180 |

NOTE FOR TYPE 'A' AND TYPE 'B':
- THE EMBANKMENT GRADED UP TO THE MEDIAN CROSSOVERS SHALL BE SLOPED AT 20:1 DESIRABLE, 10:1 MIN. NORMALLY, WITH A 6:1 ACCEPTABLE FOR SPEEDS UNDER FORTY-FIVE MILES PER HOUR.

NOTE:
SQUARE YARDS OF STRIPING SHOWN ON PLAN, SUMMARY, AND DETAILED ESTIMATED SHEETS INCLUDES THE AREA WITHIN THE BORDERS, AS WELL AS THE 8" SOLID WHITE BORDER.

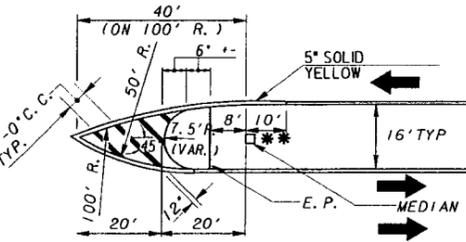


TYPE B MEDIAN CROSSOVER

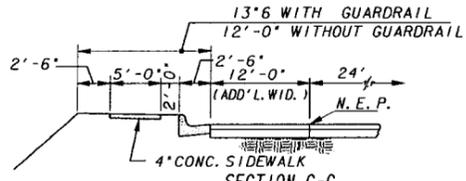
Δ *X* DIMENSION IS FOR DECELERATION ONLY, DOES NOT ACCOUNT FOR ANY STORAGE NEEDED. MIN. VALUES FOR *X* ARE ONLY TO BE USED WHERE SPACING BETWEEN MEDIAN OPENINGS DOES NOT ALLOW FOR THE MORE DESIRABLE LENGTH.

| TYPE B MEDIAN CROSSOVERS | | | | | |
|--------------------------|-------------------------------|--------------|--------------|-----|----|
| WIDTH OF MEDIAN | DECELERATION LENGTH - Δ (FT.) | | | Y | W |
| | DESIGN SPEED | | | | |
| | 45 MPH | 55 MPH | 65 MPH | | |
| 32 | 350(200 MIN) | 450(350 MIN) | 650(450 MIN) | 60 | 4 |
| 44 | 150(150 MIN) | 300(150 MIN) | 450(300 MIN) | 240 | 16 |
| 64 | N/A | 150(150 MIN) | 300(150 MIN) | 390 | 26 |

SEE SEPARATE SHEETS: *TYPICAL SECTION GUIDE FOR TYPE 'B' MEDIAN CROSSOVER.*
NOTE:
-- PAVEMENT OF MEDIAN CROSSOVERS (ALL TYPES) SHALL BE SLOPED FOR SURFACE DRAINAGE AS SPECIFIED.
** MEDIAN DROP INLET (9031S) CANNOT BE PLACED CLOSER THAN 20 FEET BACK FROM END OF NOSE OF THE MEDIAN.



DETAIL 'A' (YELLOW)



SECTION C-C (CURB & GUTTER)

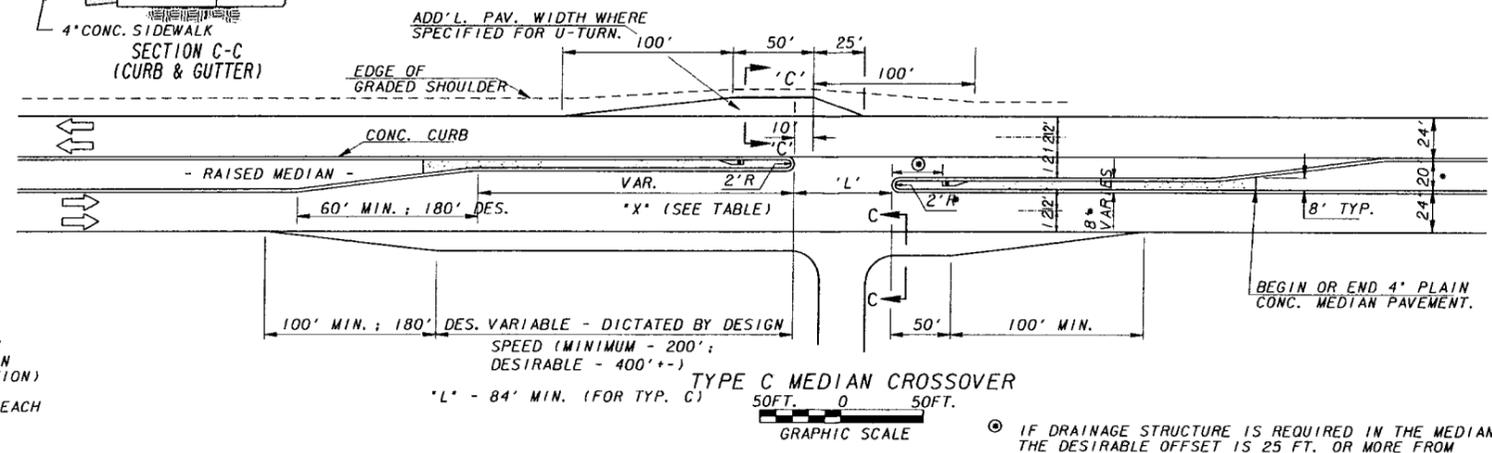
* DIMENSION MAY VARY WHERE SPECIFIED IN THE PLANS. ADJUSTMENTS TO BE SHOWN FOR ANY WIDTH OTHER THAN 44 FT.
● DIMENSIONS IN FEET (TYP)

MEDIAN DROP INLET (9031S) IS NOT RECOMMENDED FOR TYPE B MEDIAN CROSSOVERS WHERE GRADES ARE GREATER THAN 3%.

| TYPE C MEDIAN CROSSOVERS | |
|--------------------------|---------------|
| DESIGN SPEED | X (FT) |
| 35 MPH | 300(200 MIN.) |
| 45 MPH | 400(250 MIN.) |
| 55 MPH | 525(400 MIN.) |

□ *X* DIMENSION IS FOR DECELERATION ONLY, DOES NOT ACCOUNT FOR ANY STORAGE NEEDED.

NOTE:
- THE TYPE C MEDIAN CROSSOVER SHOWN IS TYPICAL FOR ONE SIDE ROAD CONNECTION. (T-INTERSECTION)
- THE BOTTOM PORTION OF TYPE C IS APPLICABLE ON EACH SIDE OF THE CROSSOVER FOR A CROSS ROAD INTERSECTION OR SIDE ROAD CONNECTION ON EACH SIDE. (X-INTERSECTION)
- THE TOP PORTION OF TYPE C DETAIL IS APPLICABLE ON EACH SIDE OF THE MEDIAN OPENING WITHOUT ANY SIDE ROAD. (U-TURNS ONLY)



TYPE C MEDIAN CROSSOVER

SPECIAL NOTE:
THE *L* DIMENSIONS SHOWN FOR TYPE A, TYPE B, AND TYPE C CROSSOVERS ARE BASED UPON 50 FT. CONTROL RADIUS FOR LEFT TURNS AND INTERSECTING CROSSROADS OF TWO 12 FT. LANES PERPENDICULAR TO THE MAINLINE. DIFFERENT *L* DIMENSIONS MAY BE SPECIFIED AT LOCATIONS WHERE WARRANTED BY OTHER CONDITIONS.

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

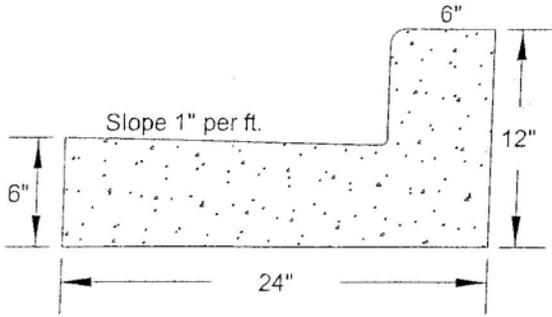
CONSTRUCTION DETAILS
MEDIAN CROSSOVERS

| S.V. # | REV. | TYPE | DATE |
|--------|-------|--------------------|----------|
| 1 | ADD'D | REQUIREMENTS | 10-22-02 |
| 2 | ADD'D | DECEL. CHARTS | 4-30-02 |
| 3 | REV. | MEDIAN PAV. LIMITS | 3-15-94 |
| 4 | ADD'D | U-TURN DETAIL | 10-23-90 |
| 5 | ADD'D | SPECIAL NOTE | 5-25-88 |
| 6 | GEN. | REVISIONS | 2-5-88 |

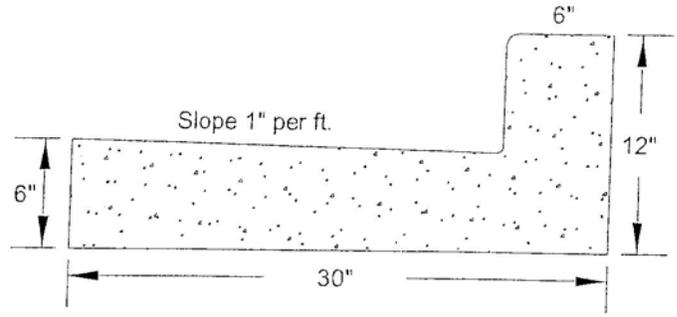
JULY, 1987
NUMBER
M-3

APPENDIX D

HIGH BACK CURB



FOR USE IN LIGHT COMMERCIAL AND RESIDENTIAL DEVELOPMENT



FOR USE IN COMMERCIAL/INDUSTRIAL DEVELOPMENTS AND ON COUNTY ROADWAYS

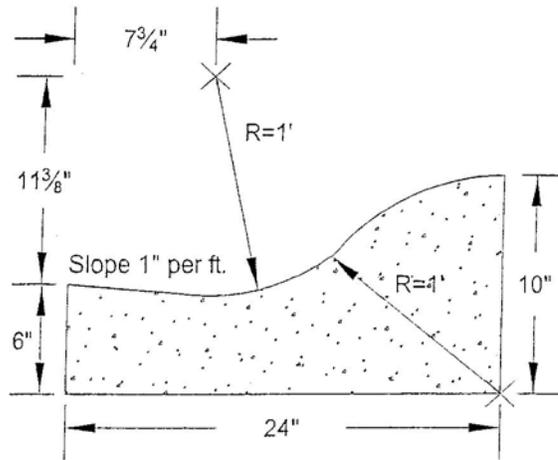
ALL CONCRETE FOR CONSTRUCTION WITHIN THE RIGHT-OF-WAY IS TO BE A CERTIFIED MIX FROM A GEORGIA D.O.T. APPROVED PLANT.

ALL CURB AND GUTTER IS TO BE CONSTRUCTED PER GEORGIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, SECTION 441

FOR ADDITIONAL INFORMATION, SEE GEORGIA D.O.T. STD 9032 B, TYPE 2.

***ALL CURB AND GUTTER IS TO BE CONSTRUCTED WITH 6" COMPACTED GAB**

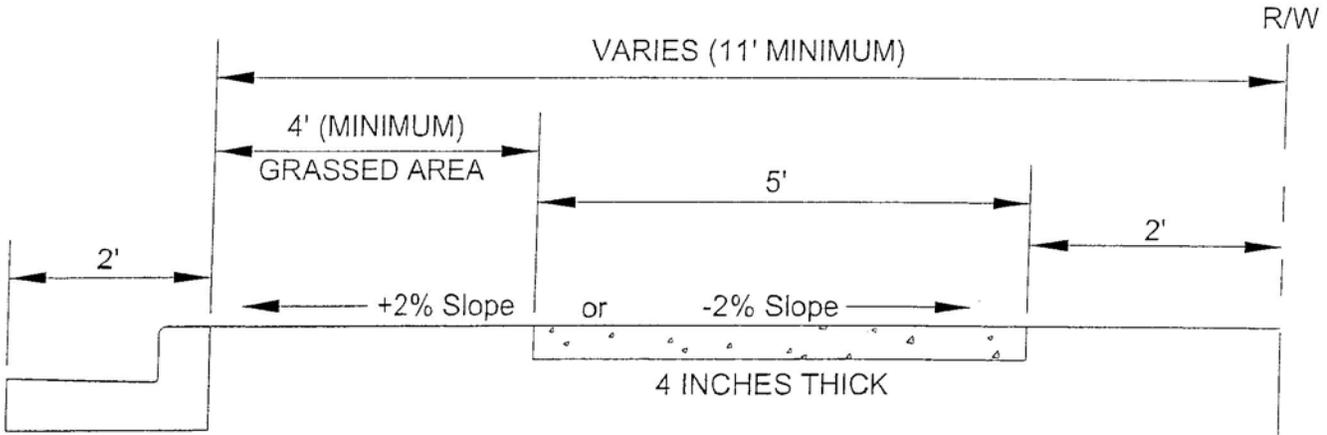
ROLLED BACK CURB



* WHEN TYING TO SUBDIVISIONS WITH HIGH BACK CURB & GUTTER, HIGH BACK CURB & GUTTER WILL BE REQUIRED

| | | |
|---|--------------|--------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: | | |
| CURB & GUTTER | | |
| DATE: | APPROVED BY: | Standard No. |
| | | 101 |

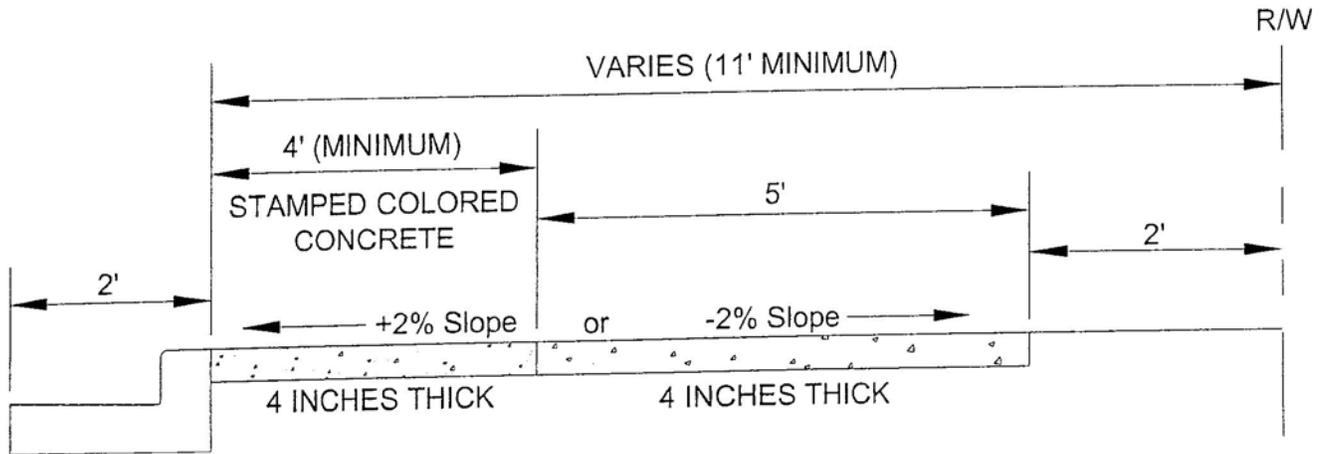
SIDEWALK CONSTRUCTION RESIDENTIAL AREAS (INTERIOR STREETS)



- 4 INCHES THICK
- 5 FEET MINIMUM WIDTH
- 2500 PSI MINIMUM CONCRETE STRENGTH (28 DAYS)
- 1/2" JOINT PLACED EVERY 20 FEET.
- 92% MINIMUM COMPACTION IS REQUIRED UNDER SIDEWALKS
- FALSE JOINTS ARE TO BE PLACED EVERY 5 FEET.

| | | |
|---|--------------|---------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: SIDEWALK CONSTRUCTION RESIDENTIAL AREAS (INTERIOR STREETS) | | |
| DATE: | APPROVED BY: | Standard No. 102 |

SIDEWALK CONSTRUCTION RESIDENTIAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY

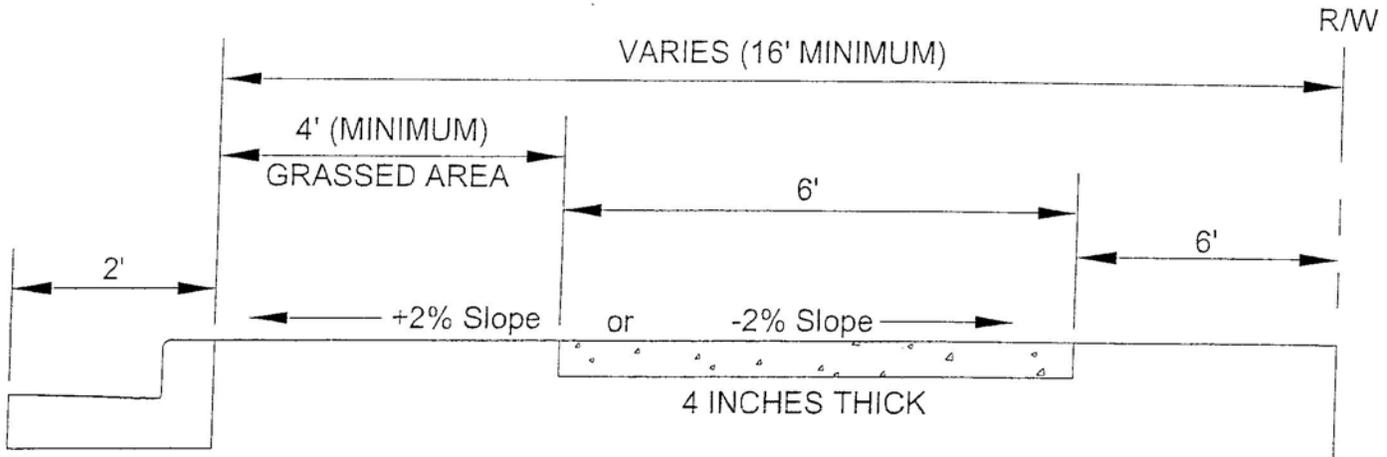


- 4 INCHES THICK
- 5 FEET MINIMUM WIDTH
- 2500 PSI MINIMUM CONCRETE STRENGTH (28 DAYS)
- 1/2" JOINT PLACED EVERY 20 FEET.
- 92% MINIMUM COMPACTION IS REQUIRED UNDER SIDEWALKS
- FALSE JOINTS ARE TO BE PLACED EVERY 5 FEET.

***STAMPED COLORED CONCRETE IS TO BE APPROVED BY THE DIRECTOR OF TRANSPORTATION AND DEVELOPMENT OR HIS DESIGNEE.**

| | | |
|---|--------------|----------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: SIDEWALK CONSTRUCTION RESIDENTIAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY | | |
| DATE: | APPROVED BY: | Standard No. 102a |

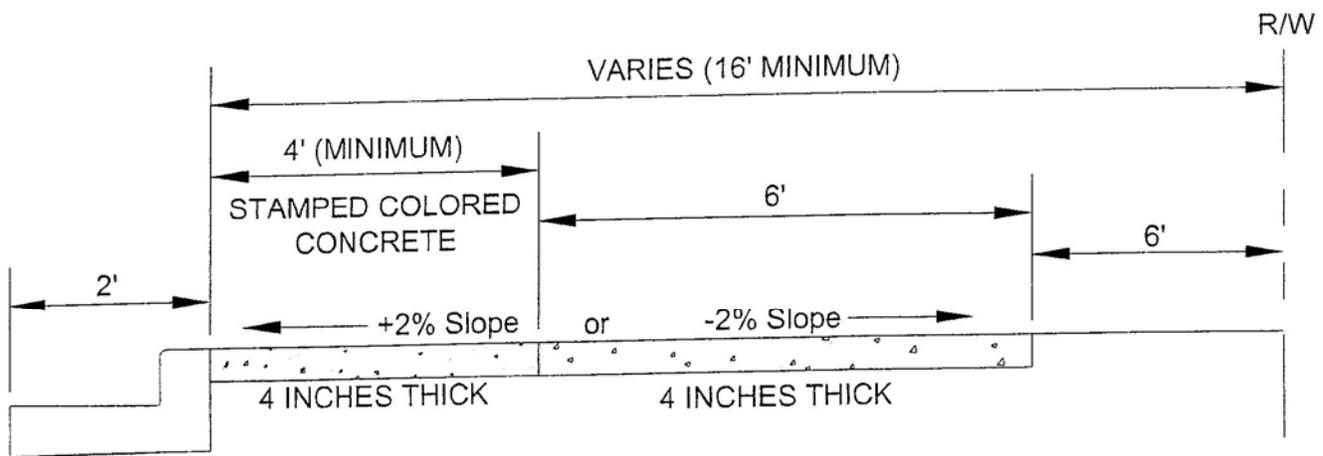
SIDEWALK CONSTRUCTION COMMERCIAL AREAS (INTERIOR STREETS)



- 4 INCHES THICK
- 6 FEET MINIMUM WIDTH
- 2500 PSI MINIMUM CONCRETE STRENGTH (28 DAYS)
- 1/2" JOINT PLACED EVERY 20 FEET.
- 92% MINIMUM COMPACTION IS REQUIRED UNDER SIDEWALKS
- FALSE JOINTS ARE TO BE PLACED EVERY 4 FEET.

| | | |
|--|--------------|---------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: SIDEWALK CONSTRUCTION COMMERCIAL AREAS (INTERIOR STREETS) | | |
| DATE: | APPROVED BY: | Standard No. 103 |

SIDEWALK CONSTRUCTION COMMERCIAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY

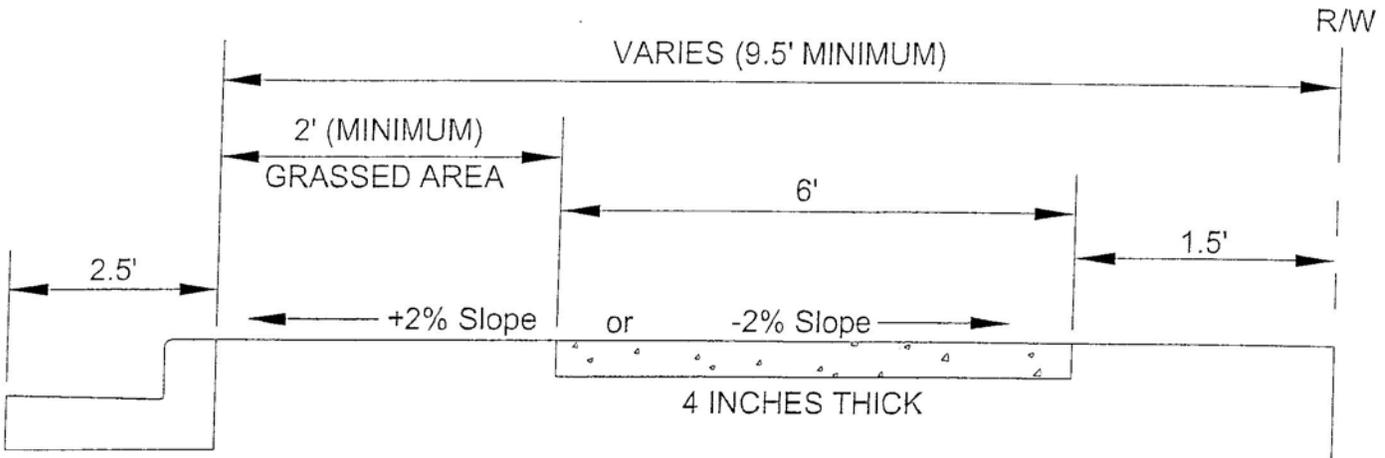


4 INCHES THICK
 6 FEET MINIMUM WIDTH
 2500 PSI MINIMUM CONCRETE STRENGTH (28 DAYS)
 1/2" JOINT PLACED EVERY 20 FEET.
 92% MINIMUM COMPACTION IS REQUIRED UNDER SIDEWALKS
 FALSE JOINTS ARE TO BE PLACED EVERY 5 FEET.

***STAMPED COLORED CONCRETE IS TO BE APPROVED BY THE
 DIRECTOR OF TRANSPORTATION AND DEVELOPMENT OR HIS
 DESIGNEE.**

| | | |
|--|--------------|----------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: SIDEWALK CONSTRUCTION COMMERCIAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY | | |
| DATE: | APPROVED BY: | Standard No. 103a |

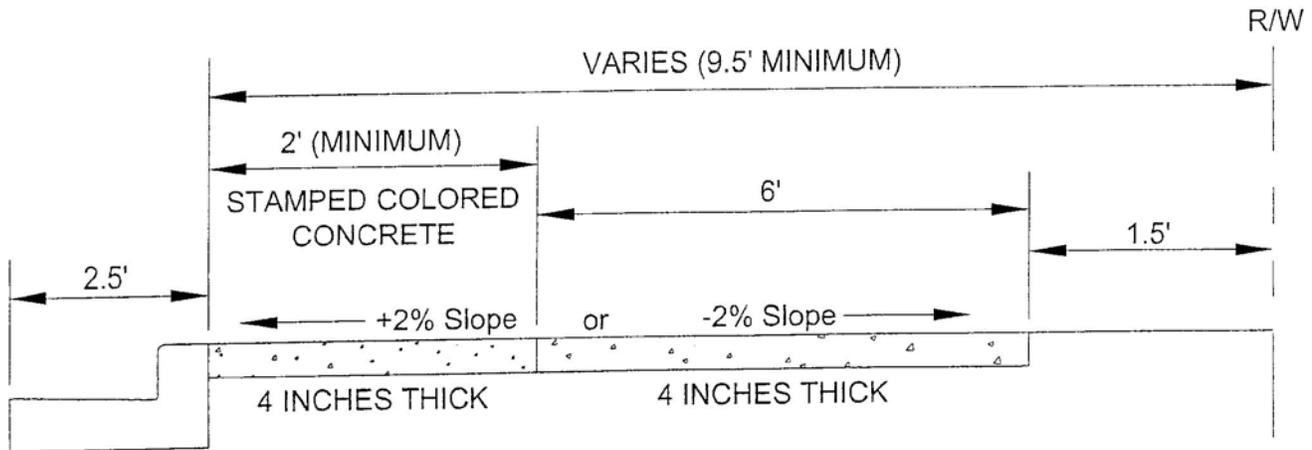
SIDEWALK CONSTRUCTION INDUSTRIAL AREAS (INTERIOR STREETS)



- 4 INCHES THICK
- 6 FEET MINIMUM WIDTH
- 2500 PSI MINIMUM CONCRETE STRENGTH (28 DAYS)
- 1/2" JOINT PLACED EVERY 20 FEET.
- 92% MINIMUM COMPACTION IS REQUIRED UNDER SIDEWALKS
- FALSE JOINTS ARE TO BE PLACED EVERY 4 FEET.

| | | |
|--|--------------|----------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: SIDEWALK CONSTRUCTION INDUSTRIAL AREAS (INTERIOR STREETS) | | |
| DATE: | APPROVED BY: | Standard No. 103b |

SIDEWALK CONSTRUCTION INDUSTRIAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY



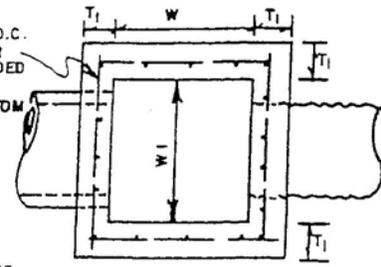
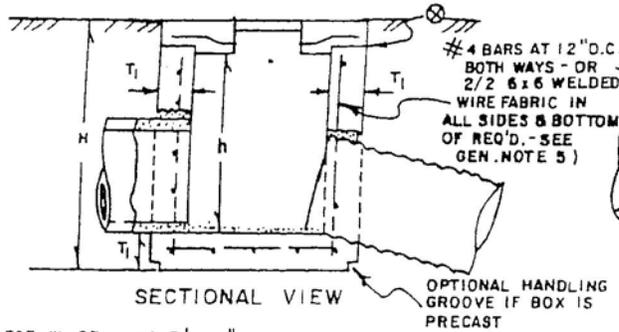
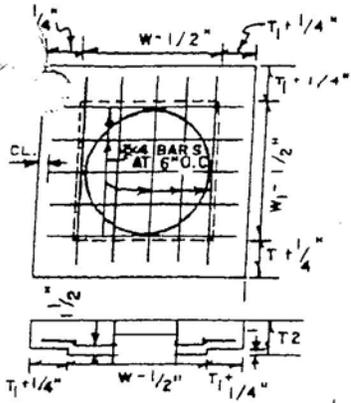
- 4 INCHES THICK
- 6 FEET MINIMUM WIDTH
- 2500 PSI MINIMUM CONCRETE STRENGTH (28 DAYS)
- 1/2" JOINT PLACED EVERY 20 FEET.
- 92% MINIMUM COMPACTION IS REQUIRED UNDER SIDEWALKS
- FALSE JOINTS ARE TO BE PLACED EVERY 5 FEET.

***STAMPED COLORED CONCRETE IS TO BE APPROVED BY THE DIRECTOR OF TRANSPORTATION AND DEVELOPMENT OR HIS DESIGNEE.**

| | | |
|--|--------------|----------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: SIDEWALK CONSTRUCTION INDUSTRIAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY | | |
| DATE: | APPROVED BY: | Standard No. 103c |

REINFORCED CONCRETE TOP WITH METAL RING & CLEANOUT LID.

DETAILS OF CONCRETE JUNCTION BOX
PRECAST OF DETAILS IN PLACE



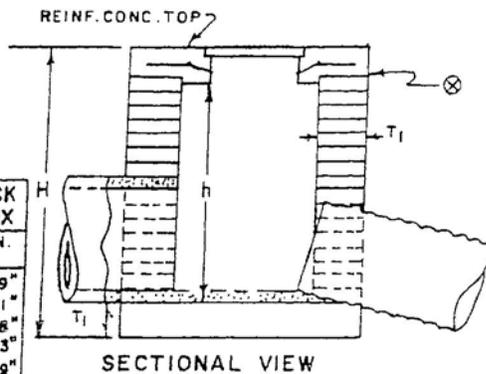
T₂ = 5 1/2" FOR W OR W₁ TO 3'-0"

T₂ = 8" FOR W OR W₁ OVER 3'-0"

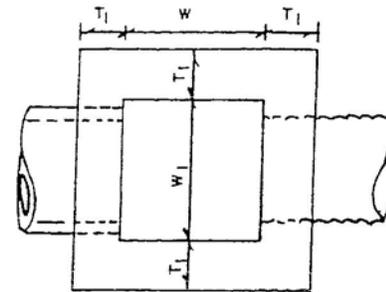
PLAN VIEW
(SHOWN WITHOUT REQ'D TOP)

T = 6" FOR CONCRETE

DETAILS OF BRICK JUNCTION BOX



FOR BRICK T = 8" (MAX. 10 FT. DEPTH)



PLAN VIEW
(SHOWN WITHOUT REQ'D TOP)

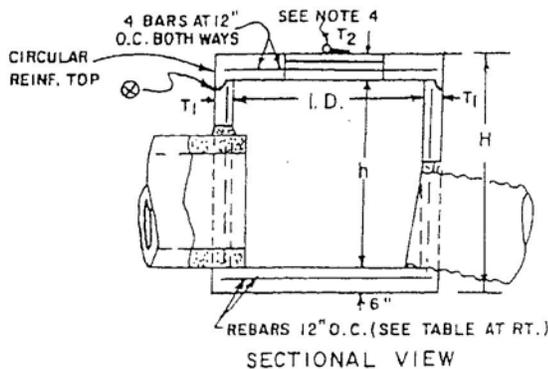
| DIMENSIONS FOR BRICK OR REINF. CONC. BOX | | | |
|--|--------------------------|--------|--------|
| PIPE | MIN. W OR W ₁ | MIN. h | MIN. H |
| 15" | 2'-0" | 1'-9" | 2'-9" |
| 18" | 2'-3" | 2'-1" | 3'-1" |
| 24" | 2'-10" | 2'-6" | 3'-8" |
| 30" | 3'-5" | 3'-3" | 4'-3" |
| 36" | 4'-0" | 3'-10" | 4'-9" |
| 42" | 4'-7" | 4'-5" | 5'-5" |
| 48" | 5'-2" | 5'-0" | 6'-0" |

⊗ PREVENT BOND WITH EITHER 30 LB. ASPHALT SATURATED FELT OR PREFORMED FOAM JOINT FILLER.

DETAILS OF CIRCULAR PRECAST JUNCTION BOX

(REINFORCING AND DESIGN SHALL COMPLY WITH A.S.T.M. C-478 EXCEPT AS OTHERWISE SHOWN. MATERIALS SHALL COMPLY WITH GA. STD. SPECIFICATIONS FOR PRECAST MANHOLES)

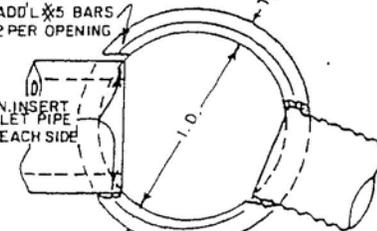
| I.D. | T ₁ (MIN) | T ₂ (MIN) | MAX. PIPE CONC. C.M. | REPAIRS IN BOTTOM |
|-------|----------------------|----------------------|----------------------|-------------------|
| 4'-0" | 5" | 6" | 30" 36" | 5 |
| 5'-0" | 5" | 6" | 42" 48" | 5 |
| 5'-0" | 6" | 6" | 48" 54" | 6 |



| PIPE SIZE | MIN. h | MIN. H |
|-----------|--------|--------|
| 15" | 1'-10" | 2'-10" |
| 18" | 2'-2" | 3'-2" |
| 24" | 2'-9" | 3'-9" |
| 30" | 3'-4" | 4'-4" |
| 36" | 4'-0" | 5'-2" |
| 42" | 4'-7" | 5'-5" |
| 48" | 5'-2" | 6'-4" |

ADD'L 5 BARS 2 PER OPENING

MIN. INSERT INLET PIPE 5" EACH SIDE



NOTE: OPENINGS SHALL BE PRECAST FOR BOTH INLET AND OUTLET

A.S.T.M. C-478 REINF.

PLAN SECTION

GENERAL NOTES:

- SPECIFICATIONS: GEORGIA STANDARD, CURRENT EDITION & SUPPLEMENTS THERETO.
- ILLUSTRATED PIPES, PIPE JOINTS, ALIGNMENT, SIZES, ETC. ARE SHOWN AS REPRESENTATIVE. ACTUAL REQUIREMENTS VARY PER LOCATION AS INDICATED IN THE PLANS.
- JUNCTION BOXES DO NOT HAVE TO BE CONSTRUCTED SQUARE. W & W₁ DIMENSICNS MAY VARY ACCORDING TO PIPE SIZE.
- ALL JUNCTION BOX TOPS SHALL BE EQUIPPED WITH A METAL RING & CLEANOUT LID.
- REINFORCING IS REQUIRED FOR ALL PRECAST JUNCTION BOXES. REINFORCING MAY BE OMITTED FOR BUILT IN PLACE CONCRETE BOXES NOT OVER 10 FT. DEEP AND NOT LARGER THAN 3' x 3'. CONSTRUCTION JOINTS PERMITTED IF DOWELED OR KEYED, ALL JUNCTION BOX TOPS

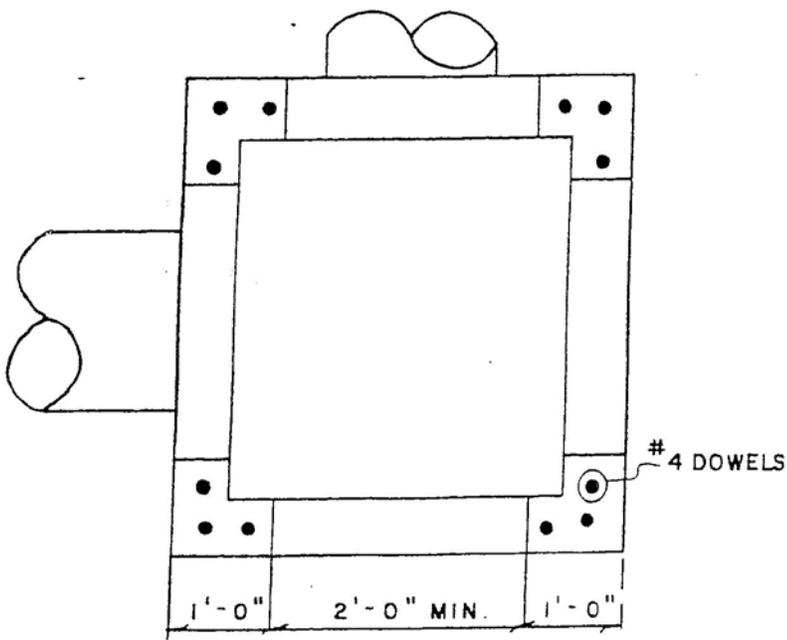
CLAYTON COUNTY
DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
STANDARD DETAILS FOR:
JUNCTION BOX W/METAL
CLEANOUT LID.

DATE:

APPROVED BY:

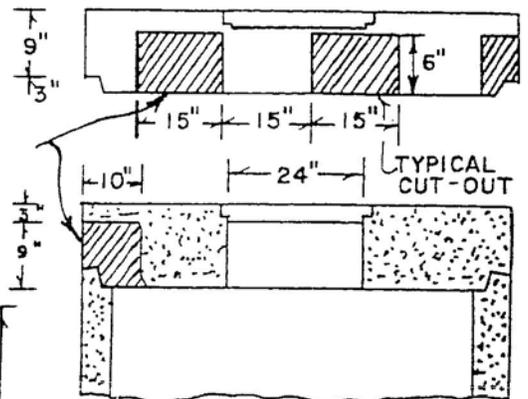
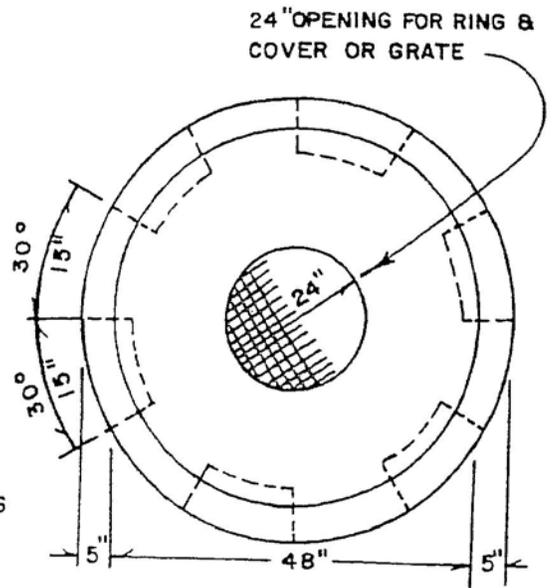
Standard No.

104

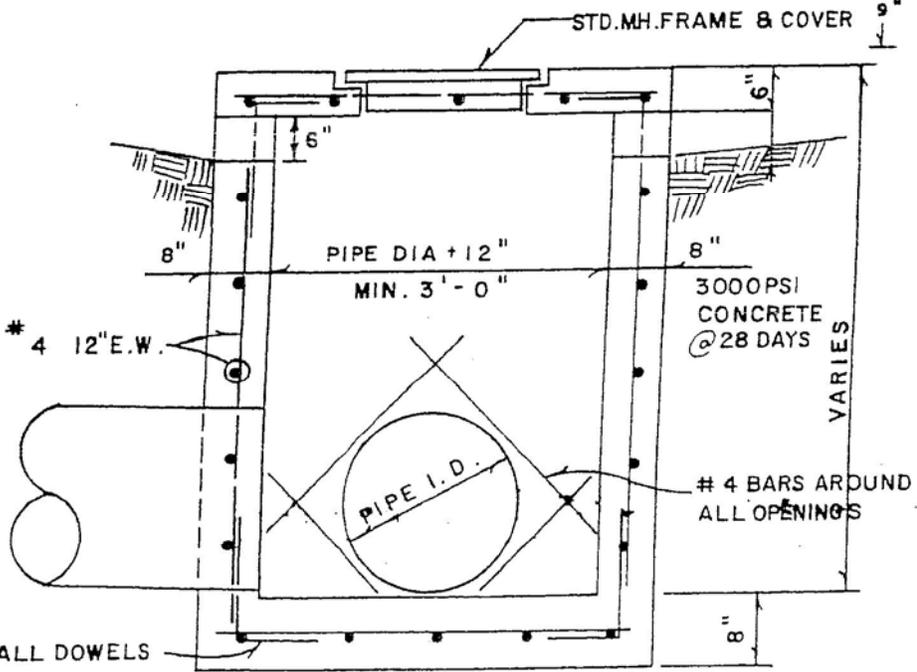


SECTION

SEE PLAN FOR PIPE LOCATIONS



48" DIAMETER
DROP INLET TOP
ALTERNATE COVER
DESIGN



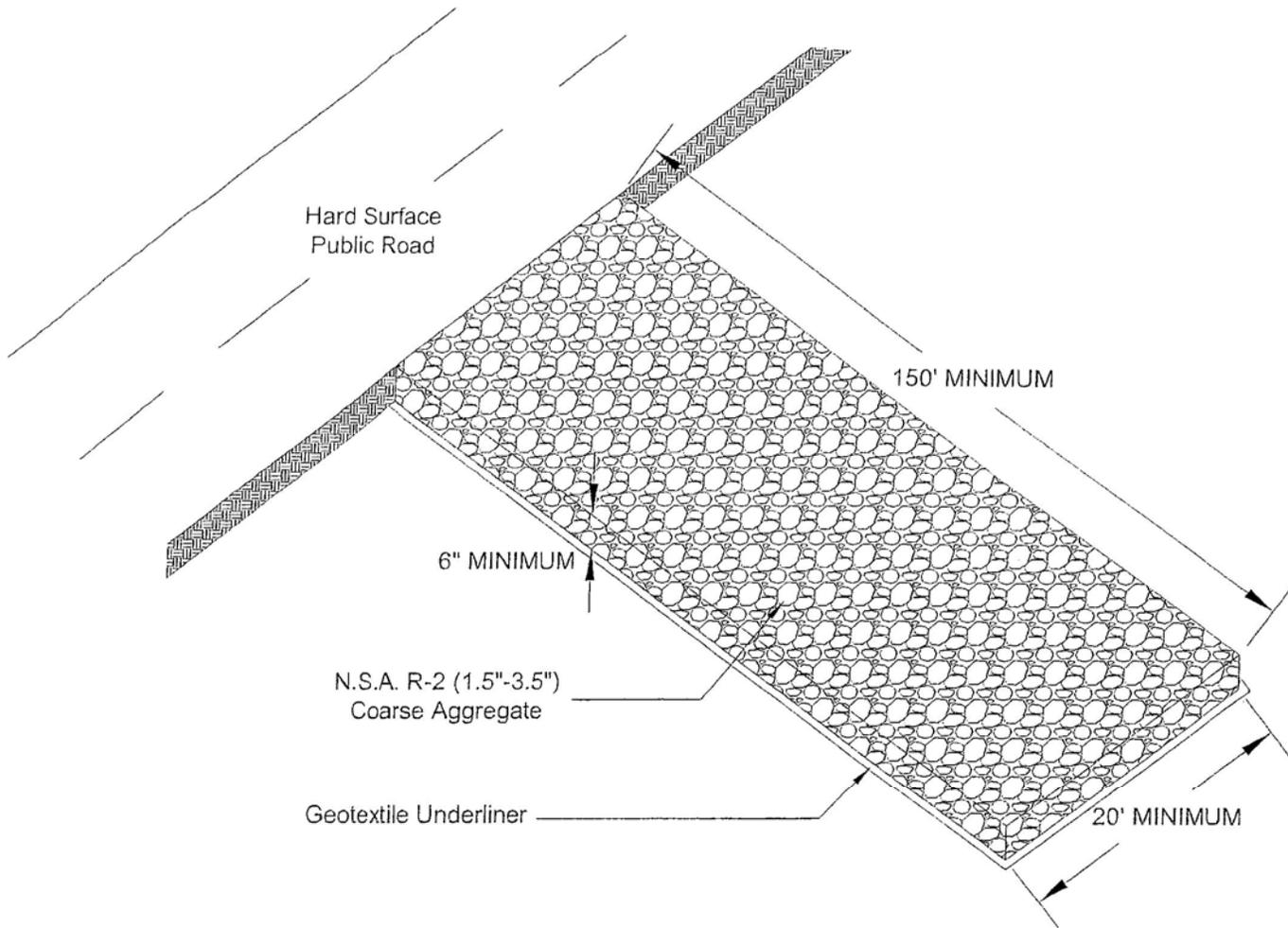
ELEVATION

WEIR INLET DETAIL
NTS

AN ALTERNATIVE DESIGN
FOR BOXES BUILT IN PLACE
MAY BE CONSIDERED FOR
APPROVAL.

| | | |
|---|---------------|-------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: | | |
| WEIR INLET | | |
| DATE : | APPROVED BY : | Standard No |
| | | 105 |

CRUSHED STONE CONSTRUCTION EXIT



* 150' minimum length at a minimum of 20' wide by 6" minimum thickness with NSA R-2 stone (1.5 to 3.5 inch stone) with geotextile underliner, unless otherwise approved by the Director of Transportation and Development. The exit must be maintained in a condition which will prevent tracking or flow of mud onto public rights-of-way. All materials spilled, dropped, washed or tracked from vehicles or site onto roadways or into storm drains must be removed and cleaned immediately.

| | | |
|---|--------------|---------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: CRUSHED STONE CONSTRUCTION EXIT | | |
| DATE: | APPROVED BY: | Standard No. 106 |

Construction Exit

Co



DEFINITION

A stone stabilized pad located at any point where traffic will be leaving a construction site to a public right-of-way, street, alley, sidewalk or parking area or any other area where there is a transition from bare soil to a paved area.

PURPOSE

To reduce or eliminate the transport of mud from the construction area onto public rights-of-way by motor vehicles or by runoff.

CONDITIONS

This practice is applied at appropriate points of construction egress. Geotextile underliners are required to stabilize and support the pad aggregates.

DESIGN CRITERIA

Formal design is not required. The following standards shall be used:

Aggregate Size

Stone will be in accordance with National Stone Association R-2 (1.5 to 3.5 inch stone).

Pad Thickness

The gravel pad shall have a minimum thickness of 6 inches.

Pad Width

At a minimum, the width should equal full width of all points of vehicular egress, but not less than 20 feet wide.

Washing

If the action of the vehicle travelling over the gravel pad does not sufficiently remove the mud, the tires should be washed prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with crushed stone and provisions that intercept the sediment-laden runoff and direct it into an approved sediment trap or sediment basin.

Location

The exit shall be located or protected to prevent sediment from leaving the site.

CONSTRUCTION SPECIFICATIONS

It is recommended that the entrance area be excavated to a depth of 3 inches and be cleared of all vegetation and roots.

Diversion Ridge

On sites where the grade toward the paved area is greater than 2%, a diversion ridge 6 to 8 inches high with 3:1 side slopes shall be constructed across the foundation approximately 15 feet above the road.

Geotextile

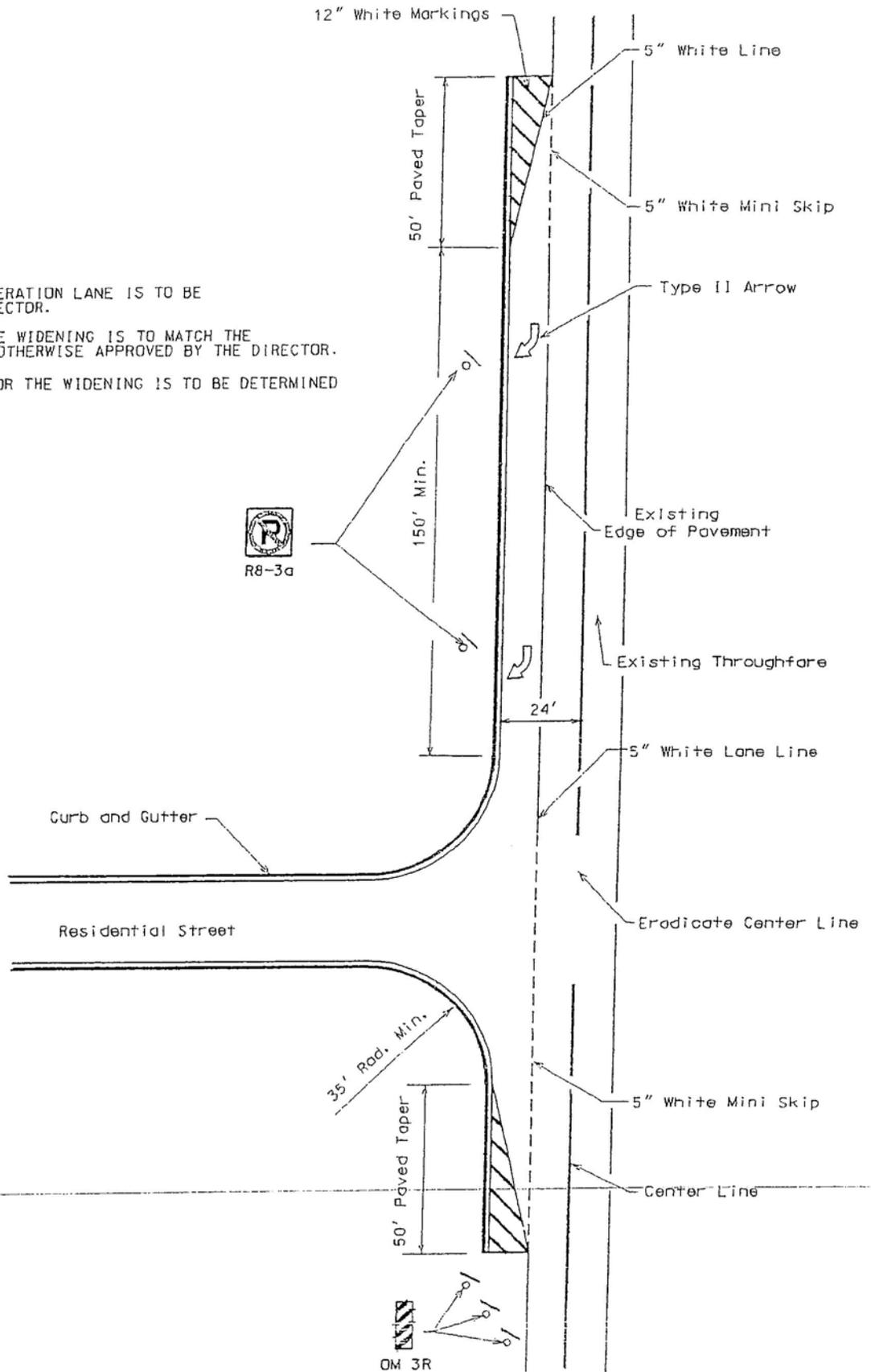
The geotextile underliner must be placed the full length and width of the entrance. Geotextile selection shall be based on AASHTO M288-98 specification:

1. For subgrades with a CBR greater than or equal to 3 or shear strength greater than 90 kPa, geotextile must meet requirements of section AASHTO M288-96 Section 7.3, *Separation Requirements*.
2. For subgrades with a CBR between 1 and 3 or shear strength between 30 and 90 kPa, geotextile must meet requirements of section AASHTO M288-96 Section 7.4, *Stabilization Requirements*.

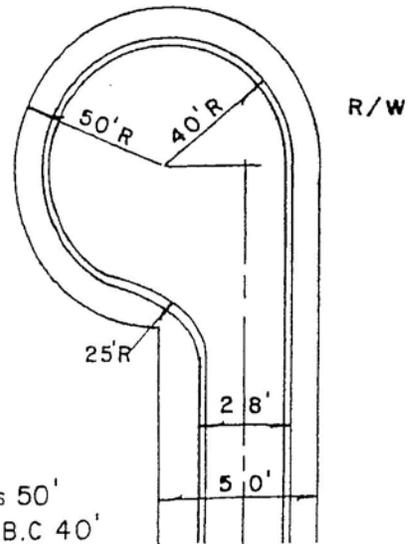
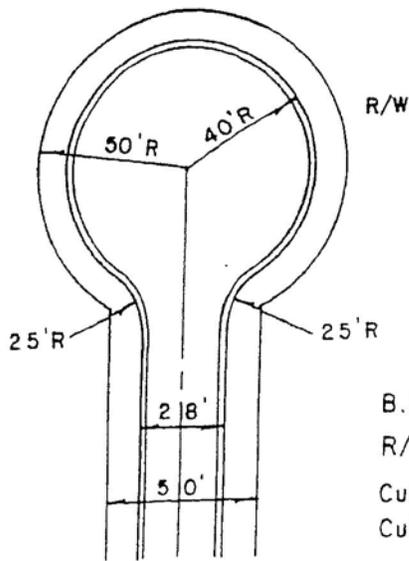
MAINTENANCE

The exit shall be maintained in a condition which will prevent tracking or flow of mud onto public rights-of-way. This may require periodic top dressing with 1.5 -3.5 inch stone, as conditions demand, and repair and/or cleanout of any structures to trap sediment. All materials spilled, dropped, washed, or tracked from vehicles or site onto roadways or into storm drains must be removed immediately.

- NOTES:
1. THE NEED FOR AN ACCELERATION LANE IS TO BE DETERMINED BY THE DIRECTOR.
 2. THE CROSS-SLOPE OF THE WIDENING IS TO MATCH THE EXISTING ROAD UNLESS OTHERWISE APPROVED BY THE DIRECTOR.
 3. THE TYPICAL SECTION FOR THE WIDENING IS TO BE DETERMINED BY THE DIRECTOR.



| | |
|---|----------|
| CLAYTON COUNTY TRANSPORTATION and DEVELOPMENT | STD. NO. |
| Description: | |
| DECELERATION LANES | 201 |



LEGEND

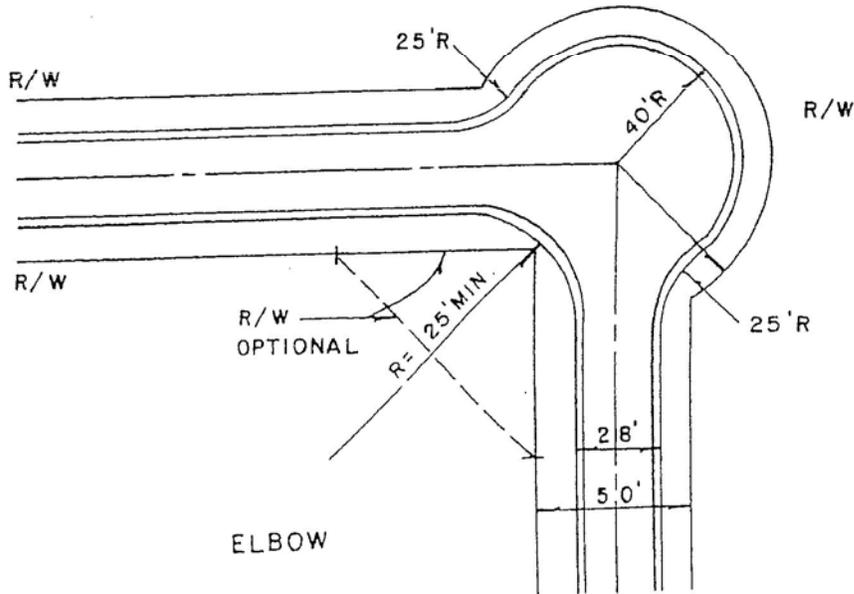
B.C TO B.C 28'

R/W WIDTH 50'

Cul-de-sac R/W width radius 50'

Cul-de-sac paving radius to B.C 40'

OFFSET (LEFT OR RIGHT)



CLAYTON COUNTY
DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

STANDARD DETAILS FOR:

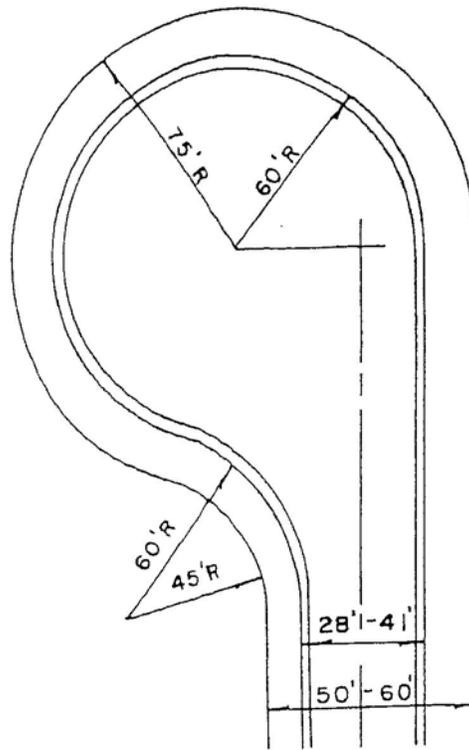
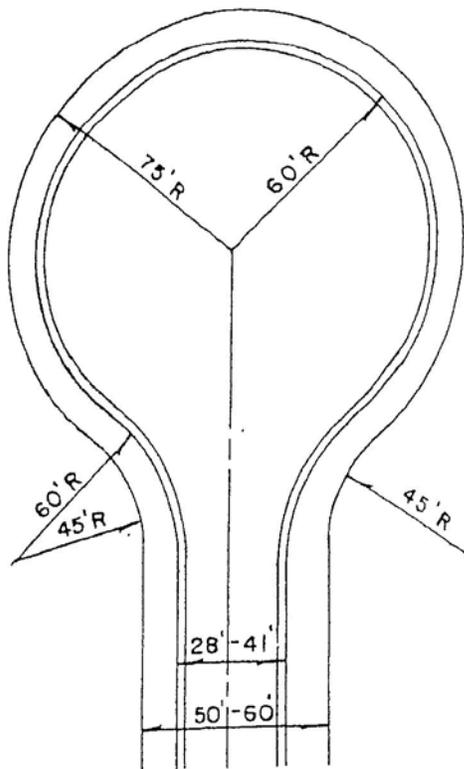
RESIDENTIAL DEVELOPMENT
CUL - DE - SAC DETAILS

DATE:

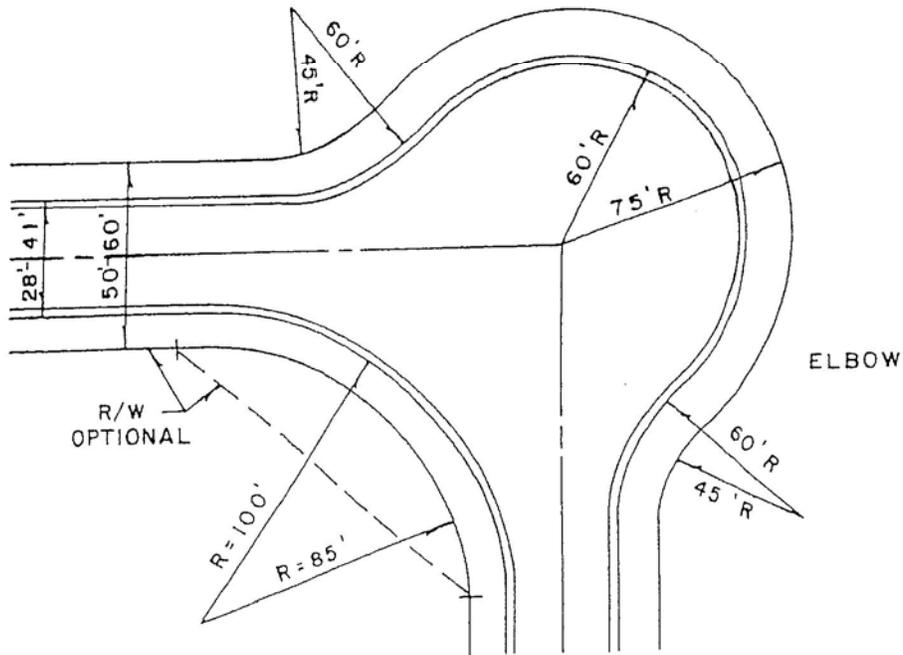
APPROVED BY:

Standard No.

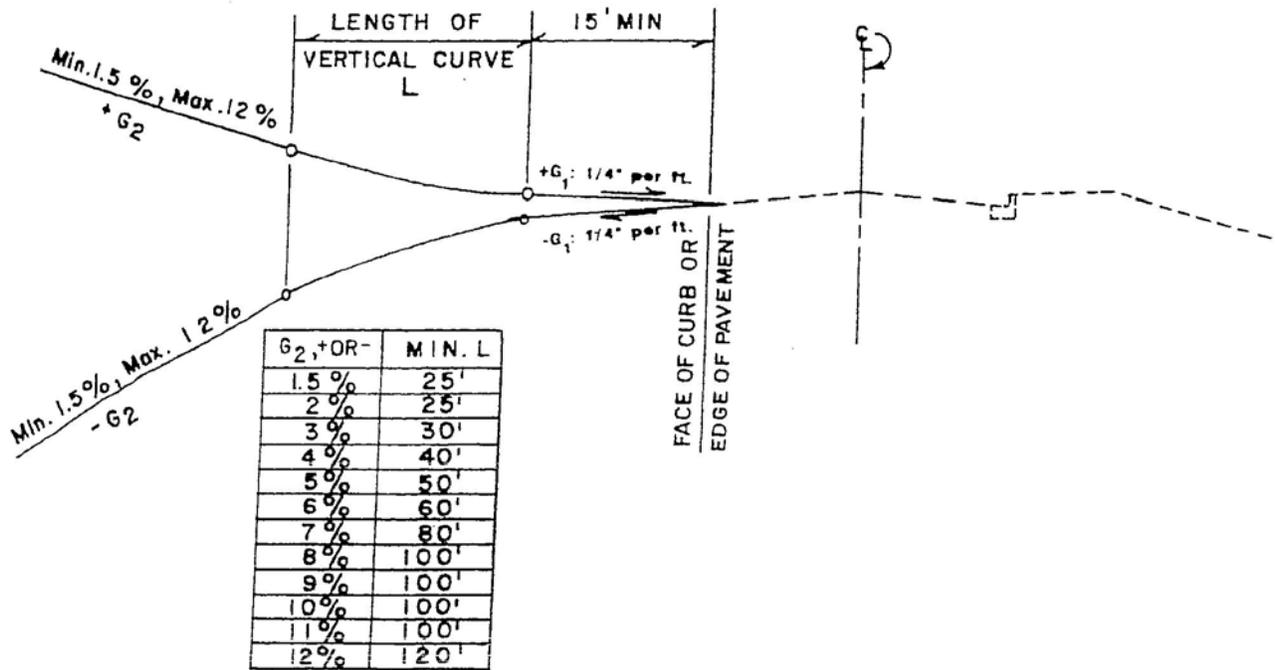
202



OFFSET (LEFT OR RIGHT)



| | | |
|--|--------------|--------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: COMMERCIAL & INDUSTRIAL DEVELOPMENT CUL-DE-SAC DETAILS | | |
| DATE: | APPROVED BY: | Standard No 203 |

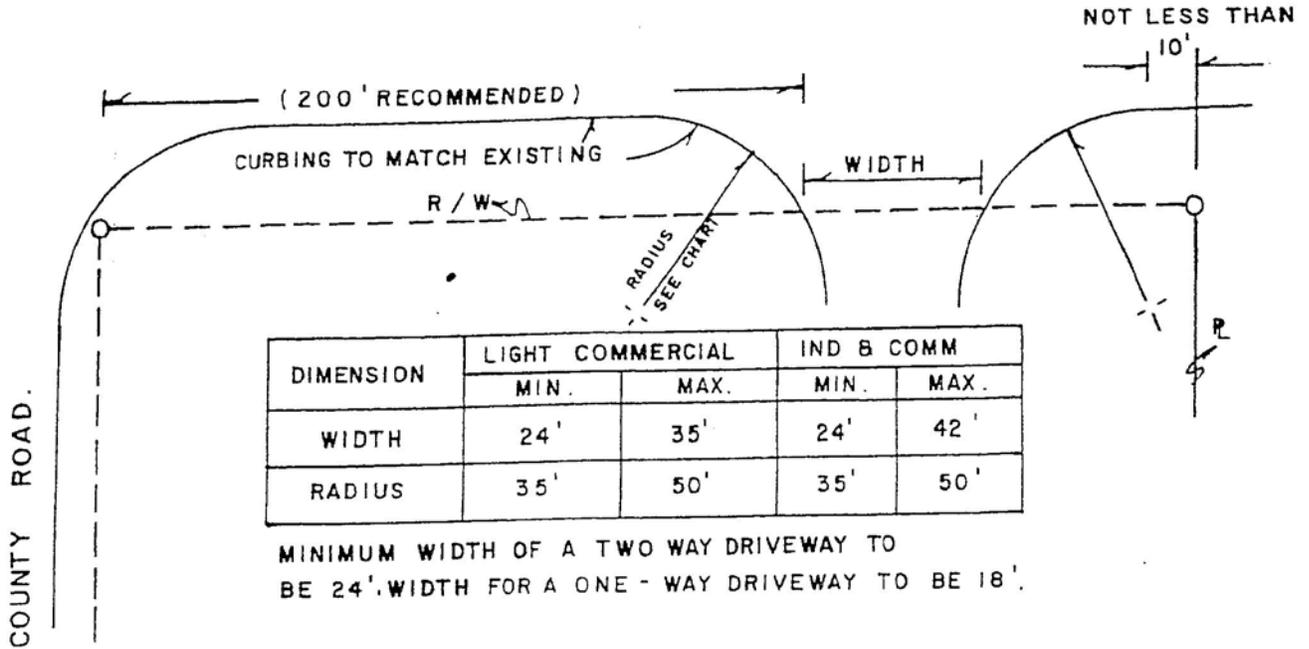


NOTE :

THIS STANDARD IS INTENDED TO BE A MINIMUM DESIGN STANDARD FOR CONTROL OF GRADES AT INTERSECTIONS FOR RESIDENTIAL DEVELOPMENTS. FOR COLLECTOR STREETS OR STREETS EXPECTED TO CARRY HIGH TRAFFIC VOLUMES OR STREETS ENTERING A MAJOR OR MINOR THOROUGHFARE, THE VERTICAL CURVE MAY BE LENGTHENED AND THE GRADES ALTERED AT THE DISCRETION OF THE DIRECTOR

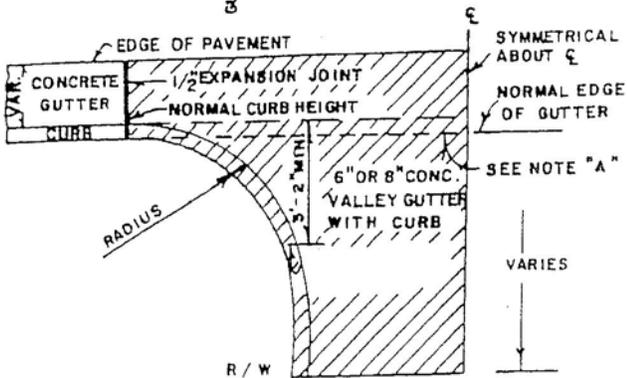
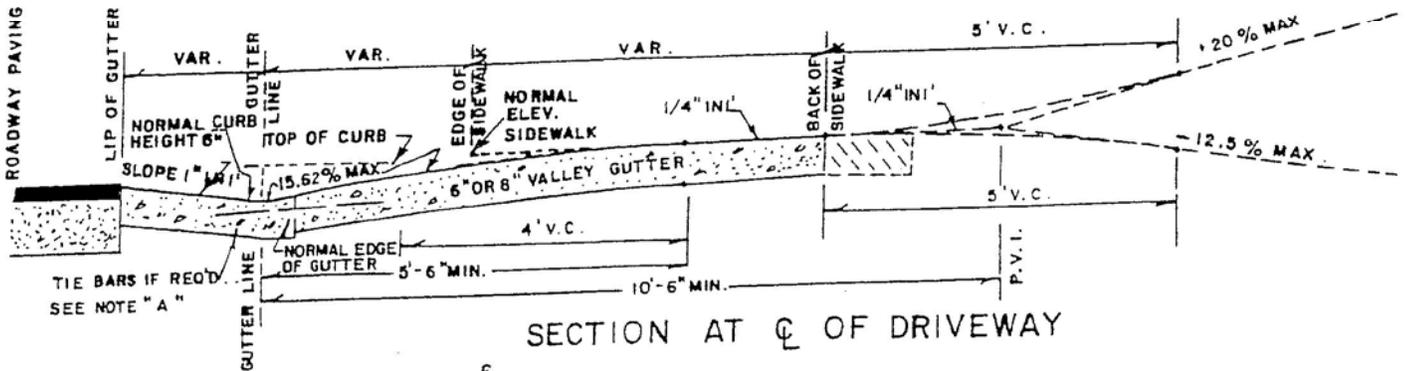
| | | |
|---|--------------|--------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: STANDARD LANDING REQUIREMENTS | | |
| DATE : | APPROVED BY: | Standard No. |
| | | 204 |

COUNTY ROAD



DETAIL OF 6" OR 8" CONCRETE VALLEY GUTTER AT DRIVE

PERCENTAGE OF ASCENDING GRADE MAY BE INCREASED AT A DISTANCE OF 23' FROM THE GUTTER LINE.



PERCENTAGE DESCENDING GRADE MAY BE INCREASED AT A DISTANCE 18' FROM THE GUTTER LINE

THE NUMBER LOCATION AND DESIGN OF DRIVEWAYS ENTERING ONTO THE COUNTY RIGHT-OF-WAY MAY BE LIMITED AT THE DISCRETION OF THE DIRECTOR OF TRANSPORTATION AND DEVELOPMENT

CLAYTON COUNTY
DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

STANDARD DETAILS FOR:

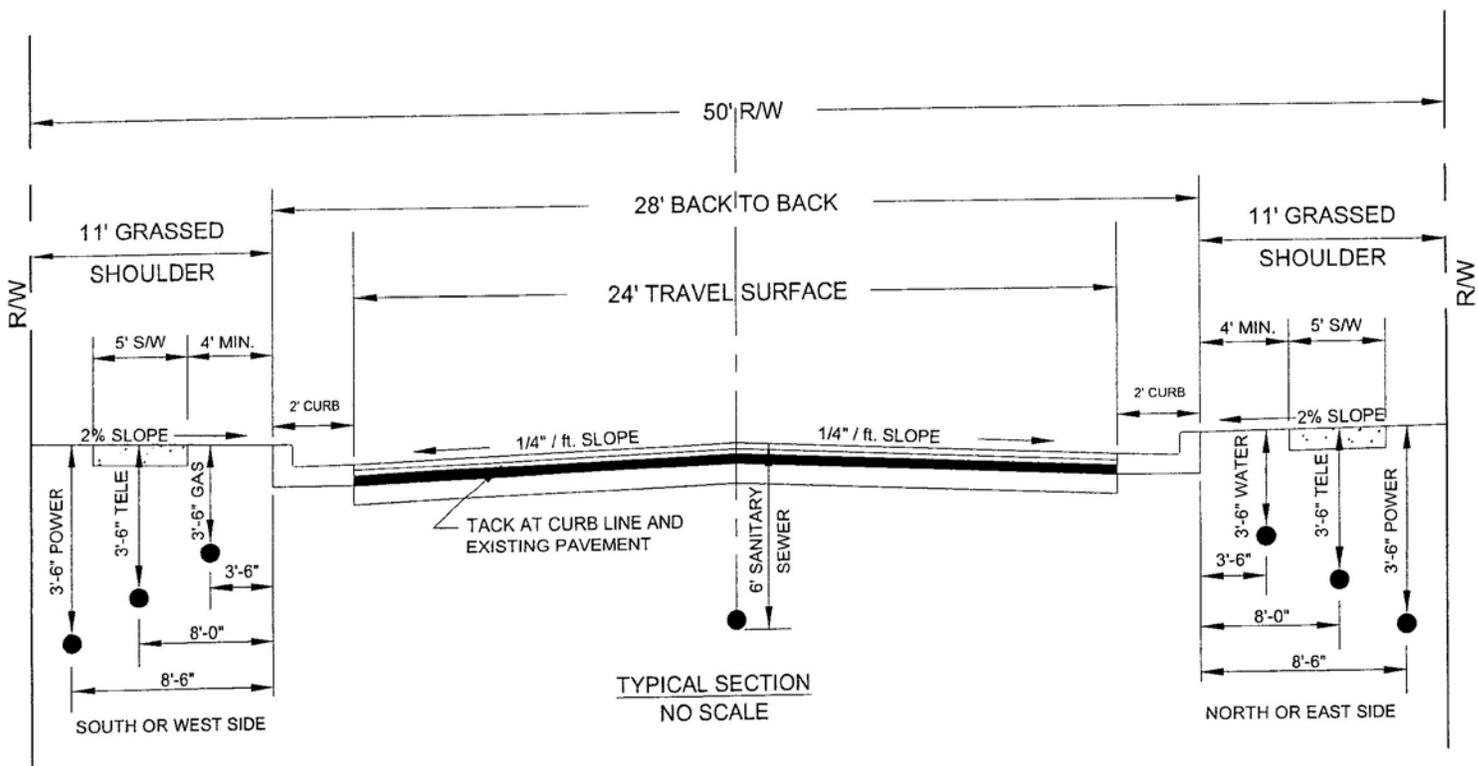
COMMERCIAL/INDUSTRIAL DRIVEWAYS

DATE :

APPROVED BY:

Standard No.

205



TYPICAL SECTION
NO SCALE

TYPICAL PAVEMENT DESIGN

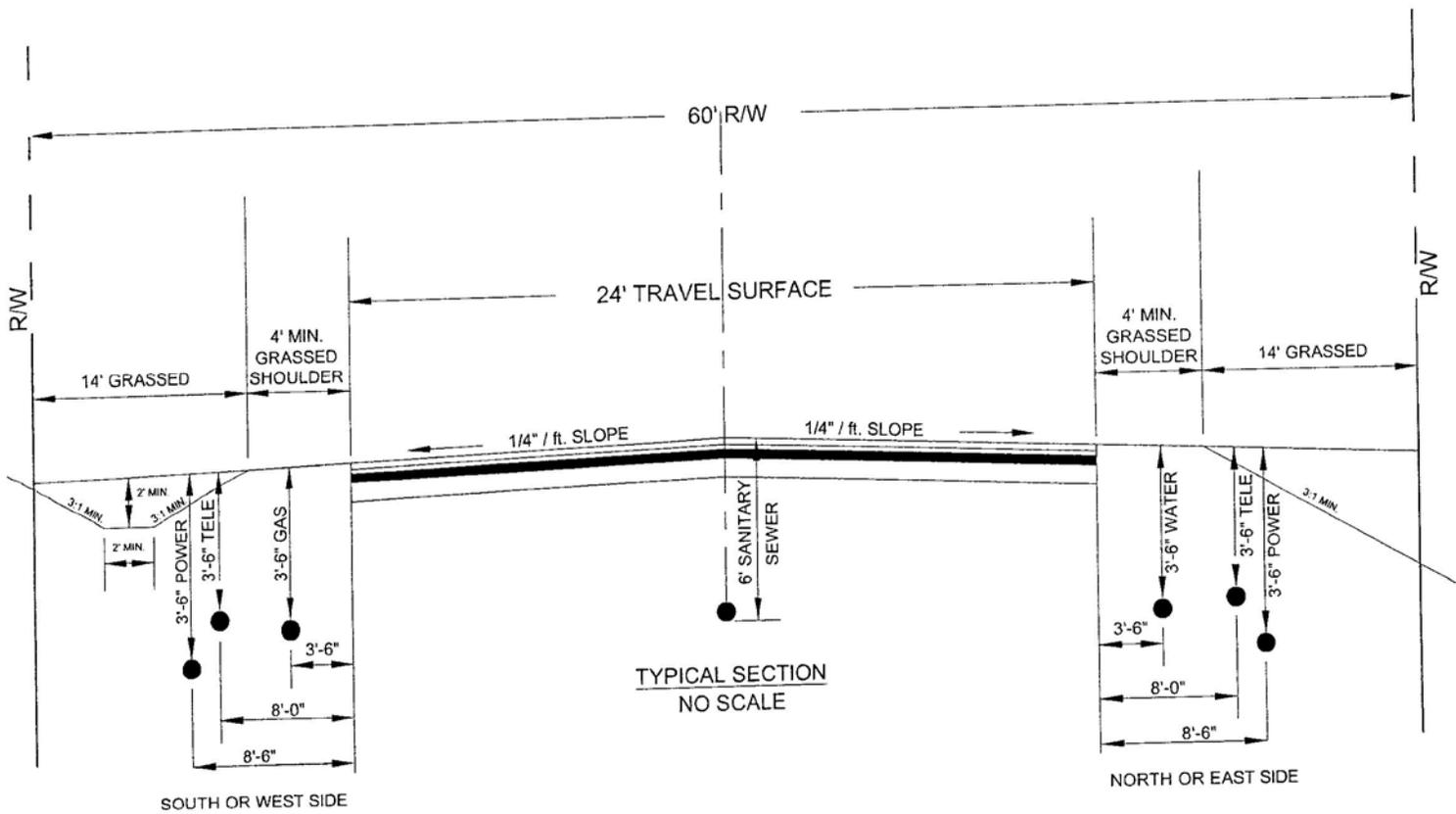
| |
|---|
| 1.25" Type I 9.5mm Superpave |
| 2.5" 19mm Superpave |
| 6" Compacted Graded Aggregate Base |
| Subgrade compacted to 100% AASHTO T99 density |

THIS PAVEMENT DESIGN IS REQUIRED FOR ALL SUBDIVISION STREETS. SPECIFIC LOCATION WILL BE DETERMINED DURING THE PLAN REVIEW.

*DIRECTOR RESERVES THE RIGHT TO REQUIRE DIFFERENT WIDTHS AS CONDITIONS DICTATE.

NOTE: DEPTH OF UTILITIES SHOWN ABOVE IS FROM THE TOP OF CURB ELEVATION. JOINT USE AGREEMENTS FOR UTILITY INSTALLATION ARE TO BE COORDINATED THROUGH THE UTILITIES INVOLVED.

| | | |
|--|--------------|---------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: TYPICAL SECTION RESIDENTIAL STREET WITH CURB & GUTTER | | |
| DATE: | APPROVED BY: | Standard No. 301 |



TYPICAL SECTION
NO SCALE

TYPICAL PAVEMENT DESIGN

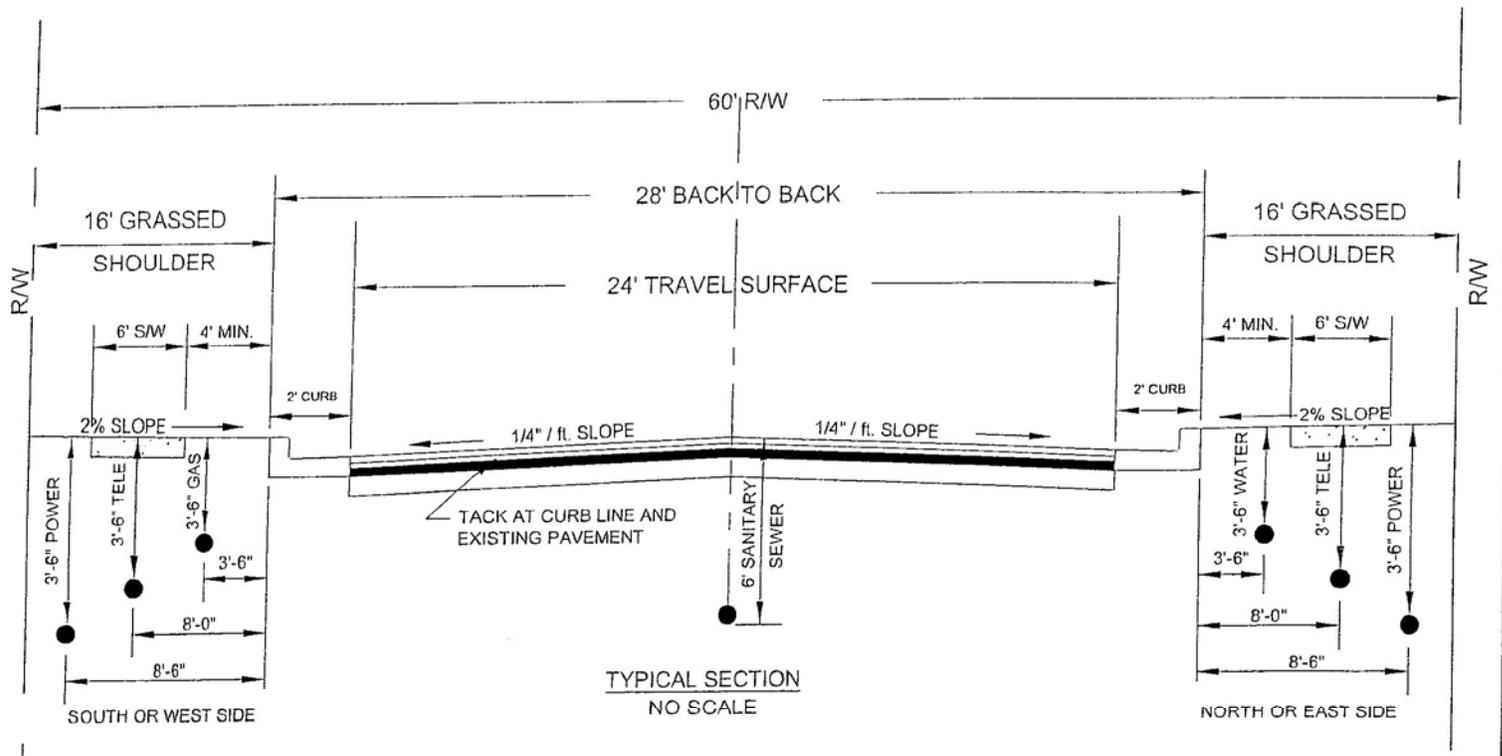
| |
|---|
| 1.25" Type I 9.5mm Superpave |
| 2.5" 19mm Superpave |
| 6" Compacted Graded Aggregate Base |
| Subgrade compacted to 100% AASHTO T99 density |

THIS PAVEMENT DESIGN IS REQUIRED FOR ALL SUBDIVISION STREETS. SPECIFIC LOCATION WILL BE DETERMINED DURING THE PLAN REVIEW.

- * DIRECTOR RESERVES THE RIGHT TO REQUIRE DIFFERENT WIDTHS AS CONDITIONS DICTATE.
- ** DIRECTOR MAY REQUIRE SODDED SHOULDERS AND DITCH FOR PERMANENT STABILIZATION
- *** ADDITIONAL RIGHT-OF-WAY MAY BE REQUIRED TO ENCOMPASS DRAINAGE SYSTEM AND SIDEWALK

NOTE: DEPTH OF UTILITIES SHOWN ABOVE IS FROM THE TOP EDGE OF PAVEMENT. JOINT USE AGREEMENTS FOR UTILITY INSTALLATION ARE TO BE COORDINATED THROUGH THE UTILITIES INVOLVED.

| | | |
|---|--------------|---------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: TYPICAL SECTION RESIDENTIAL STREET WITHOUT CURB AND GUTTER | | |
| DATE: | APPROVED BY: | Standard No. 302 |



TYPICAL SECTION
NO SCALE

TYPICAL PAVEMENT DESIGN

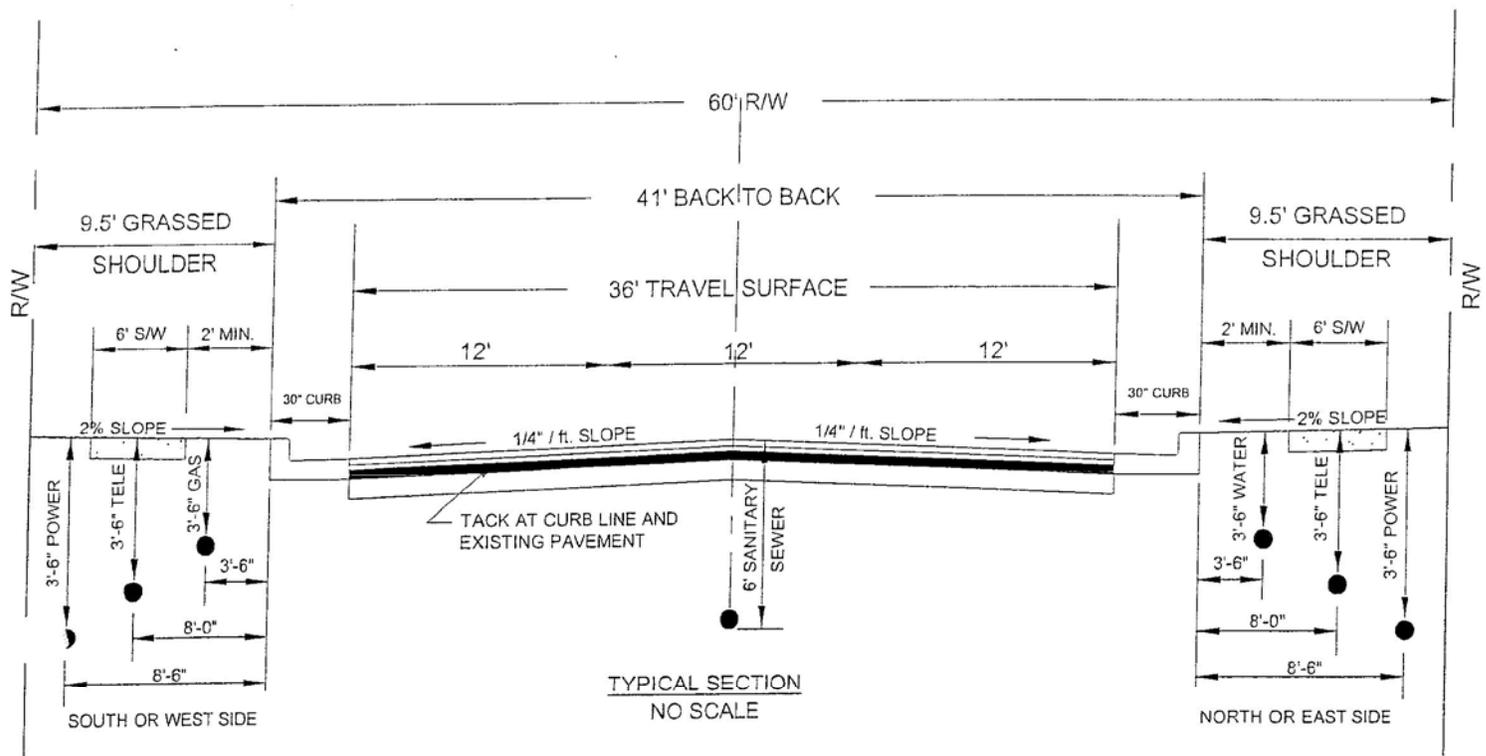
| |
|---|
| 1.5" Type II 9.5mm Superpave |
| 3" 19mm Superpave |
| 8" Compacted Graded Aggregate Base |
| Subgrade compacted to 100% AASHTO T99 density |

*DIRECTOR RESERVES THE RIGHT TO REQUIRE DIFFERENT WIDTHS AS CONDITIONS DICTATE.

**COMMERICAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY WILL BE REQUIRED TO PLACE STAMPED COLORED CONCRETE BETWEEN THE CURB AND SIDEWALK (SEE DETAIL 103a)

NOTE: DEPTH OF UTILITIES SHOWN ABOVE IS FROM THE TOP OF CURB ELEVATION. JOINT USE AGREEMENTS FOR UTILITY INSTALLATION ARE TO BE COORDINATED THROUGH THE UTILITIES INVOLVED.

| | | |
|---|--------------|---------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: TYPICAL SECTION COMMERCIAL ROAD | | |
| DATE: | APPROVED BY: | Standard No. 303 |



TYPICAL PAVEMENT DESIGN

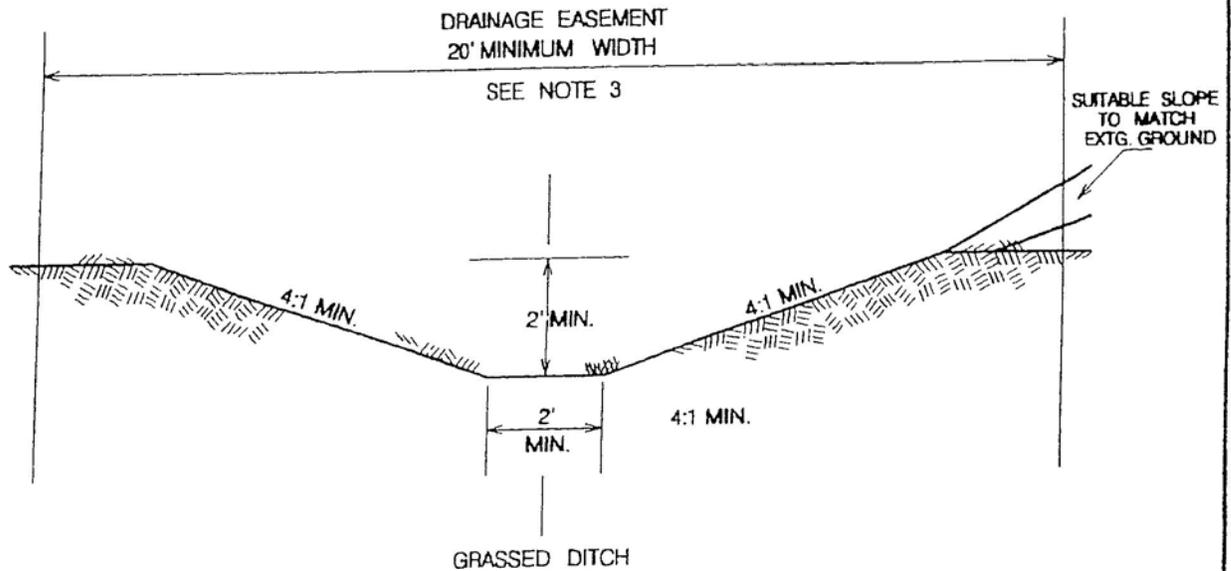
| |
|---|
| 2" Type II 12.5mm Superpave |
| 3.5" 19mm Superpave |
| 8" Compacted Graded Aggregate Base |
| Subgrade compacted to 100% AASHTO T99 density |

*DIRECTOR RESERVES THE RIGHT TO REQUIRE DIFFERENT WIDTHS AS CONDITIONS DICTATE.

**INDUSTRIAL AREAS - ALONG THE FRONTAGE OF EXISTING COUNTY ROADWAYS FRONTING THE PROPERTY WILL BE REQUIRED TO PLACE STAMPED COLORED CONCRETE BETWEEN THE CURB AND SIDEWALK (SEE DETAIL 103c)

NOTE: DEPTH OF UTILITIES SHOWN ABOVE IS FROM THE TOP OF CURB ELEVATION. JOINT USE AGREEMENTS FOR UTILITY INSTALLATION ARE TO BE COORDINATED THROUGH THE UTILITIES INVOLVED.

| | | |
|---|--------------|---------------------|
| CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION & DEVELOPMENT | | |
| STANDARD DETAILS FOR: TYPICAL SECTION INDUSTRIAL ROAD | | |
| DATE: | APPROVED BY: | Standard No. 304 |



NOTES:

1. REFER TO THE "CLAYTON COUNTY STORM WATER MANAGEMENT MANUAL" FOR GUIDANCE ON DETERMINING DITCH DEPTH, WIDTH AND STABILIZATION METHODS.
2. RIP RAP REQUIRED TO KEEP WATER VELOCITIES BELOW 5 FEET PER SECOND.
3. THE ENTIRE WIDTH OF THE OPEN CHANNEL IS TO BE CENTERED WITHIN THE DRAINAGE EASEMENT (TOP OF SLOPE TO TOP OF SLOPE.)

CLAYTON COUNTY
DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

STANDARD DETAILS FOR:

DITCH SECTION DETAIL FOR
OPEN DRAINAGE CHANNELS

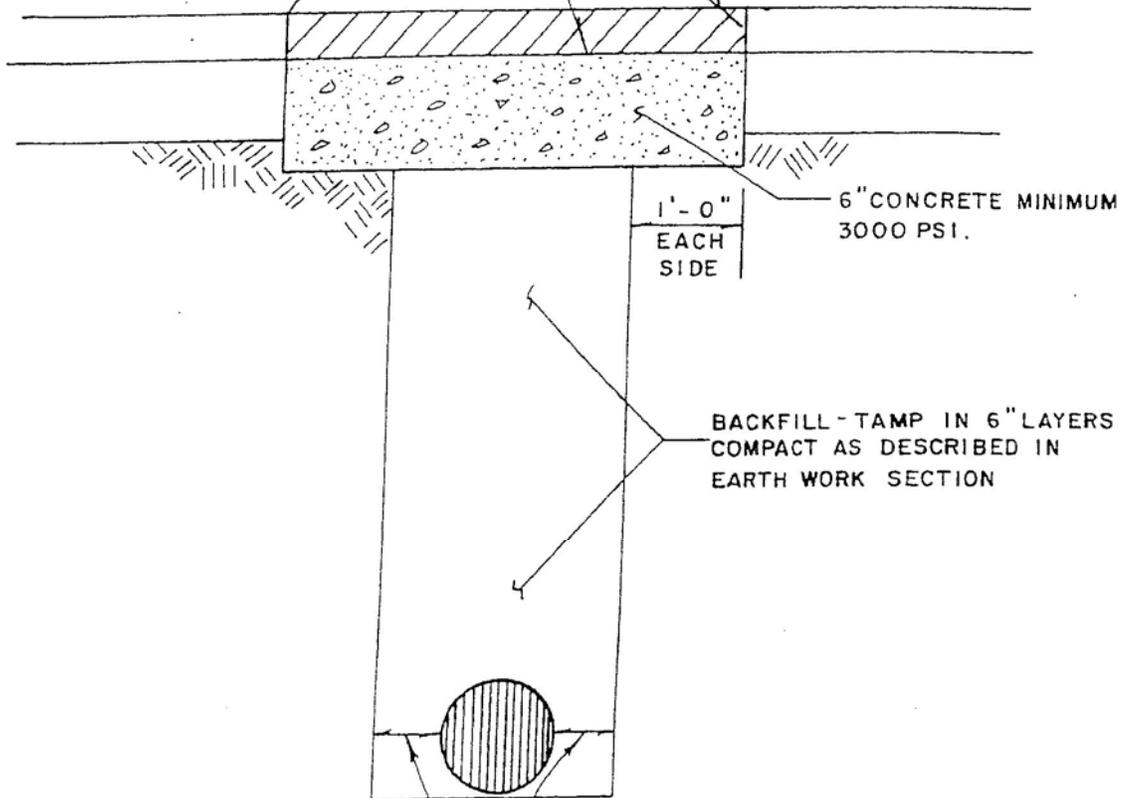
DATE:

APPROVED BY:

Standard No.
401

PAVEMENT CUTS TO
HAVE A STRAIGHT
VERTICAL EDGE

SURFACE TO BE CLEANED AND BITUMINOUS
TACK COAT APPLIED BEFORE PLACEMENT OF
1-1/2" TYPE "E" OR "F" ASPHALT.



1'-0"
EACH
SIDE

6" CONCRETE MINIMUM
3000 PSI.

BACKFILL - TAMP IN 6" LAYERS
COMPACT AS DESCRIBED IN
EARTH WORK SECTION

WIDTH TO BE MAINTAINED TO A
MINIMUM BUT NOT LESS THAN 3"
EACH SIDE OF UTILITY.

CLAYTON COUNTY
DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

STANDARD DETAILS FOR:

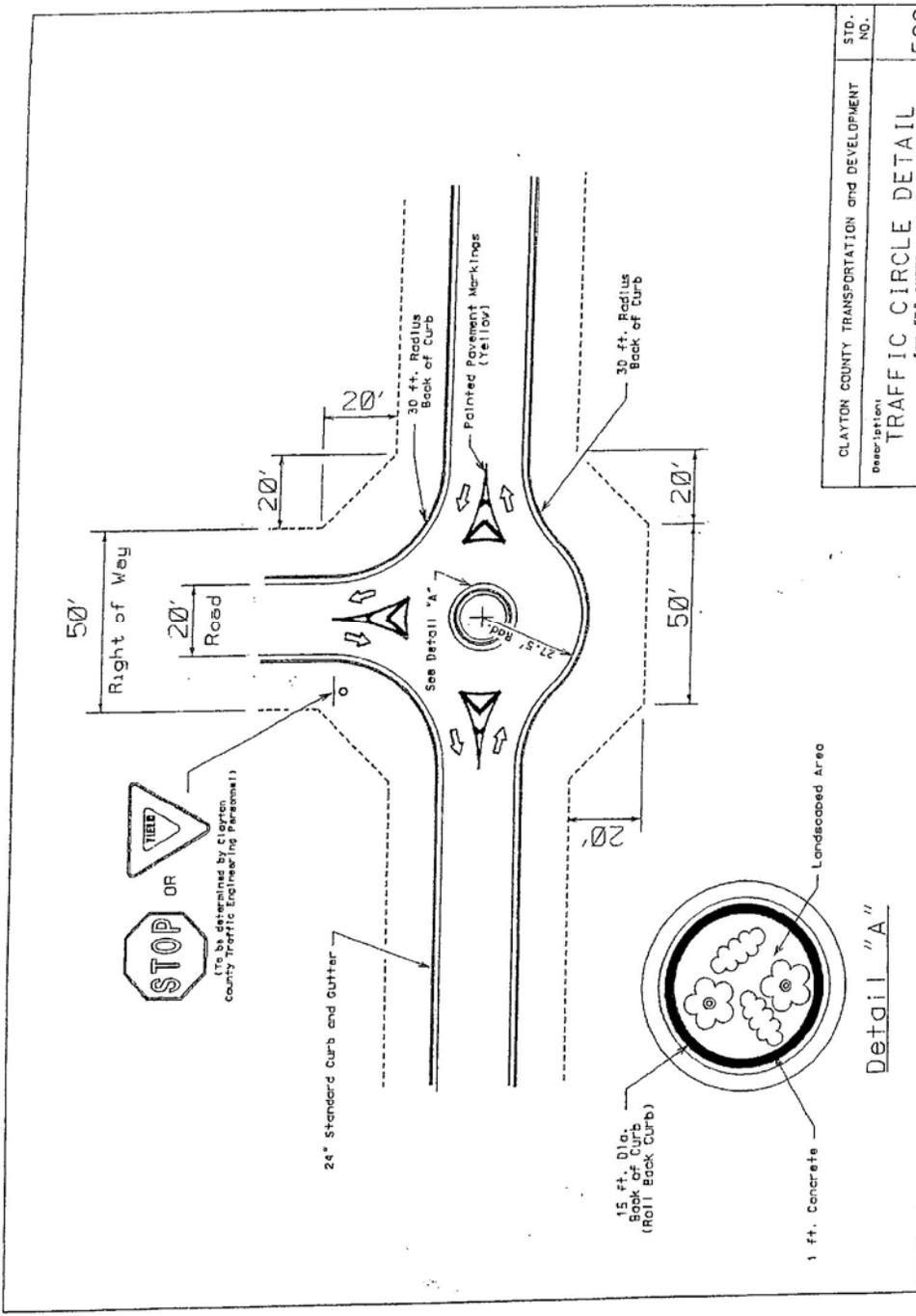
TRENCHING, BENCH AND BACKFILLING
UTILITY CUTS & TYPE "C" PAVEMENT REPAIR

DATE:

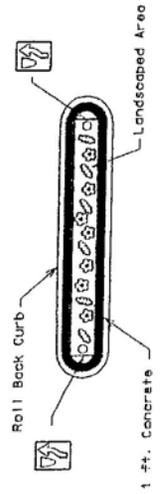
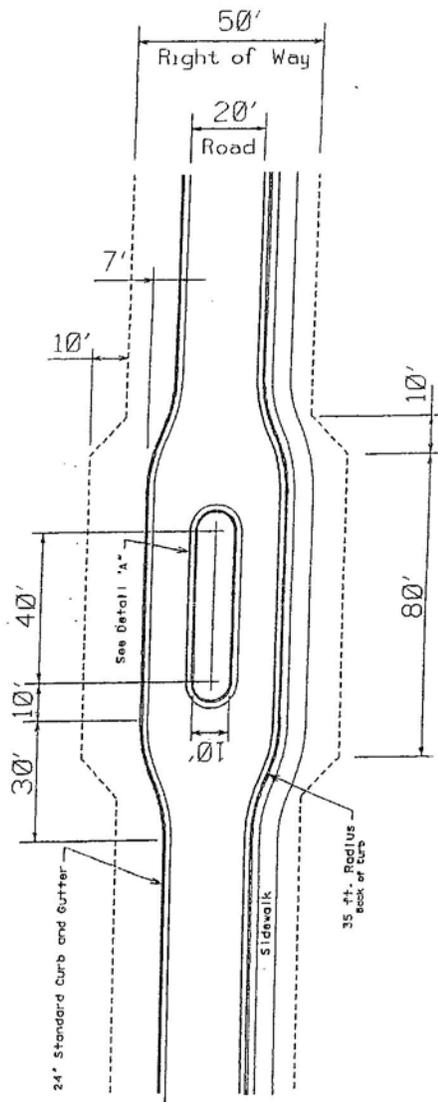
APPROVED BY:

Standard No.

402

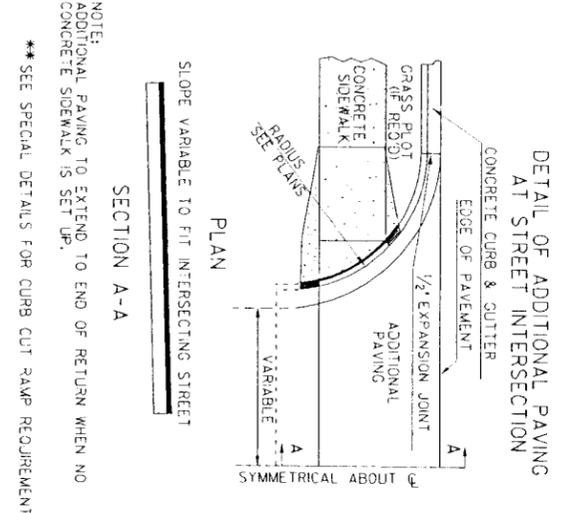
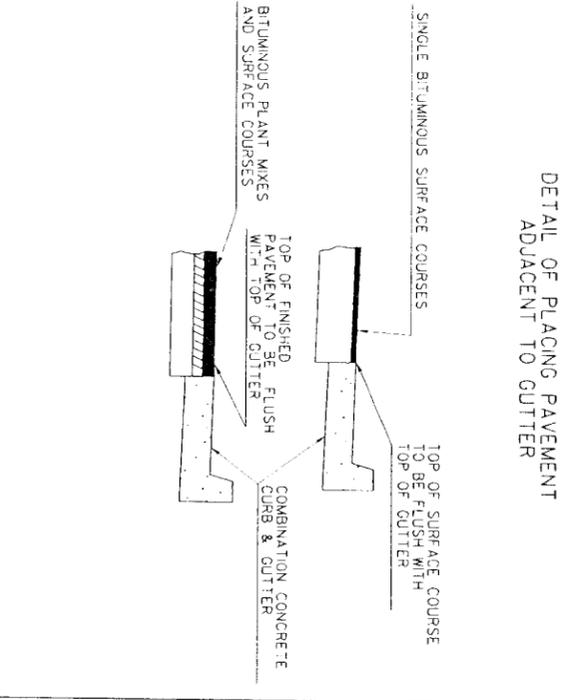
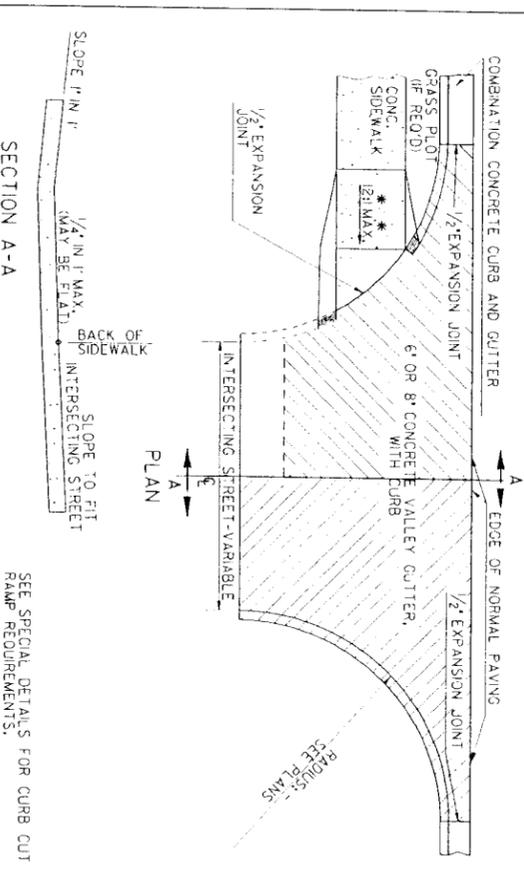


| | |
|---|----------|
| CLAYTON COUNTY TRANSPORTATION AND DEVELOPMENT | STD. NO. |
| Description: TRAFFIC CIRCLE DETAIL for "T" INTERSECTION | 502 |



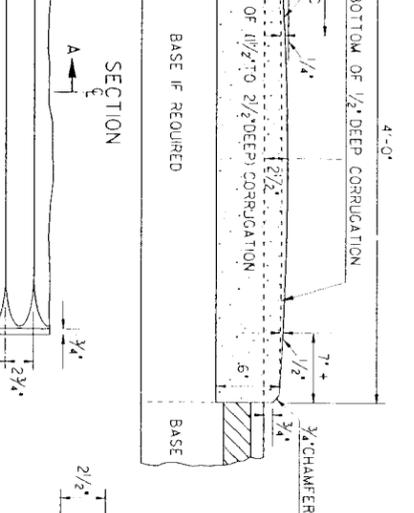
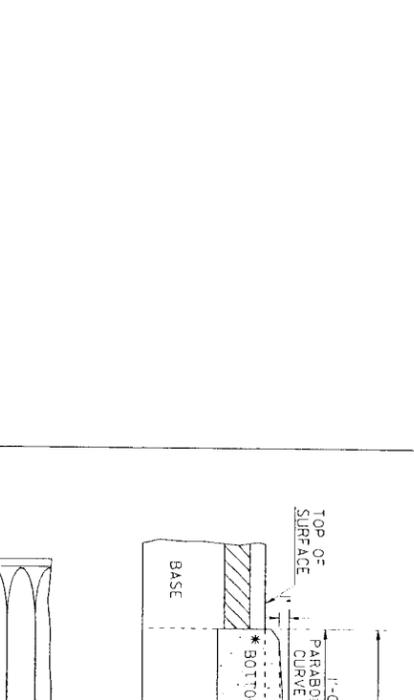
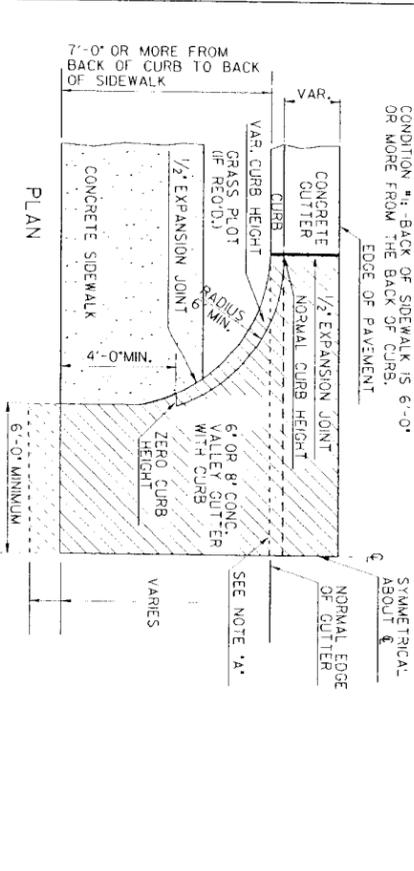
| | | |
|---|--------------------|-----|
| CLAYTON COUNTY TRANSPORTATION and DEVELOPMENT | STD. NO. | 503 |
| Description: | MID-BLOCK DIVERTER | |

DETAIL OF CONCRETE VALLEY CUTTER WITH CURB



NOTE:
 ADDITIONAL PAVING IS EXTEND TO END OF RETURN WHEN NO CONCRETE SIDEWALK IS SET UP.
 ** SEE SPECIAL DETAILS FOR CURB CUT RAMP REQUIREMENTS.

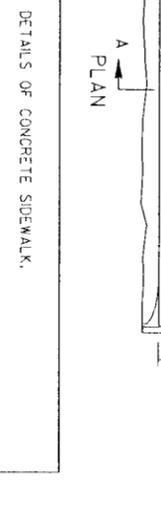
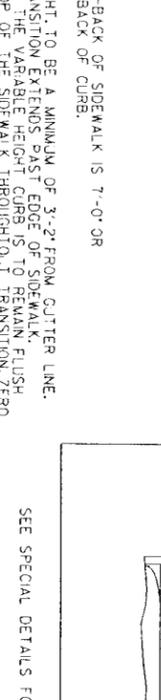
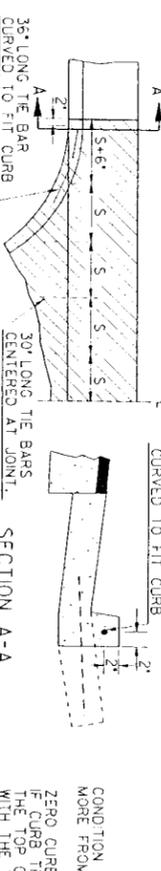
DETAIL OF 6' OR 8' CONCRETE VALLEY CUTTER AT DRIVE WITHOUT CURB



* APPLIES ONLY TO SUPERELEVATED CURVES, INCLUDING TRANSITIONS.

NOTE: *1. CONSTRUCTION JOINT OPTIONALLY - WHEN IMPLEMENTED *4. TIE BARS WILL BE REQUIRED AS SHOWN BELOW TO BE INCLUDED IN UNIT PRICE FOR VALLEY CUTTER. IF CURB IS POURED THROUGH VALLEY CUTTER IN THE TOP PORTION WILL BE REMOVED BEFORE SETTING TO MATCH GRADE OF VALLEY CUTTER.

OPTIONAL JOINT DETAIL



NOTE:
 MAXIMUM DRIVEWAY GRADES SHOWN ABOVE ARE INTENDED FOR RESIDENTIAL DRIVEWAYS WHERE FLATTER GRADES ARE NOT FEASIBLE. GRADES FOR COMMERCIAL DRIVEWAYS OR FOR TRUCKS SHALL NOT BE GREATER THAN 1/2% UNLESS SPECIFIED OTHERWISE.

PERCENTAGE OF ASCENDING GRADE MAY BE INCREASED AT A DISTANCE OF 23' FROM THE CUTTER LINE.

PERCENTAGE DESCENDING GRADE MAY BE INCREASED AT A DISTANCE 18' FROM THE CUTTER LINE.

This Detail Replaces Ga Standard 9031J

When these details are incorporated into plans and/or projects that are being prepared or constructed in metric units, exact or precise conversion to metric units is not required. The dimensions shown that are in feet and inches may be converted to corresponding metric units using the following: * Rounded-off conversion factors: 1" = 25mm, 4'-00mm and 1/2" or 1' = 300mm. All measurement notes that refer to linear feet and square yards shall be interpreted to mean linear meters and square meters.

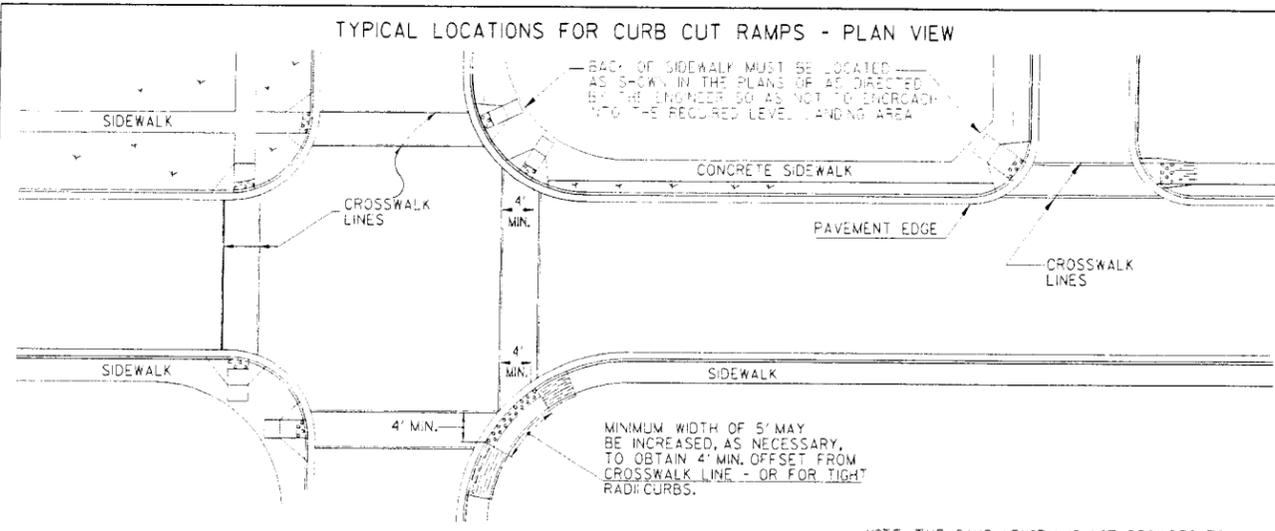
DEPARTMENT OF TRANSPORTATION
 STATE OF GEORGIA

SPECIAL DETAIL

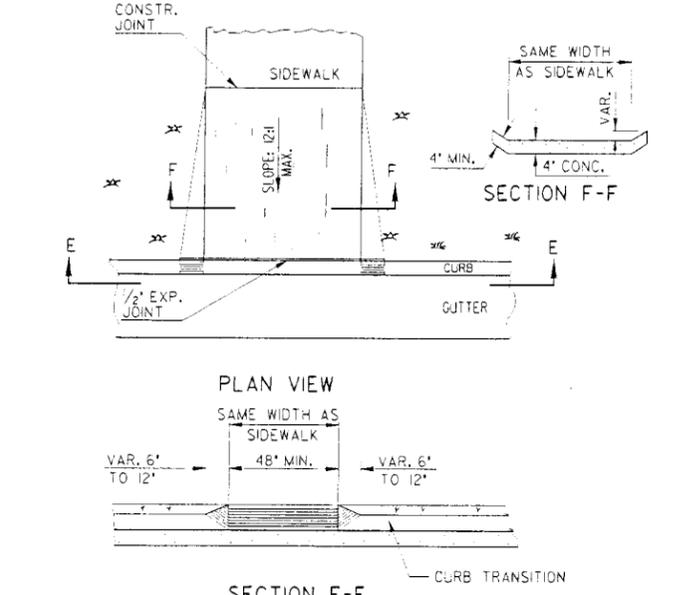
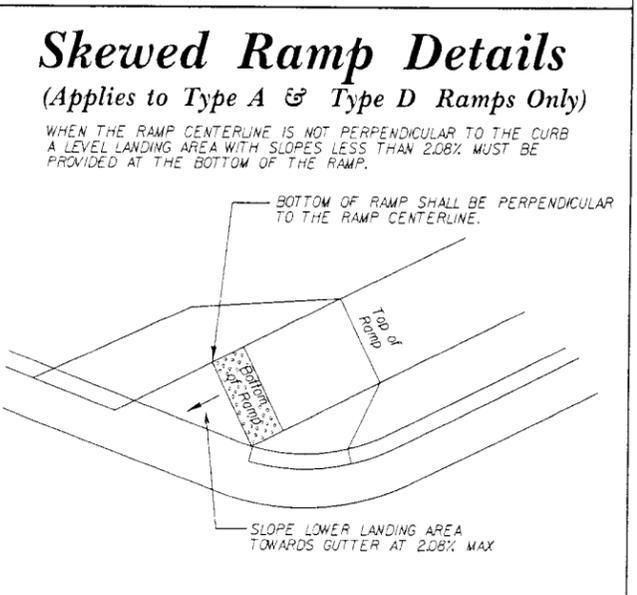
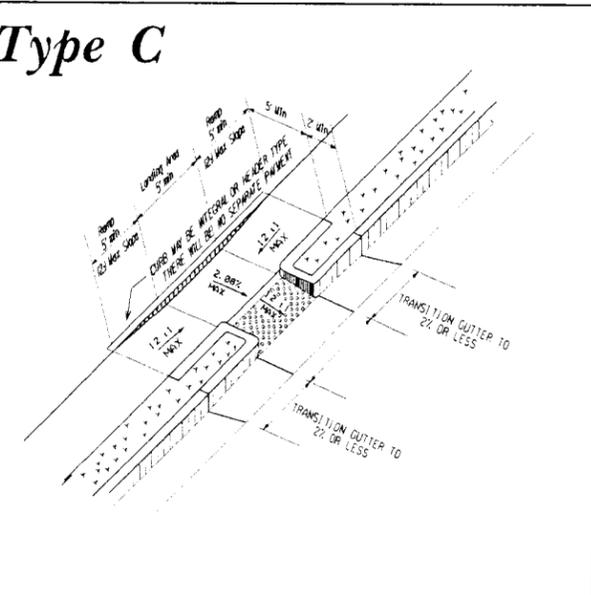
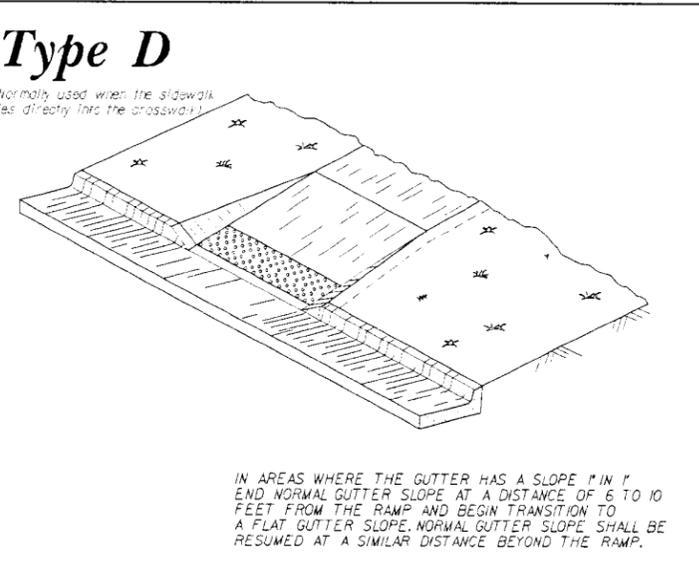
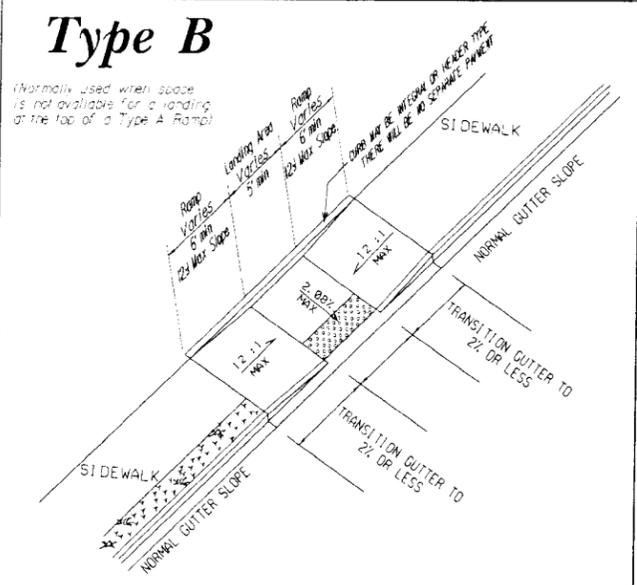
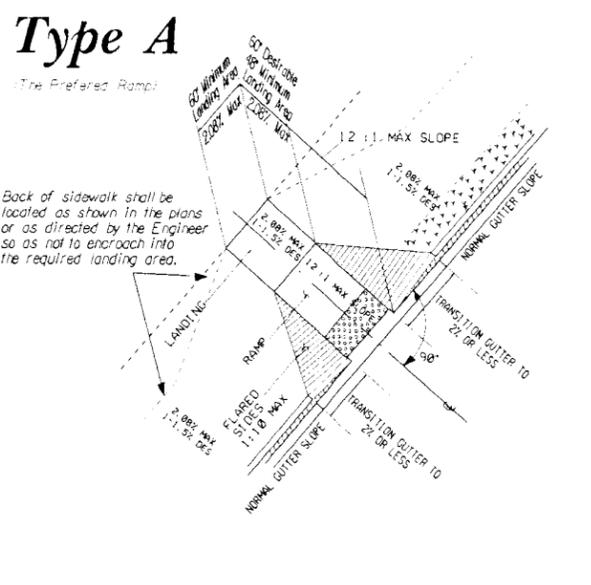
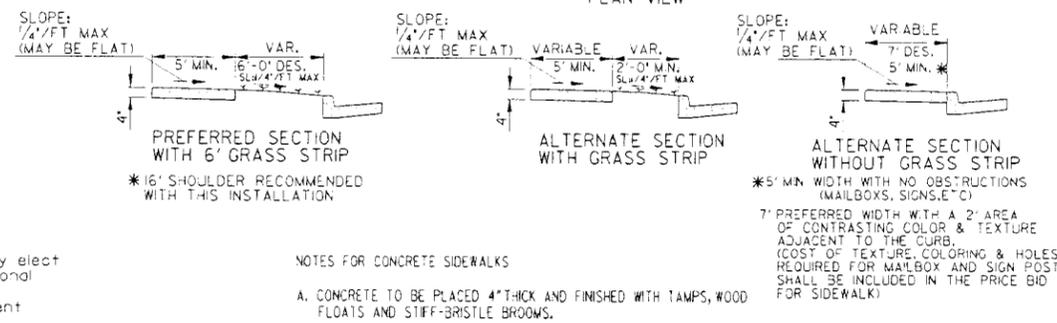
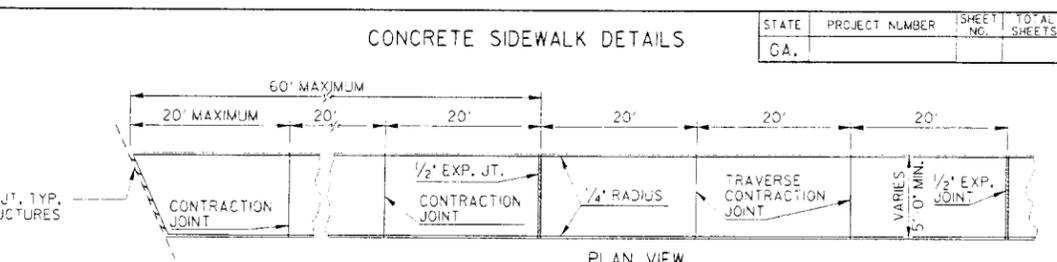
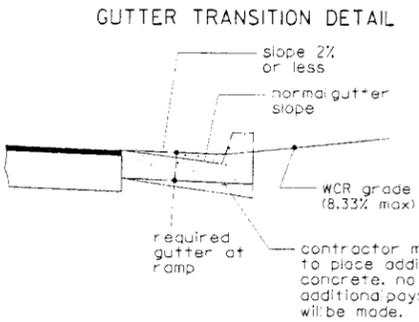
CONCRETE VALLEY CUTTER AT STREET INTERSECTION
 6' OR 8' CONCRETE VALLEY CUTTER AT DRIVE
 PLACING PAVEMENT ADJACENT TO CUTTER
 ADDITIONAL PAVING AT STREET INTERSECTION
 4' CORRUGATED CONCRETE MEDIAN

REVISION NO SCALE MARCH 12, 2002

BY A2



NOTE: THE RAMP LENGTH IS NOT REQUIRED TO EXCEED 15 FEET. THE RAMP SLOPE MAY EXCEED 12:1 IF THE SITE CONDITIONS PREVENT THE USE OF A RAMP 15 FEET LONG.



This Detail Replaces Ga Standard 9031W

Guidelines For Usage On Metric Projects

When these details are incorporated into plans and or projects that are being prepared or constructed in metric units, exact or precise conversion to metric units is not required. The dimensions shown that are in feet and inches may be converted to corresponding metric units using the following "Rounded-Off" conversion factors: 1" = 25mm, 4" = 100mm, and 12" = 300mm. All measurement notes that refer to linear feet and square yards shall be interpreted to mean linear meters and square meters.

| REVISION | DATE | BY |
|----------|------|----|
| 2-21-03 | | |
| 2-10-03 | | |
| 7-29-02 | | |
| 5-29-02 | | |
| 5-23-02 | | |
| 5-13-02 | | |
| 4-29-02 | | |
| 4-11-02 | | |
| 4-3-02 | | |
| 3-28-02 | | |

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

SPECIAL DETAIL
CONCRETE SIDEWALK DETAILS
CURB CUT (WHEELCHAIR) RAMPS

NO SCALE

MARCH 12, 2002

BY

A3

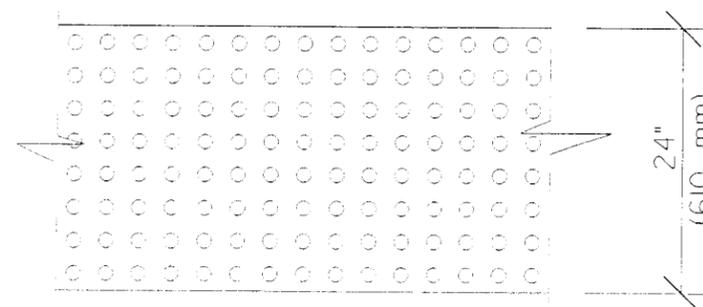
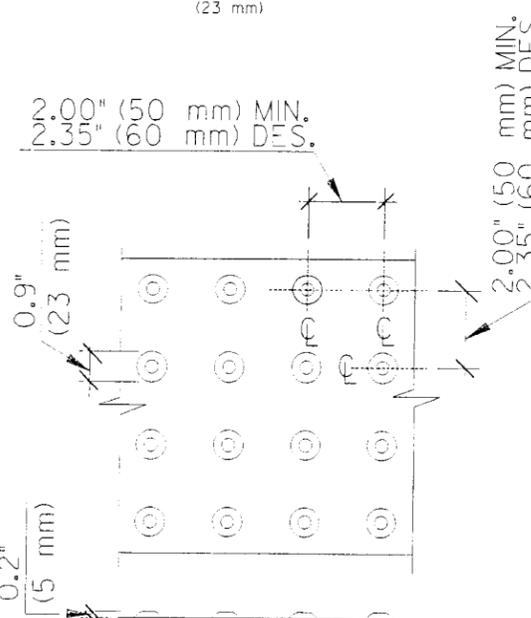
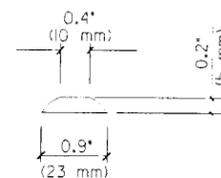
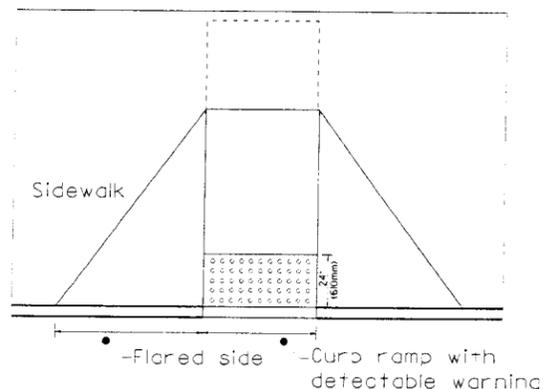
Size. Detectable warnings shall be 24 inches (610 mm) in the direction of pedestrian travel and extend the full width of the curb ramp or flush surface.

Location. The detectable warning shall be located so that the edge nearest the curb line or other potential hazard is 6 to 8 inches (150 to 205 mm) from the curb line or other potential hazard, such as a reflecting pool edge or the dynamic envelope of rail operations.

Dome size and spacing. Truncated domes shall have a diameter of 0.9 inch (23 mm) at the bottom, a diameter of 0.4 inch (10 mm) at the top, a height of 0.2 inch (5 mm) and a center-to-center spacing of 2.35 inches (60 mm) desirable (2.00 inches (50 mm) minimum) measured along one side of a square arrangement. Domes shall have a square arrangement. Domes shall be aligned on a square grid in the predominant direction of travel to permit wheels to roll between domes.

Visual Contrast. There shall be a minimum of 70 percent contrast in light reflectance between the detectable warning and an adjoining surface, or the detectable warning shall be 'safety yellow'. The material used to provide visual contrast shall be an integral part of the detectable warning surface.

NO SEPARATE PAYMENT WILL BE MADE FOR THE DETECTABLE WARNINGS. THE COST SHALL BE INCLUDED IN THE PRICE B-D FOR SIDEWALK (OR CURB CUT RAMP IF THE ITEM IS INCLUDED IN THE PROPOSAL).



MATERIALS:

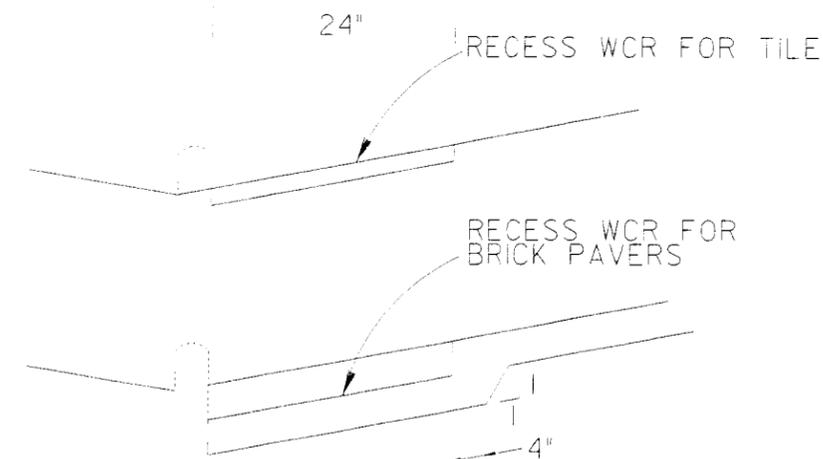
THE DETECTABLE WARNINGS SHALL BE MADE OF CERAMIC CURB TILE, BRICK PAVERS OR FORMED IN THE CONCRETE CURB CUT RAMP.

IF THE DETECTABLE WARNING ARE FORMED, THE ENTIRE AREA OF THE DETECTABLE WARNING SHALL BE DYED A MINIMUM OF 1" DEEP.

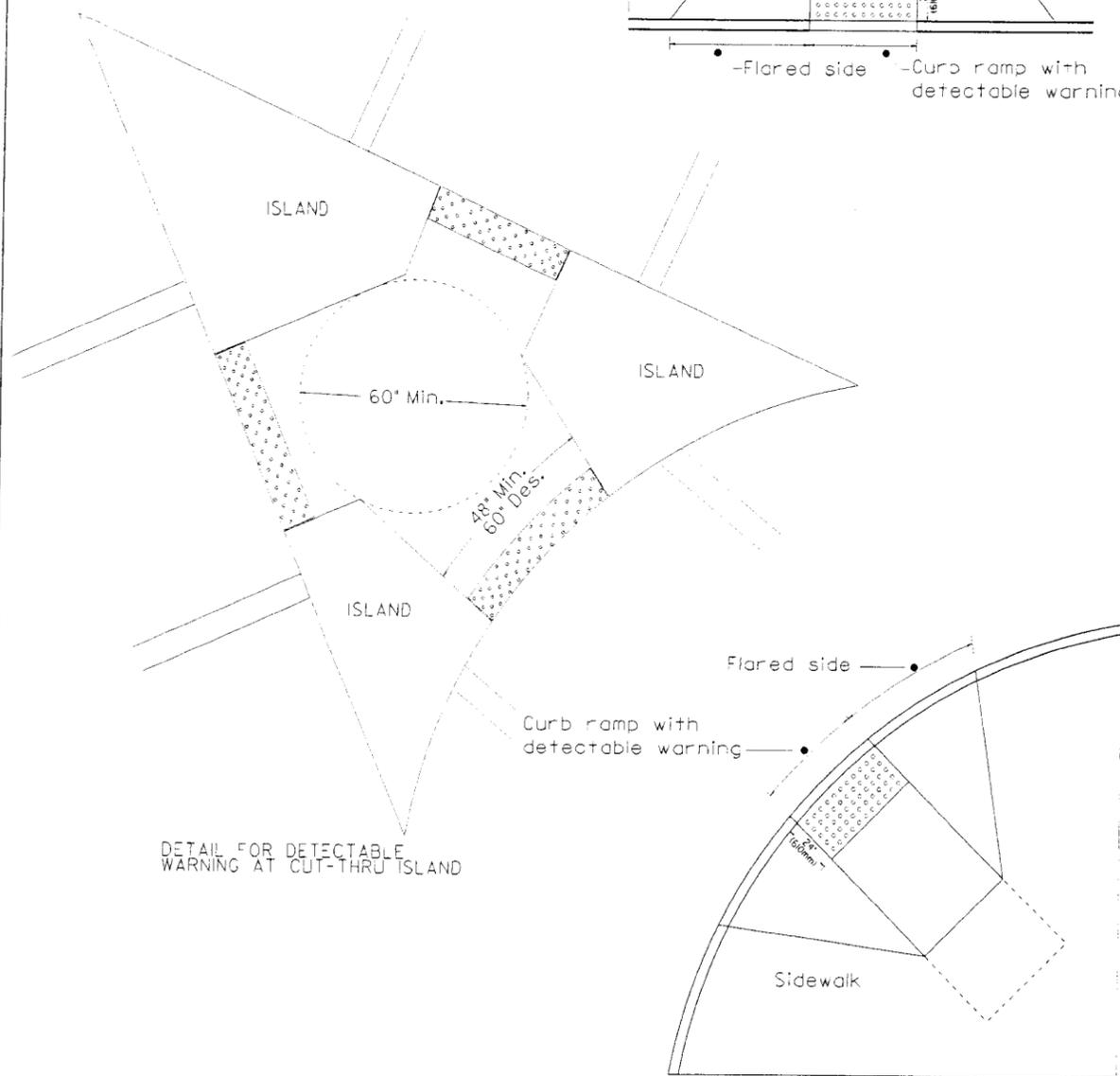
INSTALLATION:

BRICK PAVERS SHALL BE SET IN A WET MORTAR BED. THE BED SHALL BE PLACED ON CONCRETE. THE CONCRETE SHALL BE A MINIMUM OF 4" THICK.

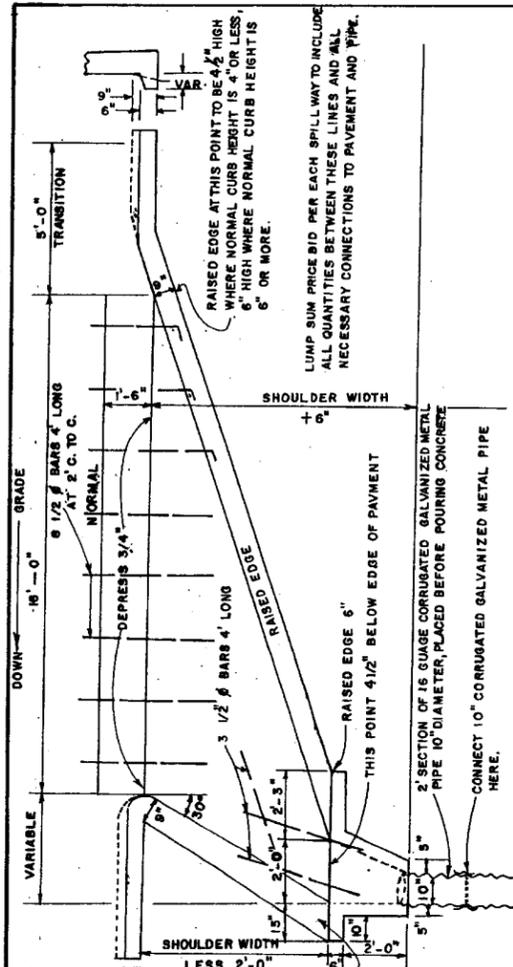
CERAMIC TILE SHALL BE EPOXIED IN PLACE OR SET IN A WET MORTAR BED.



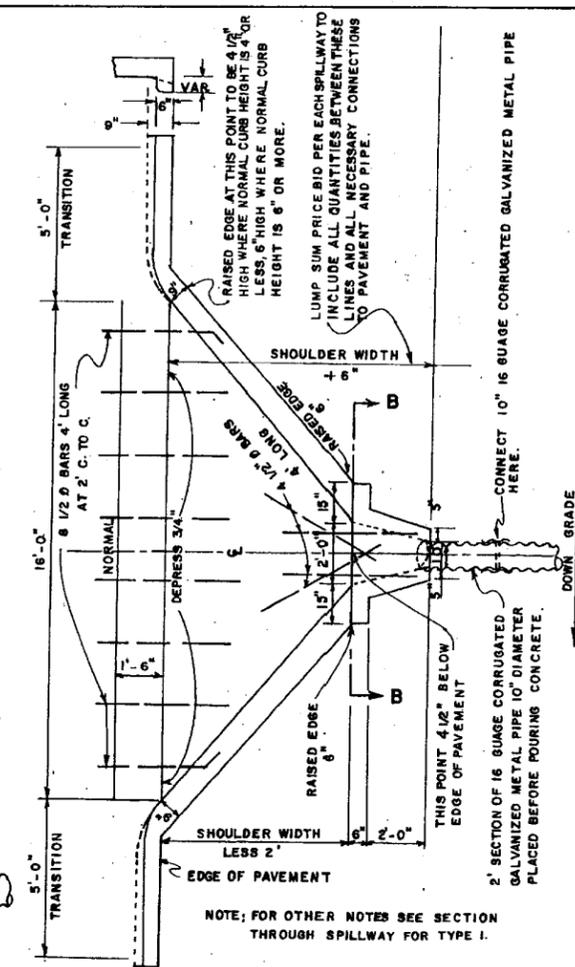
FOR TILE OR BRICK PAVERS NO VERTICAL LIP OVER 1/8" IS ALLOWED.



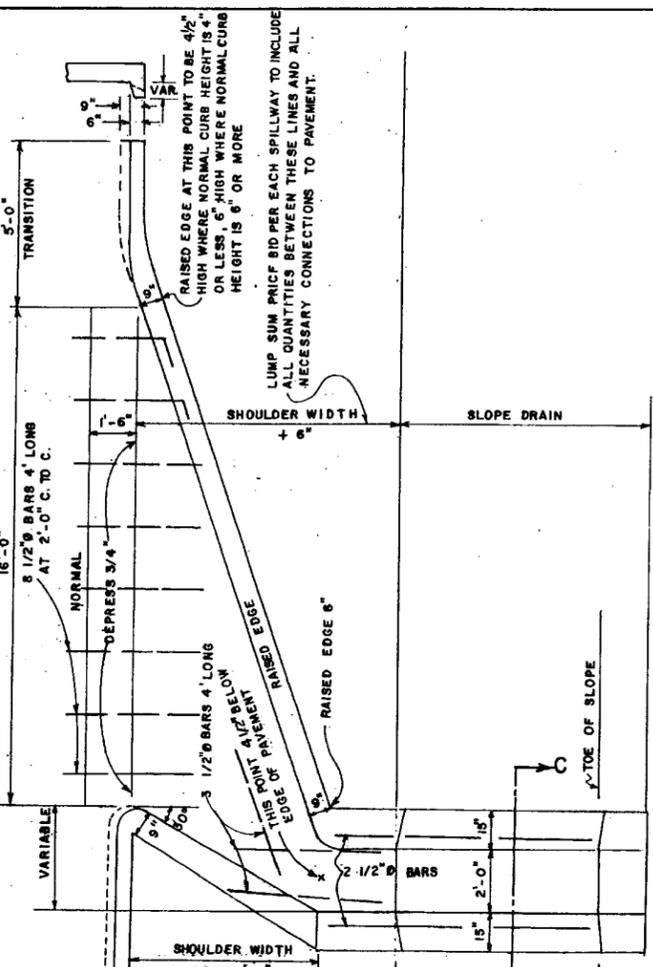
| | | | | |
|-------------------|----------|------|--|--|
| #14-02 7-29-02 | | DATE | DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA | |
| REVISION | REVISION | BY | SPECIAL DETAIL DETECTABLE WARNING SURFACE TRUNCATED DOME SIZE, SPACING AND ALIGNMENT REQUIREMENTS | |
| | | | NO SCALE | |
| | | | A4 | |



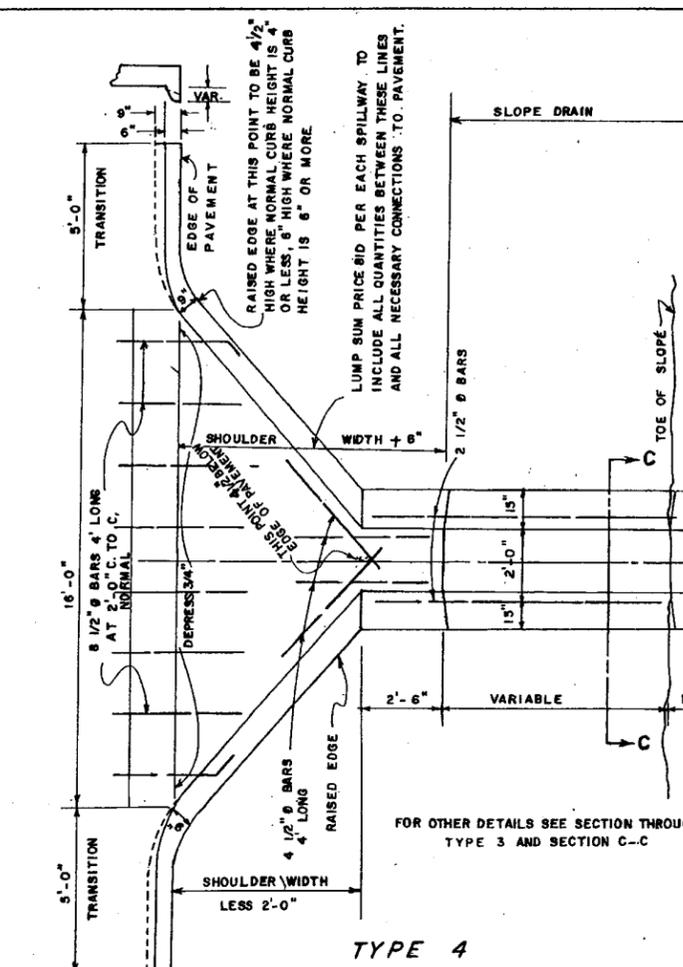
TYPE 1
SPILLWAY ON GRADE
FILLS OVER 5 FEET



TYPE 2
SPILLWAY FOR VERY FLAT GRADES
OR AT BOTTOM OF VERTICAL CURVE
FILLS OVER 5'

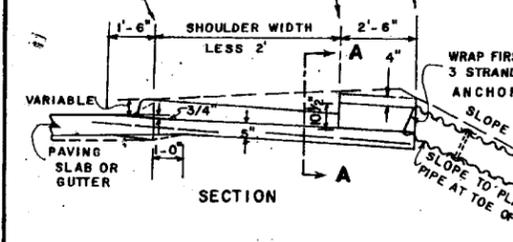


TYPE 3
SPILLWAY ON GRADES
FILLS 5' OR LESS

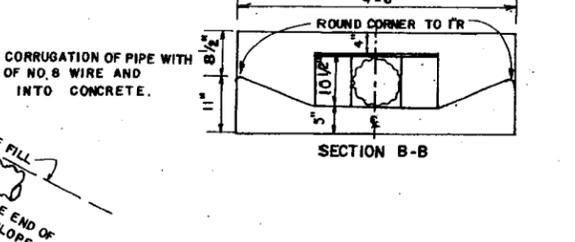


TYPE 4
SPILLWAY FOR VERY FLAT GRADES
OR AT BOTTOM OF VERTICAL CURVE
FILLS 5' OR LESS.

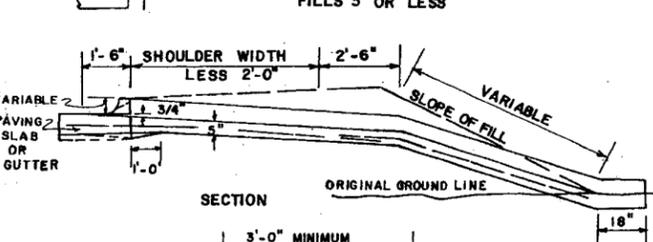
- GENERAL NOTES:**
- SPECIFICATIONS: GEORGIA STANDARD AND/OR SPECIAL PROVISIONS
 - CONCRETE SHALL BE ACCORDING TO SEC. 441 OR SAME AS RIGID PAVING.
 - APRON TO BE REQUIRED AT OUTLET OF SLOPE DRAIN PIPE UNLESS CONCRETE DITCH PAVING IS PROVIDED.



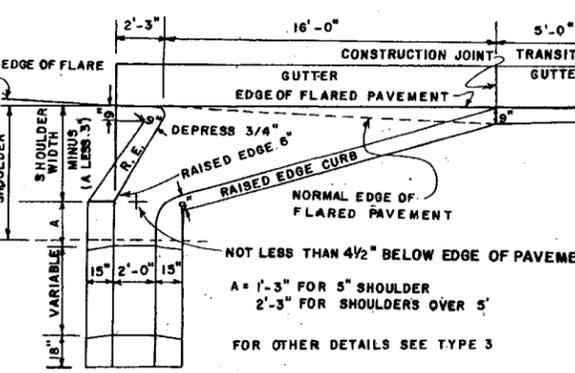
SECTION A-A



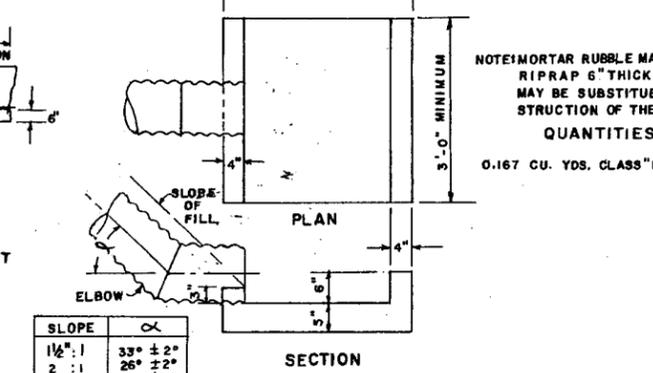
SECTION B-B



SECTION C-C



MODIFICATION OF SPILLWAY FOR USE AT END OF CURB AND GUTTER,
WHERE NON-RIGID TYPE OF PAVEMENT IS USED.



CONCRETE APRON
TO BE PLACED AT OUTLET
OF PIPE

| SLOPE | α |
|------------|------------|
| 1 1/2" : 1 | 33° ± 2" |
| 2 : 1 | 26° ± 2" |
| 3 : 1 | 18° ± 2" |
| 4 : 1 | 13.5° ± 2" |
| 6 : 1 | 9° ± 2" |

NOTE: MORTAR RUBBLE MASONRY, SAND CEMENT BAG RIPRAP 6" THICK, OR STONE GROUT RIPRAP MAY BE SUBSTITUTED FOR CONCRETE IN CONSTRUCTION OF THE APRON.

QUANTITIES:
0.167 CU. YDS. CLASS "B" CONCRETE

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

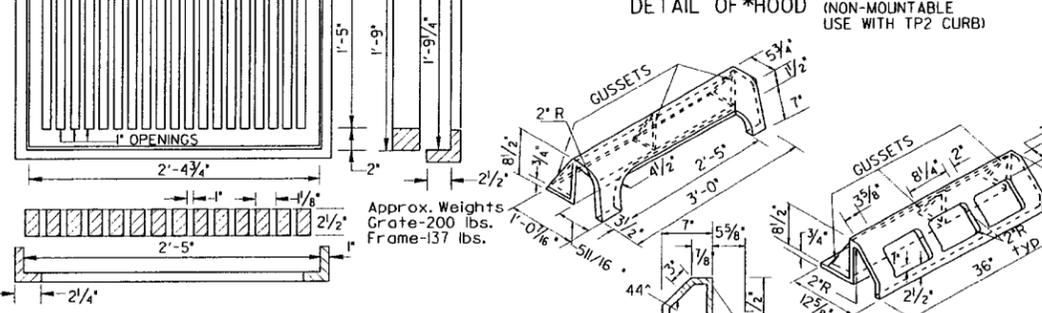
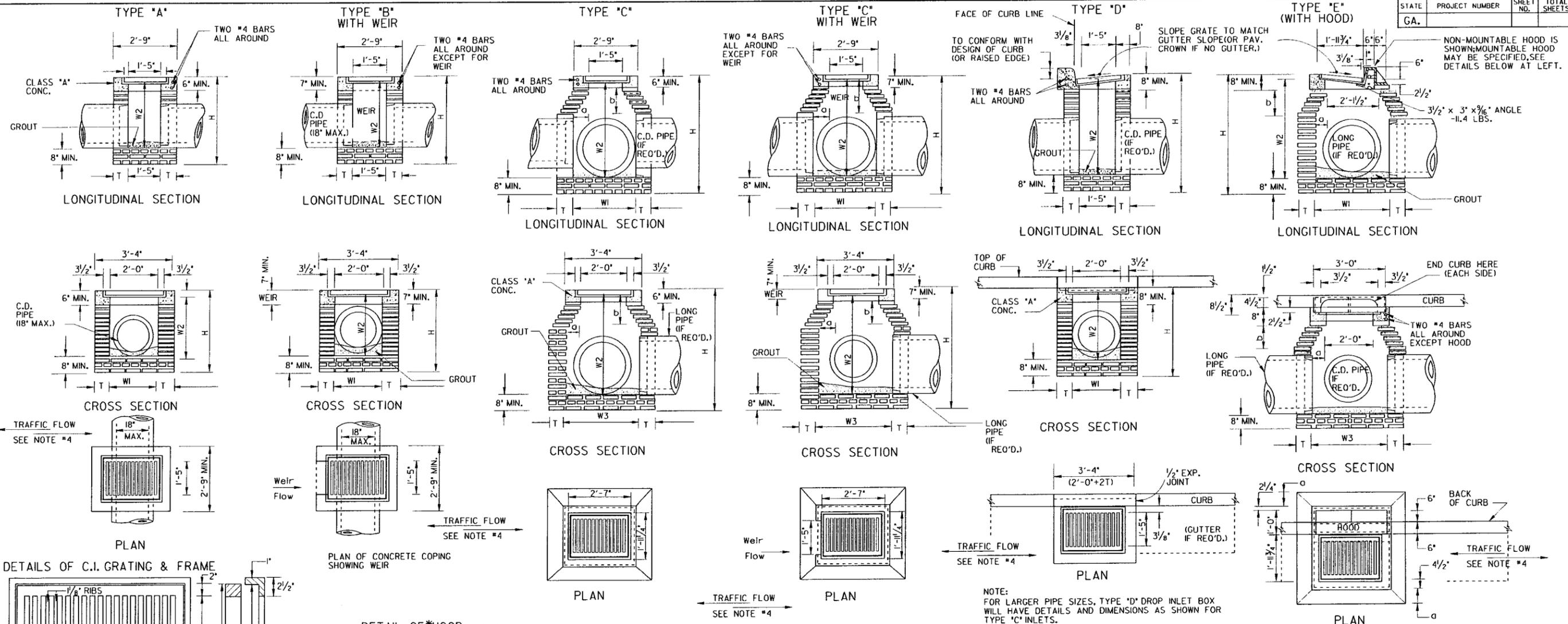
STANDARD

CONCRETE SPILLWAYS
(TYPICAL USE: ALONG ROADWAY AT END OF CURB)

NO SCALE REV. & REDR. FEBRUARY, 1981

DES. 7-58 (SUBMITTED) *Harold B. ...*
DRW. R.M.U. STATE ROAD & AIRPORT DESIGN ENGR.
TRA. G.M.E. (APPROVED) *Thomas S. ...*
CHK. R.K.C. STATE HIGHWAY ENGINEER

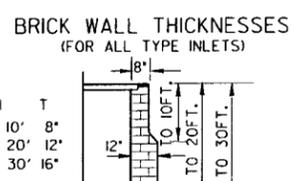
NUMBER
9013



SPECIAL NOTE:
STANDARD 1019A INLETS ARE FOR USE AT LOW POINTS & WHERE HYDRAULIC LOW CAPACITY GRATES ARE SUFFICIENT. WHERE HIGHER CAPACITY GRATES ARE NEEDED ON A CONTINUOUS GRADE, STANDARD 1019B IS RECOMMENDED.

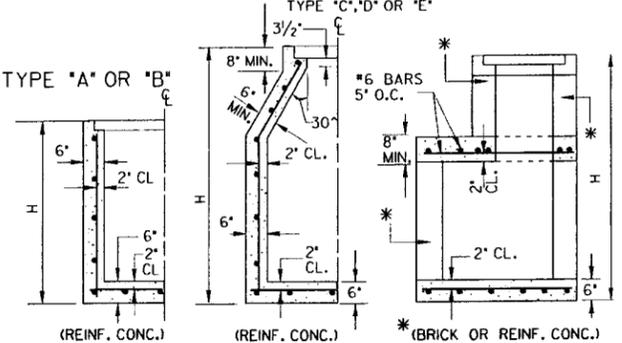
NOTE:
MINIMUM DIMENSIONS GIVEN IN TABLE BELOW ARE BASED UPON TYPICAL OUTSIDE DIAMETERS OF CONCRETE PIPES WITH NORMAL COVER AND CLEARANCES. THESE DIMENSIONS MAY BE MODIFIED IF SO DETAILED IN THE PLANS OR AS DIRECTED BY THE ENGINEER. DIMENSIONS GIVEN ARE MINIMUM EXCEPT FOR "d" WHICH IS MAXIMUM.

* CONTRACTOR SHALL SPECIFY EITHER MOUNTABLE OR NON-MOUNTABLE TO FOUNDRY IF HOOD IS REQUIRED.



NOTE:
DETAILS NOT SHOWN FOR CONSTRUCTION ALTERNATES WILL BE SIMILAR TO THAT SHOWN FOR BRICK MASONRY.

CONSTRUCTION ALTERNATES



NOTE: CONCRETE WALLS WILL BE REINFORCED WITH #4 BARS 12" O.C. BOTH WAYS, BUT WHERE H IS OVER 9 FT., AND PIPE IS OVER 30" I.D., THE HORIZONTAL STEEL, WHICH IS MORE THAN 9 FT. DEEP WILL BE INCREASED TO 6" SPACINGS. 6" CONC. BOTTOM SLABS WILL BE REINFORCED WITH #4 BARS 12" O.C. BOTH WAYS.

NOTE: FOR PRECAST ALTERNATES, SEE STD. 1019-A PRECAST AND/OR STD. 1040 PRECAST AND BUILT-IN-PLACE COMPONENTS MAY BE USED IN COMBINATIONS WHICH PROVIDE PROPER FITS AND STRUCTURAL ADEQUACY.

- GENERAL NOTES:**
- SPECIFICATIONS: GEORGIA STANDARD AND CURRENT EDITION, AND SUPPLEMENTS THERETO.
 - 1/2" EXPANSION JOINT WILL BE REQUIRED WHERE RIGID PAVEMENT, CONCRETE SIDEWALK OR CONCRETE GUTTER MEETS DROP INLETS.
 - ALIGNMENT, NUMBER AND SIZES OF PIPES SHOWN ARE ONLY TYPICAL, SEE PLANS FOR ACTUAL PIPE CULVERT REQUIREMENTS.
 - ALL TYPE DROP INLETS WILL BE CONSTRUCTED (AS SHOWN), SO THAT THE GRATE BARS ARE PERPENDICULAR TO THE FLOW OF TRAFFIC EXCEPT ON LIMITED ACCESS PROJECTS OR WHERE BICYCLES ARE PROHIBITED.
 - BRICK MASONRY WITH CLASS "A" CONC. TOP PORTION IS SHOWN AS STANDARD CONSTRUCTION WITH ALTERNATES PERMITTED AS SHOWN, BOTTOM SLAB MAY BE 8" MIN. NON-REINFORCED CONCRETE, 8" BRICK OR 6" MIN. REINFORCED CONCRETE, SEE APPLICABLE STANDARDS FOR ALTERNATE PRECAST CONSTRUCTION.

| D | TYPES "A" & "B" BRICK OR REINF. CONC. | | | TYPE "C" OR "D" (BRICK) | | | | | TYPE "C", "D" OR "E" (REINFORCED CONCRETE) | | | | | |
|-----|--|--------|-----------|-------------------------|------------|------------|-----------|-----------|--|-----------|-------------|-----------|-----------|-----------|
| | W1 | W2 | H (ft.) | W1 | W2 | W3 | O (MAX.) | H (ft.) | W1 | W2 | W3 | O (MAX.) | H (ft.) | |
| 15" | 2'-0" | 2'-7" | 3'-3 1/2" | 2'-2 1/8" | 2'-11" | 2'-9 1/8" | 0'-4 1/8" | 0'-7 1/8" | 3'-2 1/8" | 3'-1" | 3'-0 1/8" | 0'-7 1/8" | 1'-1 1/8" | 3'-1 1/2" |
| 18" | 2'-0" | 2'-10" | 3'-7" | 2'-2 1/8" | 3'-2 1/2" | 2'-9 1/8" | 0'-4 1/8" | 0'-7 1/8" | 4'-1" | 3'-2 1/8" | 3'-4 1/2" | 3'-0 1/8" | 0'-7 1/8" | 4'-1" |
| 24" | ~ | ~ | ~ | 2'-8 1/8" | 3'-3 1/8" | 3'-3 1/8" | 0'-7 1/8" | 1'-1 1/8" | 4'-9" | 3'-2 1/8" | 3'-1 1/2" | 3'-0 1/8" | 0'-7 1/8" | 4'-8 1/4" |
| 30" | ~ | ~ | ~ | 3'-7 1/4" | 4'-0 1/4" | 3'-10 1/8" | 1'-0 1/8" | 1'-9" | 5'-10" | 3'-5 1/2" | 4'-8 3/8" | 3'-4" | 0'-8" | 5'-6 1/2" |
| 36" | ~ | ~ | ~ | 4'-1 1/8" | 6'-0 5/8" | 4'-8 1/8" | 1'-4 1/8" | 2'-2 1/4" | 6'-11 1/8" | 3'-1 1/2" | 5'-8 3/8" | 3'-10" | 0'-8" | 1'-7 1/8" |
| 42" | ~ | ~ | ~ | 4'-5" | 7'-1 1/4" | 5'-0" | 1'-6" | 2'-7 3/8" | 8'-0 1/4" | 4'-6 1/2" | 7'-5 1/16" | 4'-5" | 1'-2 1/2" | 2'-1 3/8" |
| 48" | ~ | ~ | ~ | 5'-0" | 8'-2 3/4" | 5'-7" | 1'-9 1/2" | 3'-1 1/4" | 9'-1 1/4" | 5'-1 1/4" | 8'-6 1/16" | 5'-0" | 1'-6" | 2'-7 3/8" |
| 54" | ~ | ~ | ~ | 5'-7" | 9'-4" | 6'-2" | 2'-1" | 3'-7 1/2" | 10'-2 1/2" | 5'-8 1/2" | 9'-1 3/4" | 5'-7" | 1'-9 1/2" | 3'-1 1/4" |
| 60" | ~ | ~ | ~ | 6'-2" | 11'-4 1/8" | 6'-9" | 2'-4 1/2" | 4'-1 3/8" | 11'-3 1/4" | 6'-3 1/2" | 10'-8 1/16" | 6'-2" | 2'-1" | 3'-7 3/8" |

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

STANDARD
DROP INLETS
(BUILT-IN-PLACE)

SCALE AS SHOWN REV. & REDR. AUG., 1999

| | | |
|------|-------------|--------|
| DES. | (SUBMITTED) | NUMBER |
| REV. | (APPROVED) | 1019A |
| TRA. | | |
| CHK. | | |

| | | | |
|-------|----------------|-----------|--------------|
| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
| GA. | | | |

NORMAL BACKFILL

BACKFILL, AS SHOWN BY THE BROKEN LINE SECTIONS, SHALL CONSIST OF PLACING COMPACTABLE SOIL IN 6" (LOOSE) LAYERS AND COMPACTING EACH LAYER (ACCORDING TO GEORGIA STANDARD SPECIFICATIONS) ON BOTH SIDES OF PIPE FOR ITS FULL LENGTH. MEASUREMENT AND PAYMENT WILL BE MADE UNDER ROADWAY EXCAVATION ITEMS FOR FORMATION OF EMBANKMENTS.

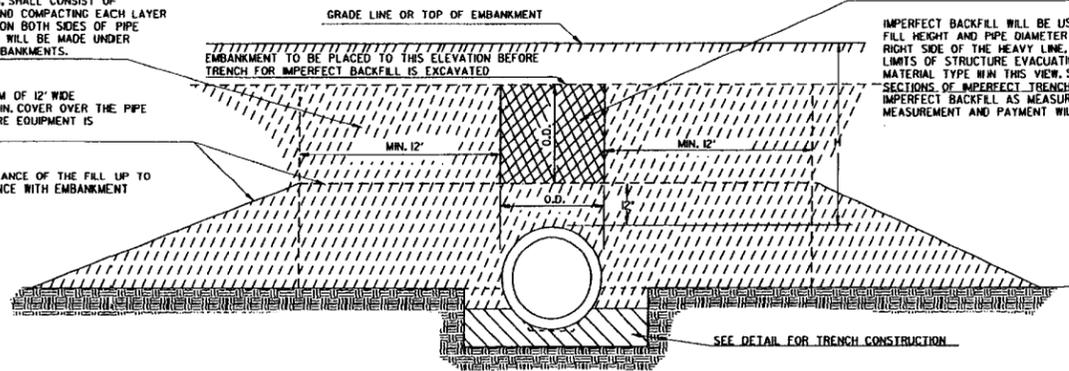
NORMAL EMBANKMENT SHALL BE PLACED A MINIMUM OF 12" WIDE ON EACH SIDE OF THE PIPE AND AT LEAST THE MIN. COVER OVER THE PIPE AND COMPACTED TO THE REQUIRED DENSITY BEFORE EQUIPMENT IS ALLOWED TO CROSS.

AFTER BACKFILL HAS BEEN COMPACTED, THE BALANCE OF THE FILL UP TO GRADE LINE SHALL BE CONSTRUCTED IN ACCORDANCE WITH EMBANKMENT SPECIFICATIONS.

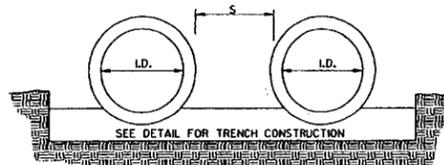
LONGITUDINAL SECTION OF IMPERFECT TRENCH BACKFILL AND BACKFILL METHODS

IMPERFECT BACKFILL

IMPERFECT BACKFILL WILL BE USED WITH CONCRETE PIPE IF FILL HEIGHT AND PIPE DIAMETER IN TABLE NO. 1 FALLS ON THE RIGHT SIDE OF THE HEAVY LINE. CROSS HATCHED AREA SHOWS LIMITS OF STRUCTURE EXCAVATION AND IMPERFECT BACKFILL MATERIAL TYPE III IN THIS VIEW. SEE DETAILS BELOW CROSS SECTIONS OF IMPERFECT TRENCH BACKFILL FOR LIMITS OF IMPERFECT BACKFILL AS MEASURED OVER THE PIPE LENGTHWISE. MEASUREMENT AND PAYMENT WILL BE CONFINED TO THESE LIMITS.



MULTIPLE PIPE CULVERT SPACING

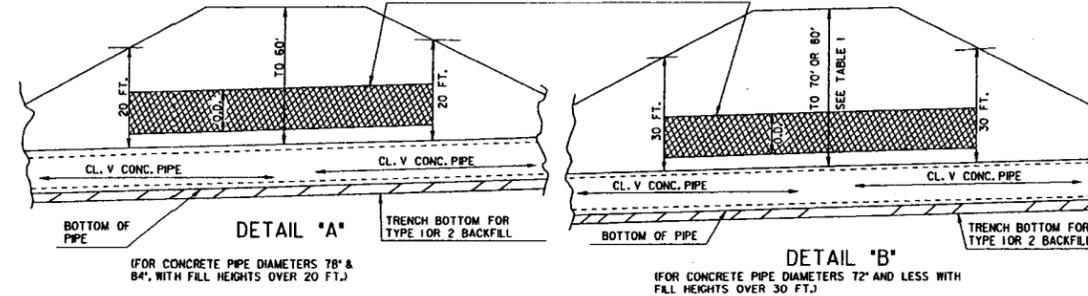


S=ONE INSIDE DIAMETER OF PIPE, OR 3 FEET, WHICHEVER IS SMALLER.
FOR PIPE ARCH CULVERTS, SUBSTITUTE SPAN FOR INSIDE DIAMETER.

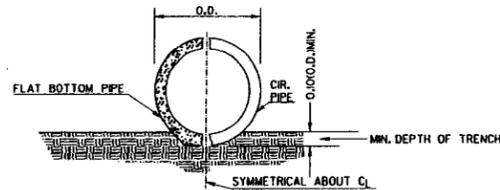
NOTE: FOR MULTIPLE LINES OF C.M. PIPE WITH METAL FLARED END SECTIONS, S MAY BE INCREASED ENOUGH TO AVOID OVERLAP OF END SECTION WINGTIPS. LOCATION OF METAL END SECTION SHOULD BE DETERMINED BEFORE PLACEMENT OF PIPE.

CROSS SECTIONS OF IMPERFECT TRENCH BACKFILL

CROSS HATCHED AREAS SHOW LIMITS OF CONSTRUCTION & MEASUREMENT FOR STRUCTURE EXCAVATION & IMPERFECT TRENCH BACKFILL MATERIAL, TYPE III

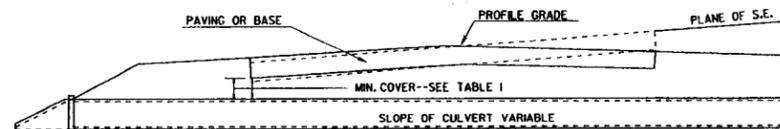


TRENCH CONSTRUCTION FOR SIDE DRAIN

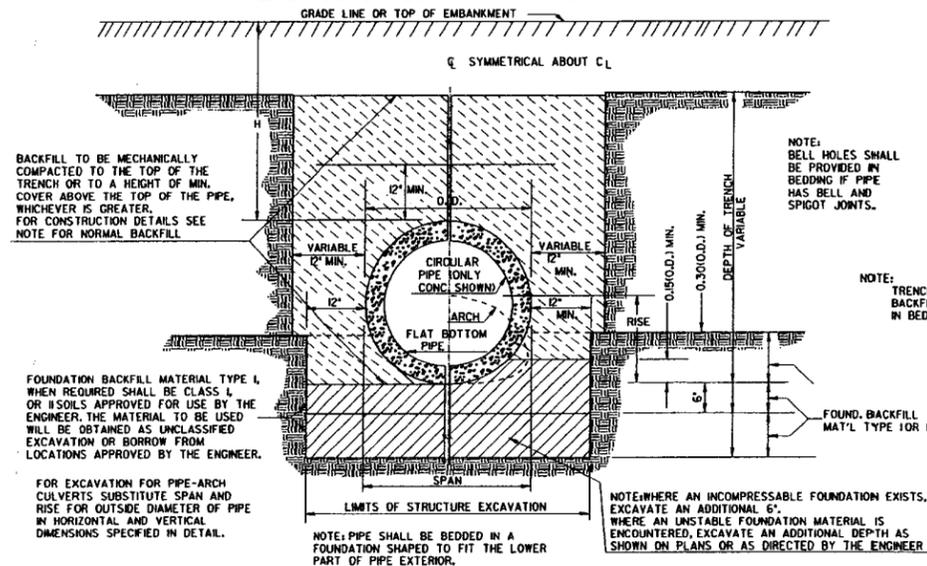


NOTE: THE PIPE SHALL BE BEDDED TO LINE AND GRADE IN A FIRM FOUNDATION SHAPED TO FIT THE LOWER PART OF THE PIPE EXTERIOR. WHERE ROCK EXISTS, EXCAVATE AND BACKFILL WITH COMPRESSIBLE MATERIAL (UNCLASSIFIED EXCAVATION) A MINIMUM OF 6" BELOW THE PIPE.

DETAIL SHOWING MINIMUM COVER FOR PIPE CULVERTS



TRENCH CONSTRUCTION FOR STORM DRAIN



BACKFILL TO BE MECHANICALLY COMPACTED TO THE TOP OF THE TRENCH OR TO A HEIGHT OF MIN. COVER ABOVE THE TOP OF THE PIPE, WHICHEVER IS GREATER. FOR CONSTRUCTION DETAILS SEE NOTE FOR NORMAL BACKFILL.

FOUNDATION BACKFILL MATERIAL TYPE I, WHEN REQUIRED SHALL BE CLASS I OR II SOILS APPROVED FOR USE BY THE ENGINEER. THE MATERIAL TO BE USED WILL BE OBTAINED AS UNCLASSIFIED EXCAVATION OR BORROW FROM LOCATIONS APPROVED BY THE ENGINEER.

FOR EXCAVATION FOR PIPE-ARCH CULVERTS SUBSTITUTE SPAN AND RISE FOR OUTSIDE DIAMETER OF PIPE IN HORIZONTAL AND VERTICAL DIMENSIONS SPECIFIED IN DETAIL.

NOTE: PIPE SHALL BE BEDDED IN A FOUNDATION SHAPED TO FIT THE LOWER PART OF PIPE EXTERIOR.

NOTE: WHERE AN INCOMPRESSIBLE FOUNDATION EXISTS, EXCAVATE AN ADDITIONAL 6". WHERE AN UNSTABLE FOUNDATION MATERIAL IS ENCOUNTERED, EXCAVATE AN ADDITIONAL DEPTH AS SHOWN ON PLANS OR AS DIRECTED BY THE ENGINEER.

NOTE: BELL HOLES SHALL BE PROVIDED IN BEDDING IF PIPE HAS BELL AND SPIGOT JOINTS.

NOTE: TRENCH CONSTRUCTION IS REQUIRED FOR BOTH NORMAL OR IMPERFECT BACKFILL. ALL PIPES WITH BELL & SPIGOT JOINTS SHALL HAVE BELL HOLES IN BEDDING.

NOTE:

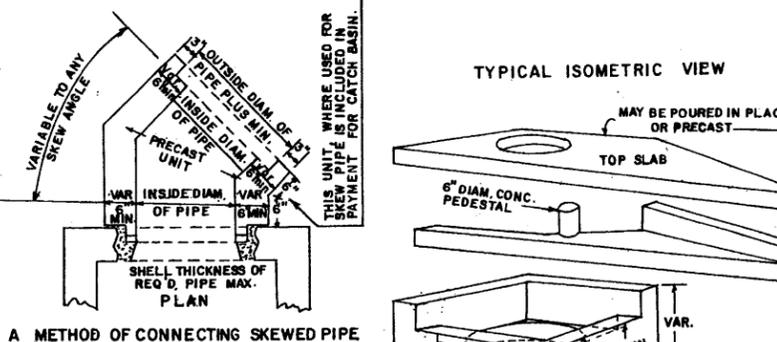
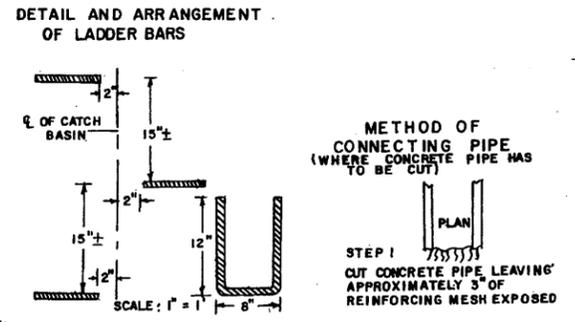
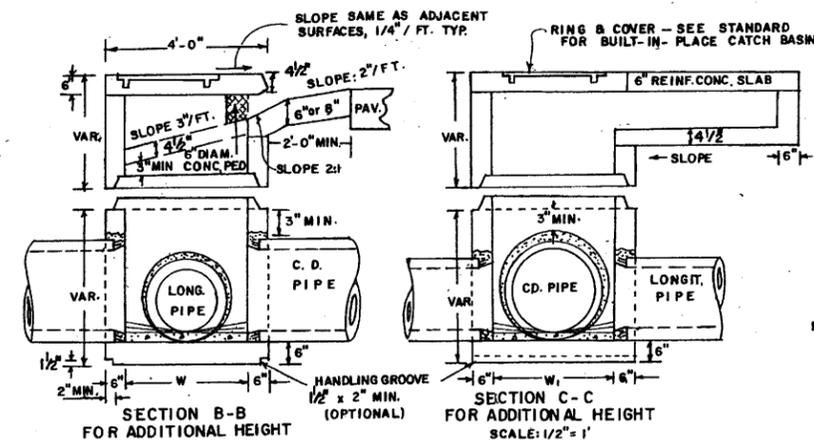
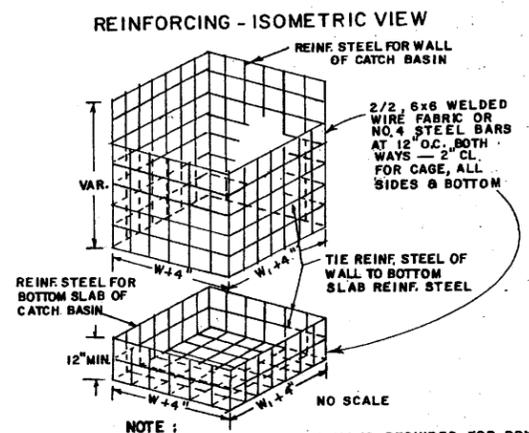
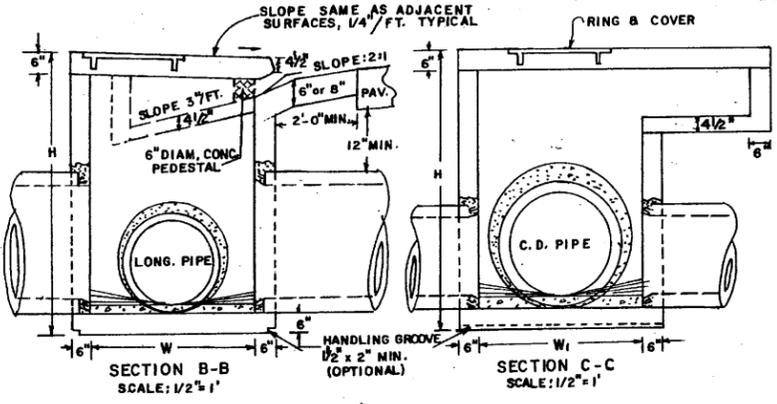
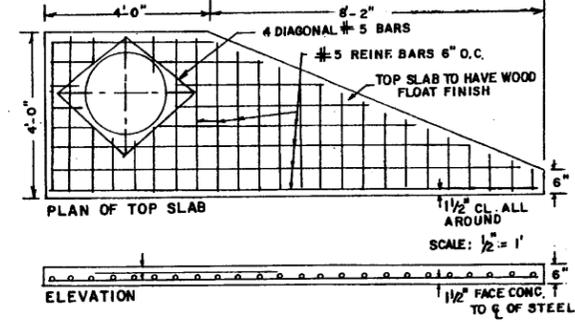
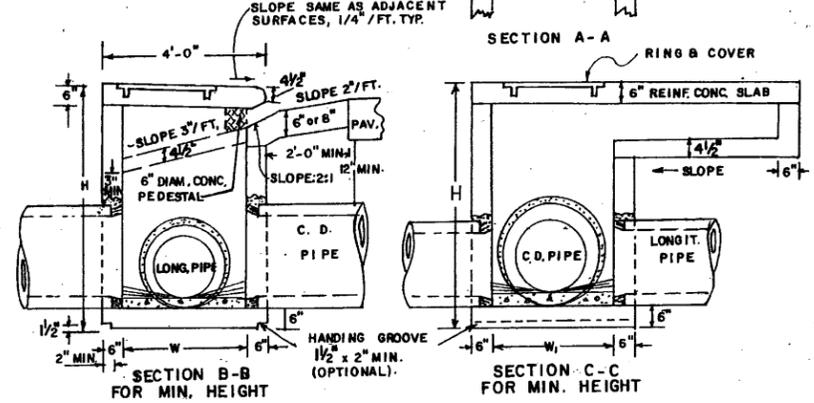
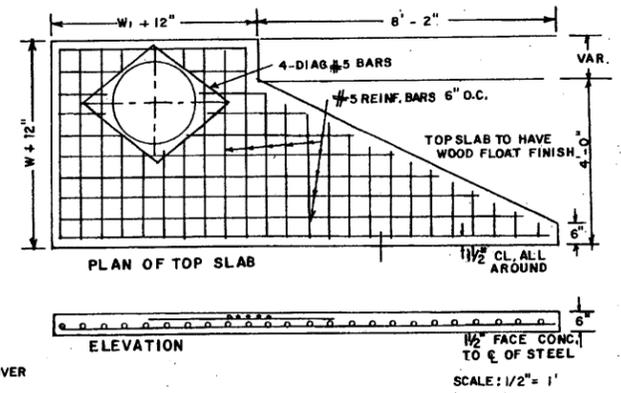
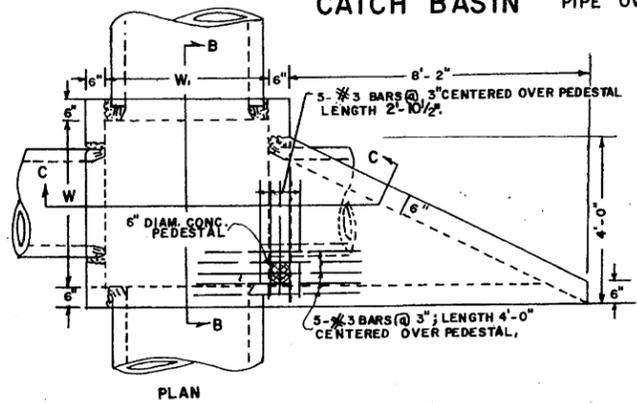
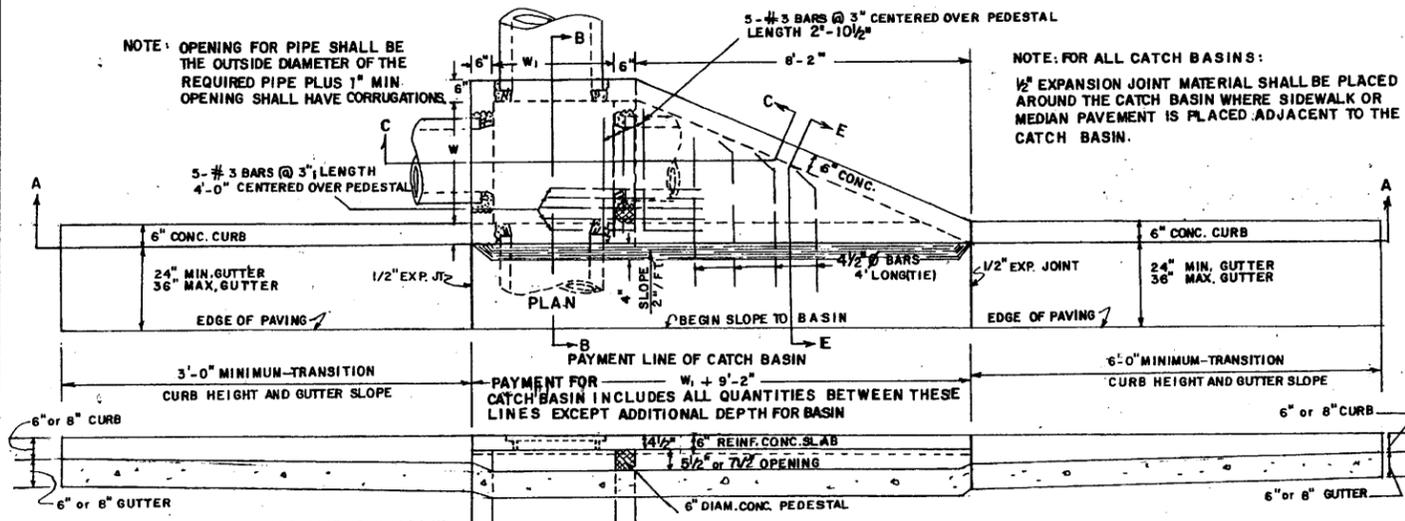
1. FOR FILL HEIGHT TABLES SEE SHEET 2 OF 3 AND SHEET 3 OF 3.
2. ONLY ONE CLASS OR THICKNESS OF PIPE WILL BE SPECIFIED FOR EACH INDIVIDUAL LOCATION. THE CLASS OR THICKNESS WILL BE DETERMINED BY THE MAXIMUM HEIGHT OF FILL.

| | |
|---|----------------------------------|
| DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA | |
| STANDARD CONCRETE & METAL PIPE CULVERTS SHEET 1 OF 3 (TRENCH CONSTRUCTION, BEDDING, BACKFILLING) | |
| NO SCALE | REV. & REDR.: SEPT., 2001 |
| DES. _____ (SUBMITTED) <i>James H. Bennett</i> | NUMBER 1030D |
| DRW. _____ | STA. ROAD & AIRPORT DESIGN ENGR. |
| TRA. _____ (APPROVED) <i>David L. ...</i> | CHIEF ENGINEER |
| CHK. _____ | |

| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
|-------|----------------|-----------|--------------|
| GA. | | | |

CATCH BASIN (IF CATCH BASIN HAS LONGITUDINAL PIPE OVER 24", SEE DETAILS AT RIGHT.)

CATCH BASIN (TYPICAL FOR CATCH BASIN WITH LONGITUDINAL PIPE OVER 24")



ALL JOINTS BETWEEN PRECAST RISERS OR BETWEEN PRECAST BASE AND RISER WILL BE KEYPED. KEYPED JOINTS SHOWN ARE TYPICAL AND MAY BE VARIED.

DIMENSIONS FOR CATCH BASINS

| PIPE SIZE | NORMAL W OR W ₁ | H |
|-----------|----------------------------|--------|
| 12" | 3'-0" | 4'-4" |
| 15" | 3'-0" | 4'-7" |
| 18" | 3'-0" | 4'-10" |
| 24" | 3'-0" | 5'-6" |
| 30" | 3'-6" | 6'-2" |
| 36" | 4'-0" | 6'-10" |
| 42" | 5'-0" | 7'-4" |
| 48" | 5'-0" | 8'-0" |
| 54" | 6'-0" | 8'-6" |
| 60" | 6'-0" | 9'-2" |

NOTE: DIMENSIONS FOR CATCH BASINS ARE BASED UPON TYPICAL OUTSIDE DIAMETERS OF CONCRETE PIPES AND MAY BE VARIED IF CONDITIONS PERMIT AND THE ENGINEER APPROVES. W & W₁ DIMENSIONS DO NOT HAVE TO BE EQUAL.

ALTERNATE: BUILT-IN-PLACE PRECAST BOX, AND/OR PRECAST CIRCULAR UNITS WITH THE REQUIRED ADAPTERS, REDUCERS, FITTINGS, CONNECTIONS, ETC. MAY BE USED IN COMBINATIONS.

NOTE: FOR RING & COVER DETAILS AND OTHER DETAILS NOT SHOWN, SEE STANDARD 1033D FOR BUILT-IN-PLACE CATCH BASIN.

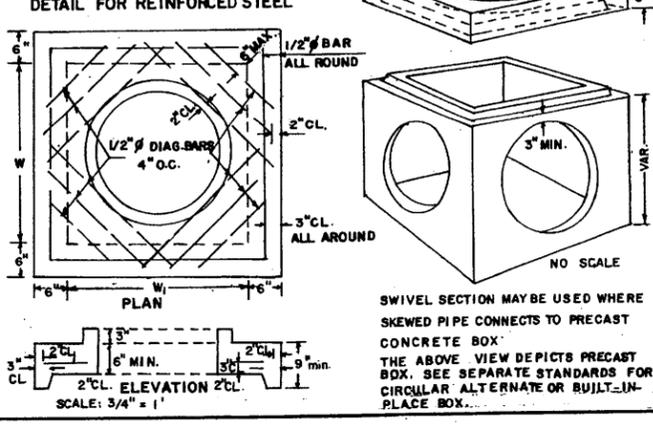
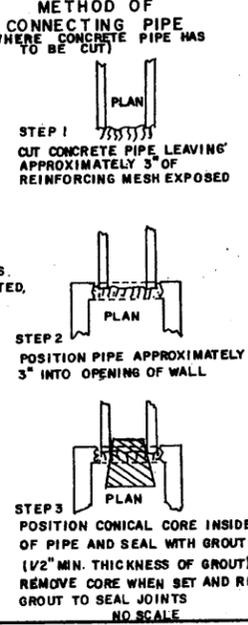
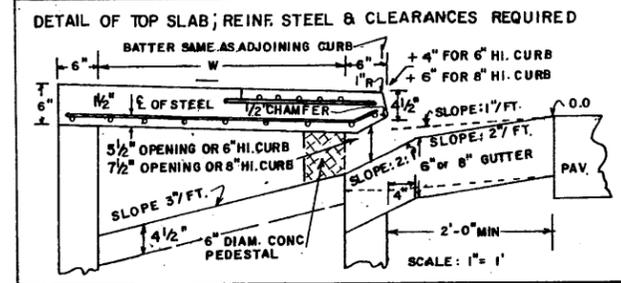
DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

STANDARD PRECAST CATCH BASINS FOR USE WITH CURB (6" OR 8" HT.) & GUTTER

SCALE AS SHOWN

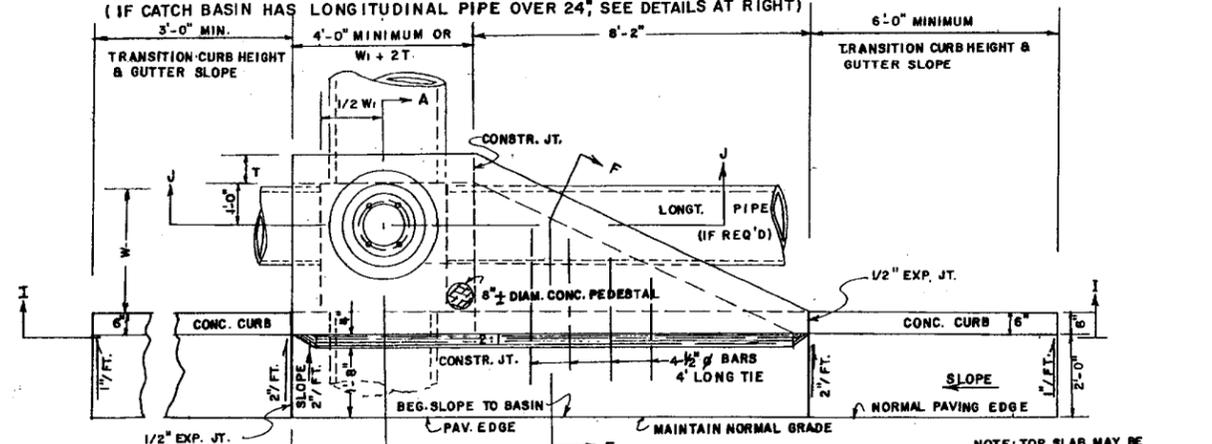
REV. & REDR., SEPT., 1982

| | | |
|---------------------|--------------------------------------|---------|
| REV. & REDR. R.M.U. | (SUBMITTED) <i>Frank E. Hardy</i> | NUMBER |
| TRA G.M.E. | STATE ROAD & AIRPORT DESIGN ENGR | 1033D |
| CHK. R.K.C. | (APPROVED) <i>Thomas D. Moreland</i> | PRECAST |



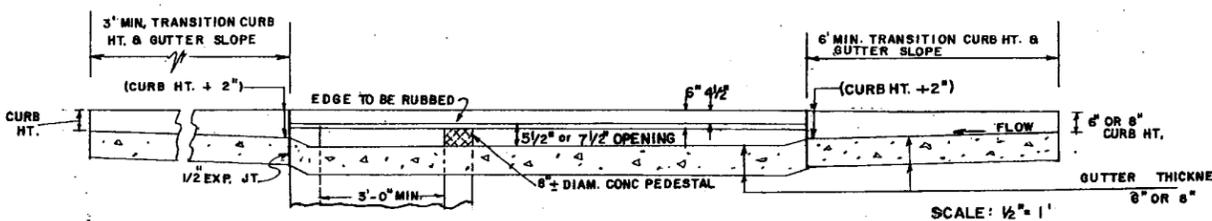
| | | | |
|-------|----------------|-----------|--------------|
| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
| GA | | | |

CATCH BASIN

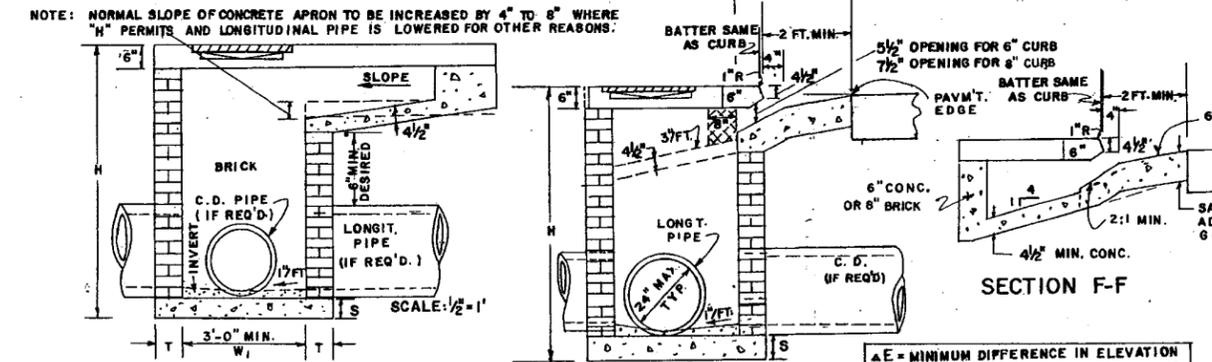


NOTE: 12'-0" (MIN.) PAYMENT FOR CATCH BASIN INCLUDES ALL QUANTITIES BETWEEN THESE LINES EXCEPT ADDITIONAL DEPTH (UNLESS OTHERWISE NOTED IN THE PLANS)

PLAN



SECTION I-I

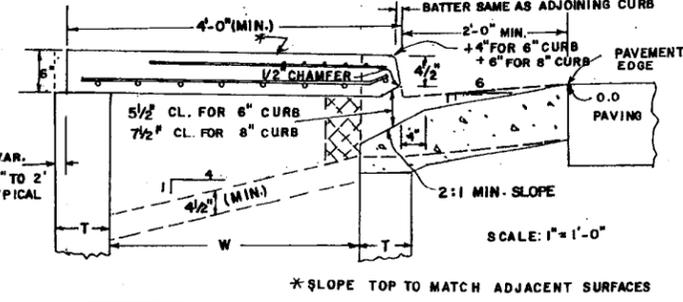


SECTION J-J

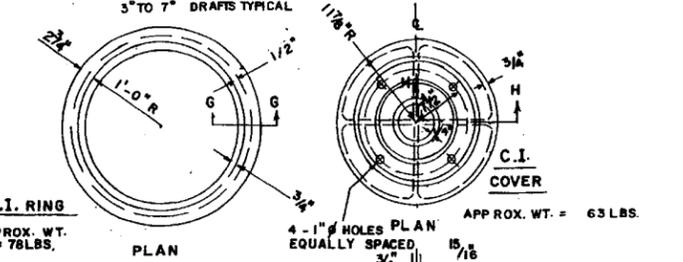
SECTION A-A

ΔE = MINIMUM DIFFERENCE IN ELEVATION FROM PAVEMENT EDGE TO FLOW LINE OF OUTLET PIPE.

DETAIL OF TOP SLAB, REINF. STEEL & CLEARANCES REQ'D.



CASTING DETAILS



C.I. RING PLAN

ELEVATION SCALE: 1" = 1'

SECTION H-H SCALE: 3" = 1'

SECTION G-G SCALE: 3" = 1'

DEPTH LIMITS FOR INCREASING T

BRICK

PRECAST BOX ON BRICK (HALF-SECTION)

REINFORCED CONCRETE (HALF-SECTION)

CONSTRUCTION ALTERNATES

REINFORCED CONCRETE (HALF-SECTION)

NON-REINFORCED SMALL BASIN (W. NOT OVER 3'-7")

REINFORCED CONCRETE (HALF-SECTION)

CONSTRUCTION ALTERNATES

REINFORCED CONCRETE (HALF-SECTION)

NON-REINFORCED SMALL BASIN (W. NOT OVER 3'-7")

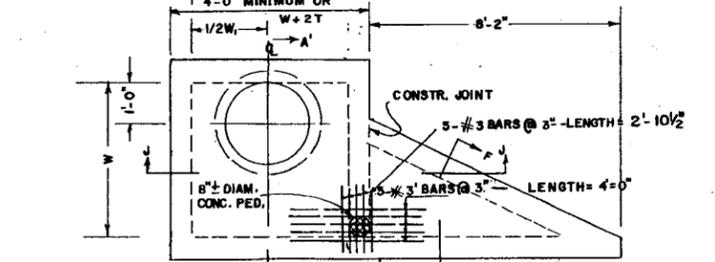
REINFORCED CONCRETE (HALF-SECTION)

CONSTRUCTION ALTERNATES

REINFORCED CONCRETE (HALF-SECTION)

NON-REINFORCED SMALL BASIN (W. NOT OVER 3'-7")

CATCH BASIN - (WITH PROTRUDED BACK)



PART PLAN

SECTION A-A' (WITH LARGE LONGITUDINAL PIPE)

SECTION A-A' (WITH RECESSED BOX)

DETAIL OF TOP REINFORCED CONCRETE SLAB

PLAN

ELEVATION

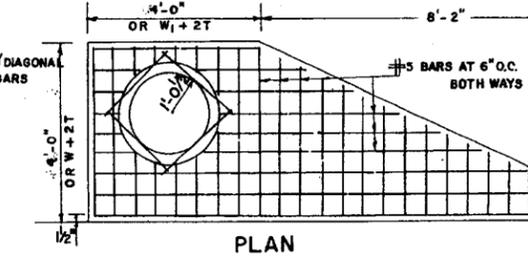
DETAIL OF TOP REINFORCED CONCRETE SLAB

| PIPE DIA. | H (MIN.) | W or W1 | ΔE (MIN.) |
|-----------|----------|---------|-----------|
| 12 | 4'-4" | 5'-0" | 3'-3" |
| 15 | 4'-7" | 5'-0" | 3'-6" |
| 18 | 4'-10" | 5'-0" | 3'-9" |
| 24 | 5'-6" | 5'-0" | 4'-4" |
| 30 | 6'-2" | 5'-0" | 5'-0" |
| 36 | 6'-10" | 4'-6" | 5'-7" |
| 42 | 7'-4" | 5'-3" | 5'-11" |
| 48 | 8'-0" | 6'-0" | 6'-6" |
| 54 | 8'-6" | 6'-8" | 7'-0" |
| 60 | 9'-2" | 7'-4" | 7'-7" |

NOTE: THE MIN. H & MIN. ΔE GIVEN IN ABOVE TABLE ARE BASED UPON TYPICAL OUTSIDE DIAMETERS OF CONC. PIPE AND MAY BE VARIED IF CONDITIONS PERMIT WITH VARIED DIMENSIONS SPECIFIED IN THE PLANS OR DIRECTED BY THE ENGINEER. W & W1 DIMENSIONS DO NOT HAVE TO BE EQUAL.

| WOR W1 (MAX.) | BOTTOM SLAB MATERIALS | S |
|---------------|---|----|
| TO 4'-6" | NON-REINF. CONCRETE | 6" |
| OR BRICK | | |
| OVER 4'-6" | CONC. REINF. W. #4 BARS 12" O.C. BOTH WAYS 2" CL. FROM SLAB TOP | 8" |

DETAIL OF TOP REINFORCED CONCRETE SLAB



PLAN

ELEVATION

DETAIL OF TOP REINFORCED CONCRETE SLAB

PLAN

ELEVATION

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
STANDARD CATCH BASINS
FOR USE WITH CURB (6" HT. OR 8" HT.) & GUTTER

SCALE AS SHOWN
RED. & REDR. AUGUST, 1982
REV. B REDR. (SUBMITTED) *David G. Hardy*
TRA. S.M.E. STATE ROAD & AIRPORT DESIGN ENGR.
CHK. R.K.C. (APPROVED) *Thomas D. Hardy*
STATE HIGHWAY ENGINEER

NUMBER
1033 D

CATCH BASIN (IF CATCH BASIN HAS LONGITUDINAL PIPE OVER 24", SEE DETAILS AT RIGHT)

CATCH BASIN (TYPICAL FOR CATCH BASIN WITH LONGITUDINAL PIPE OVER 24")

| | | | |
|-------|----------------|-----------|--------------|
| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
| GA. | | | |

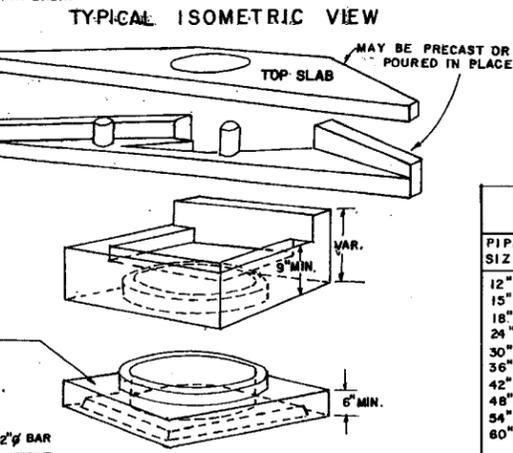
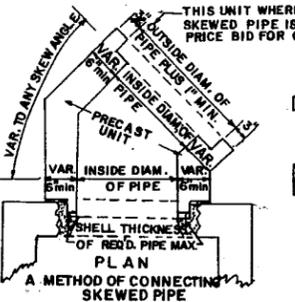
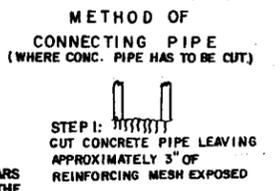
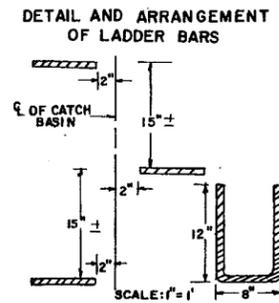
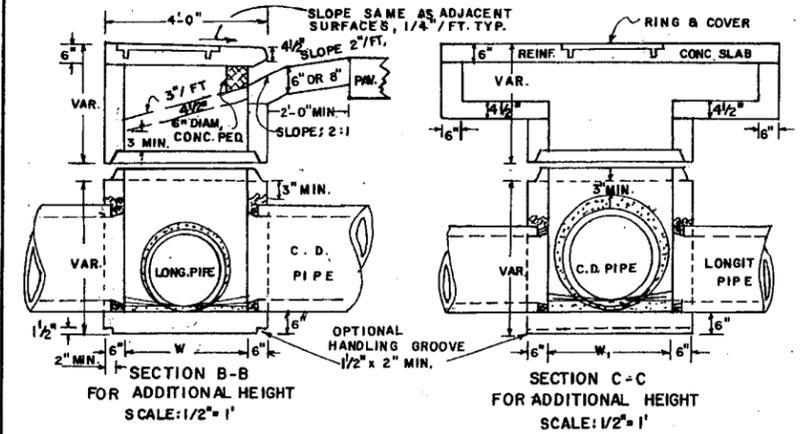
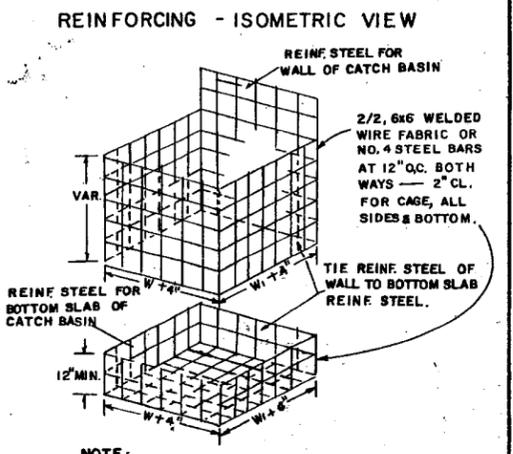
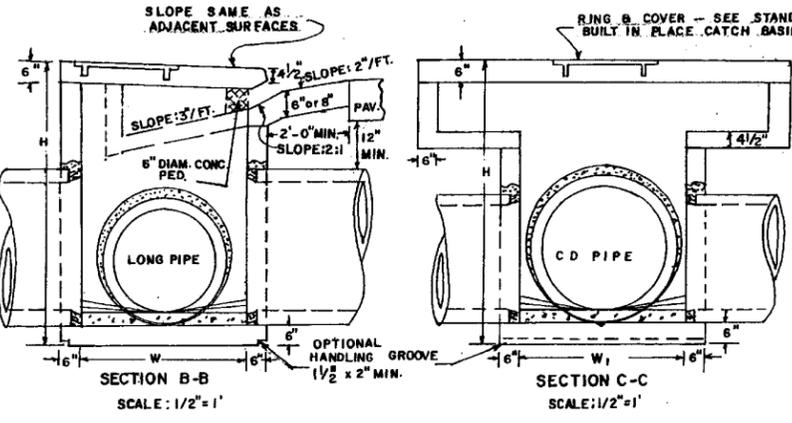
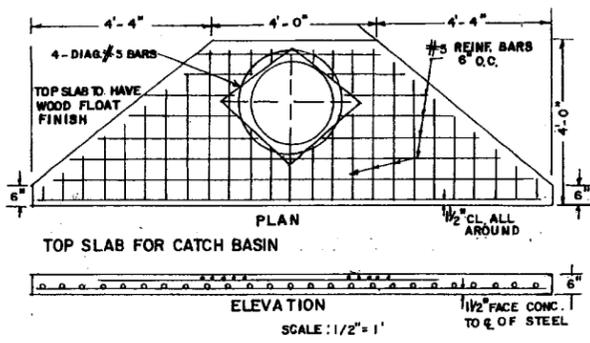
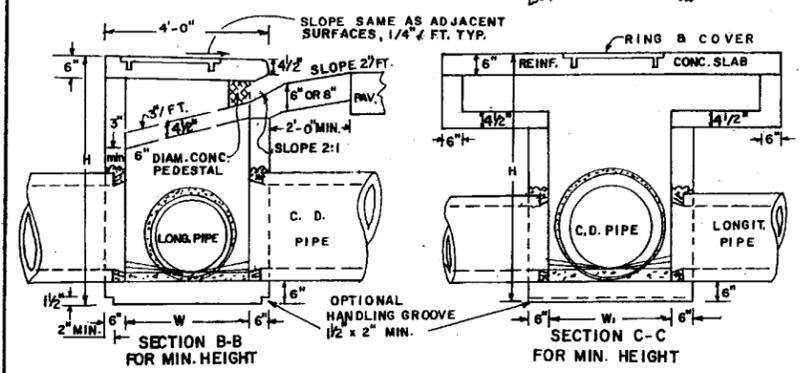
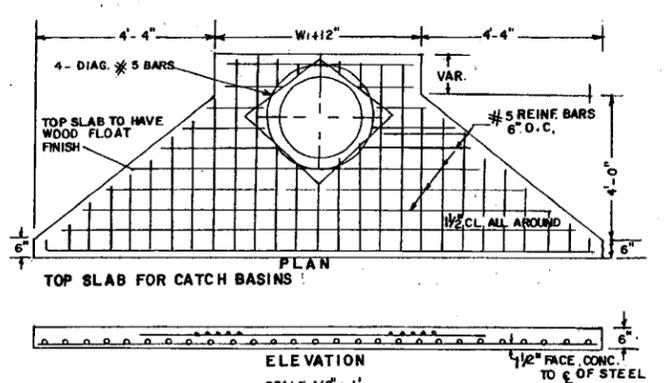
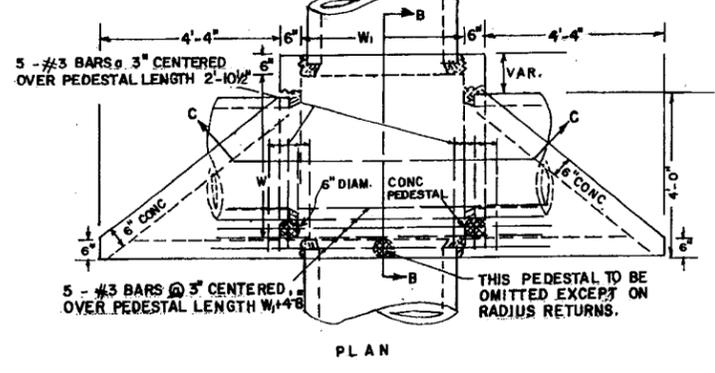
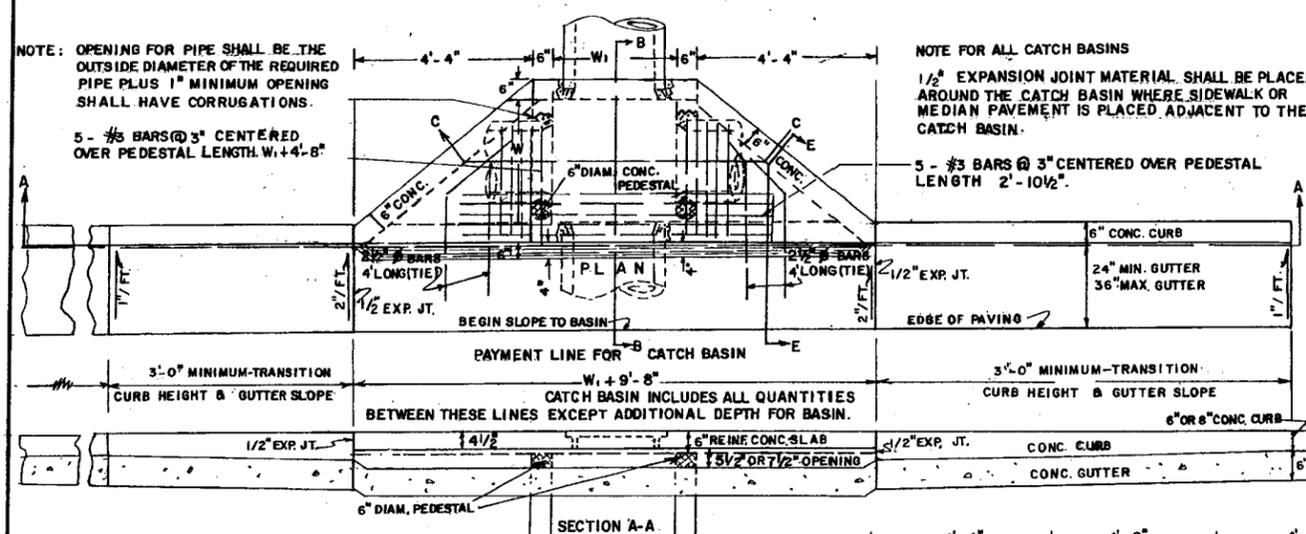
NOTE: OPENING FOR PIPE SHALL BE THE OUTSIDE DIAMETER OF THE REQUIRED PIPE PLUS 1" MINIMUM OPENING SHALL HAVE CORRUGATIONS.

5 - #3 BARS @ 3" CENTERED OVER PEDESTAL LENGTH $W_1 + 4 - 8"$

NOTE FOR ALL CATCH BASINS

1/2" EXPANSION JOINT MATERIAL SHALL BE PLACED AROUND THE CATCH BASIN WHERE SIDEWALK OR MEDIAN PAVEMENT IS PLACED ADJACENT TO THE CATCH BASIN.

5 - #3 BARS @ 3" CENTERED OVER PEDESTAL LENGTH $2' - 10 1/2"$

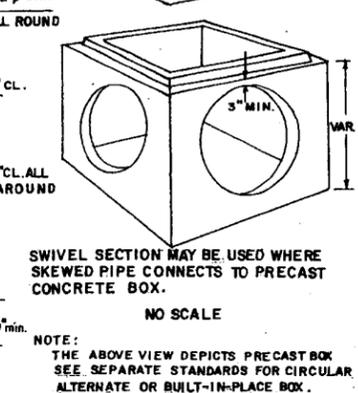
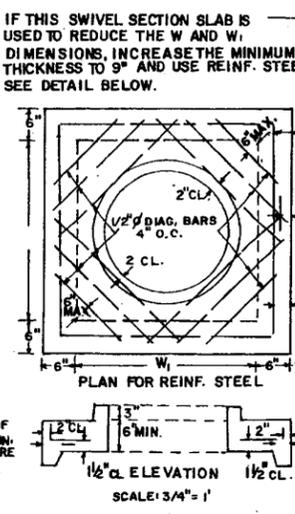
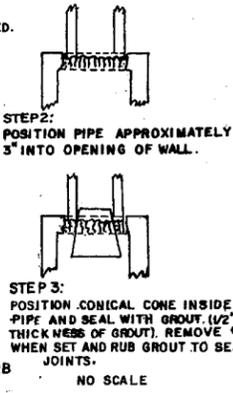
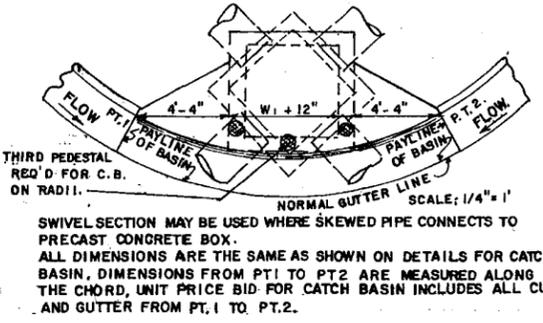
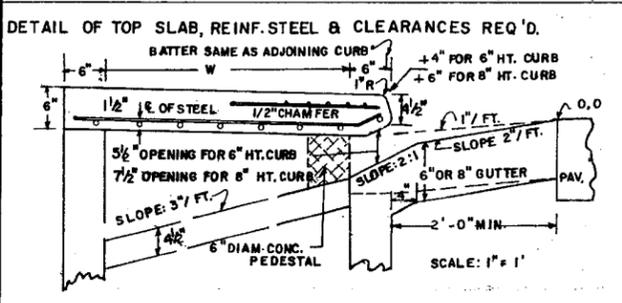


| PIPE SIZE | NORMAL W or W ₁ | MIN. H |
|-----------|----------------------------|--------|
| 12" | 3'-0" | 4'-4" |
| 15" | 3'-0" | 4'-7" |
| 18" | 3'-0" | 4'-10" |
| 24" | 3'-0" | 5'-6" |
| 30" | 3'-6" | 6'-2" |
| 36" | 4'-0" | 6'-10" |
| 42" | 5'-0" | 7'-4" |
| 48" | 5'-0" | 8'-0" |
| 54" | 6'-0" | 8'-6" |
| 60" | 6'-0" | 9'-2" |

NOTE: DIMENSIONS FOR CATCH BASINS ARE BASED UPON TYPICAL OUTSIDE DIAMETERS OF CONCRETE PIPES AND MAY BE VARIED IF CONDITIONS PERMIT AND THE ENGINEER APPROVES. W & W₁ DIMENSIONS DO NOT HAVE TO BE EQUAL.

ALTERNATE: BUILT-IN-PLACE PRECAST BOX, AND/OR PRECAST CIRCULAR UNITS WITH THE REQUIRED ADAPTERS, REDUCERS, FITTINGS, CONNECTIONS, ETC. MAY BE USED IN COMBINATIONS.

NOTE: FOR RING & COVER DETAILS AND OTHER DETAILS NOT SHOWN, SEE STANDARD 1034 D FOR BUILT-IN-PLACE CATCH BASIN.



DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

STANDARD PRECAST CATCH BASINS
FOR USE WITH CURB (6" OR 8" HT.) & GUTTER
(IN SAGS OR LOW POINTS)

SCALE AS SHOWN

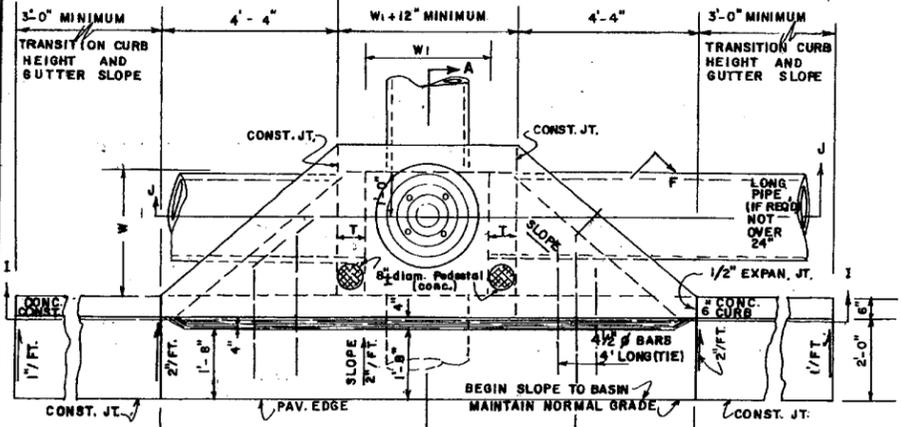
REV. & REDR., SEPT. 1982

REV. & REDR. R.M.U. (SUBMITTED) *Flord E. Hard*
TRA. G.M.E. (APPROVED) *Thomas D. M...*
CHK. R.K.C. STATE ROAD & AIRPORT DESIGN ENGR.
STATE HIGHWAY ENGINEER

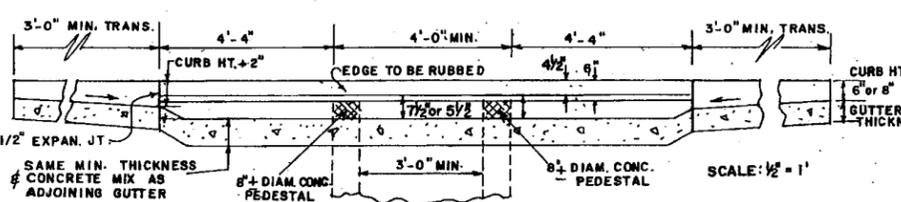
NUMBER 1034D
PRECAST

| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
|-------|----------------|-----------|--------------|
| GA | | | |

CATCH BASIN (FOR CATCH BASIN WITH LONGIT. PIPE OVER 24" SEE DETAILS AT RIGHT.)

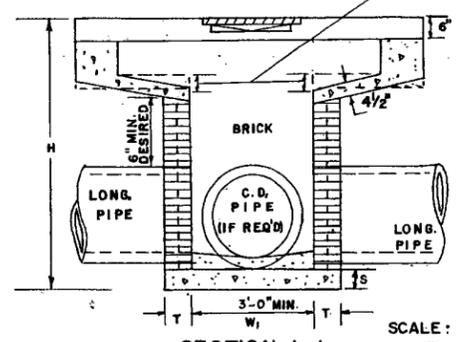


NOTE: 12'-6" (MIN.) - PAYMENT FOR CATCH BASIN INCLUDES ALL QUANTITIES BETWEEN THESE LINES EXCEPT ADDITIONAL DEPTH FOR BASIN (UNLESS OTHERWISE NOTED IN THE PLANS) SCALE: 1/2" = 1'



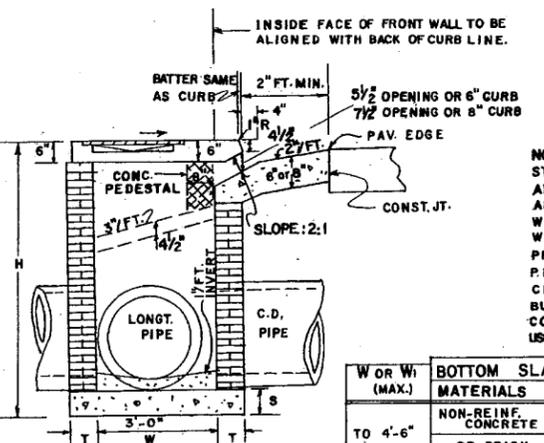
SECTION I-I

NOTE: NORMAL SLOPE OF CONCRETE APRON TO BE INCREASED UP TO 6" TOTAL WHERE "H" PERMITS AND LONGITUDINAL PIPE IS LOWERED FOR OTHER REASONS.



SECTION J-J

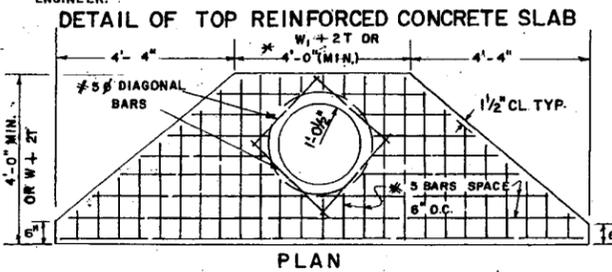
NOTE: PIPE SIZES, NUMBER, ALIGNMENT AND INVERTS SHOWN ARE ILLUSTRATIVE. SEE PLANS FOR SPECIFICS. INVERTS TO BE FORMED WITH GROUT OR CONC. AS SHOWN IN THE PLANS OR AS DIRECTED BY THE ENGINEER.



SECTION A-A

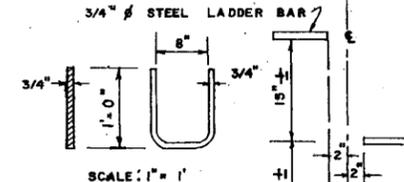
NOTE: SEE SEPARATE STDS. FOR PRECAST ALTERNATES, ADAPTERS (STD. 1040) WILL BE REQUIRED WITH CIRCULAR PRECAST UNITS. PRECAST BOX, CIRCULAR, AND/OR BUILT-IN-PLACE CONSTR. MAY BE USED IN COMBINATIONS

| W OR W ₁ (MAX.) | BOTTOM SLAB MATERIALS | "S" |
|----------------------------|--|-----|
| TO 4'-6" | NON-REINF. CONCRETE OR BRICK | 6" |
| OVER 4'-6" | CONC. REINF. W/ 4 BARS 12" O.C. BOTH WAYS 2" CL. FROM SLAB TOP | 8" |



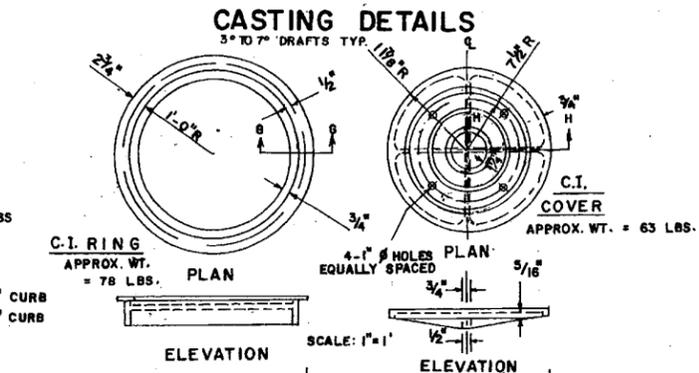
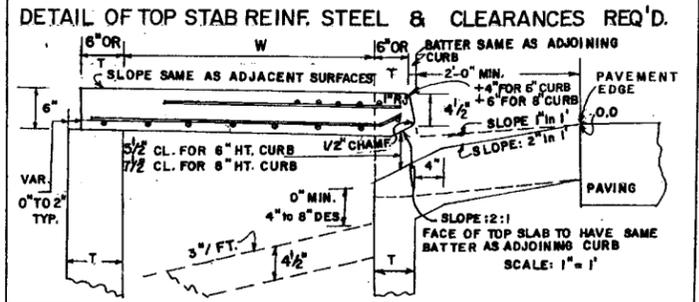
PLAN

NOTE: ALL BARS IN PLAN VIEW ARE SPACED AT 6" O.C. NOTE: FOR PLAN DETAIL OF REINFORCING STEEL IN TOP PORTION OF SLAB, SEE PART PLAN AT TOP RIGHT.

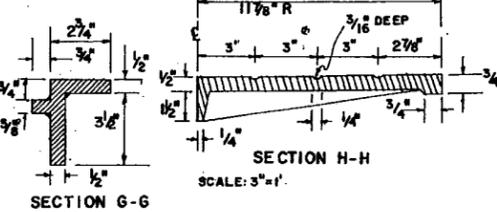


DETAIL OF LADDER BARS

NOTE: M.H. STEPS LISTED IN GA. D.O.T. LABORATORY'S QUALIFIED PRODUCTS LIST MAY BE SUBSTITUTED. ALL CATCH BASINS WILL HAVE STEPS OR LADDER BARS. NUMBER & LOCATION TO BE AS DIRECTED BY THE ENGINEER.

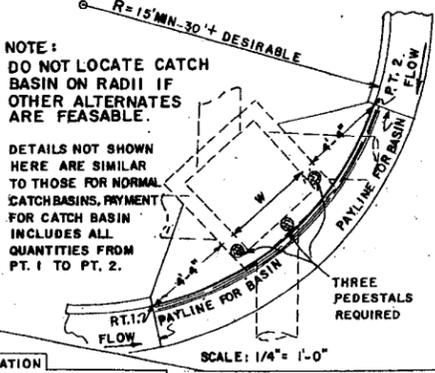


CASTING DETAILS



SECTION H-H

CATCH BASIN ON RADII



NOTE: DO NOT LOCATE CATCH BASIN ON RADII IF OTHER ALTERNATES ARE FEASIBLE. DETAILS NOT SHOWN HERE ARE SIMILAR TO THOSE FOR NORMAL CATCH BASINS. PAYMENT FOR CATCH BASIN INCLUDES ALL QUANTITIES FROM PT. 1 TO PT. 2.

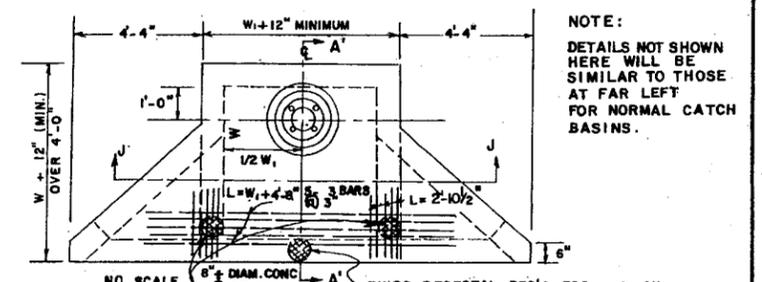
SCALE: 1/4" = 1'-0"

ΔE = MINIMUM DIFFERENCE IN ELEVATION FROM PAVEMENT EDGE TO FLOW LINE OF OUTLET PIPE

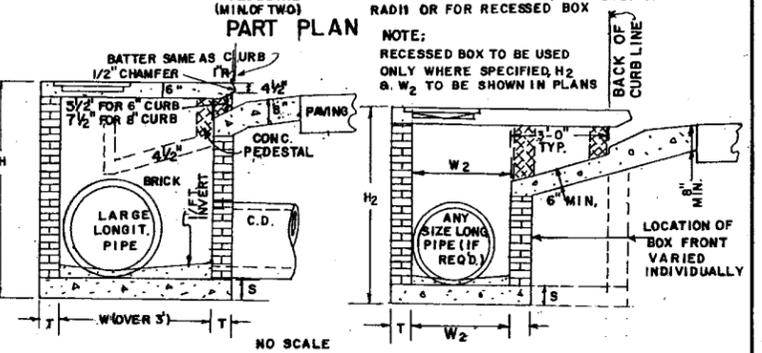
| PIPE DIA. | H (MIN.) | W or W ₁ | MIN. ΔE |
|-----------|----------|---------------------|---------|
| 12 | 4'-4" | 3'-0" | 3'-3" |
| 15 | 4'-7" | 3'-0" | 3'-6" |
| 18 | 4'-10" | 3'-0" | 3'-9" |
| 24 | 5'-6" | 3'-0" | 4'-4" |
| 30 | 6'-2" | 3'-7" | 5'-0" |
| 36 | 6'-10" | 4'-6" | 5'-7" |
| 42 | 7'-4" | 5'-3" | 5'-11" |
| 48 | 8'-0" | 6'-0" | 6'-6" |
| 54 | 8'-6" | 6'-8" | 7'-0" |
| 60 | 9'-2" | 7'-4" | 7'-7" |

NOTE: THE MIN. H & MIN. ΔE GIVEN IN ABOVE TABLE ARE BASED UPON TYPICAL OUTSIDE DIAMETERS OF CONC. PIPE AND MAY BE VARIED, IF CONDITIONS PERMIT WITH VARIED DIMENSIONS SPECIFIED IN THE PLANS OR DIRECTED BY THE ENGINEER. W & W₁ DIMENSIONS DO NOT HAVE TO BE EQUAL.

CATCH BASIN (WITH PROTRUDED BACK) FOR USE WITH LONGITUDINAL PIPE OVER 24" OR FOR USE WITH RECESSED BOX

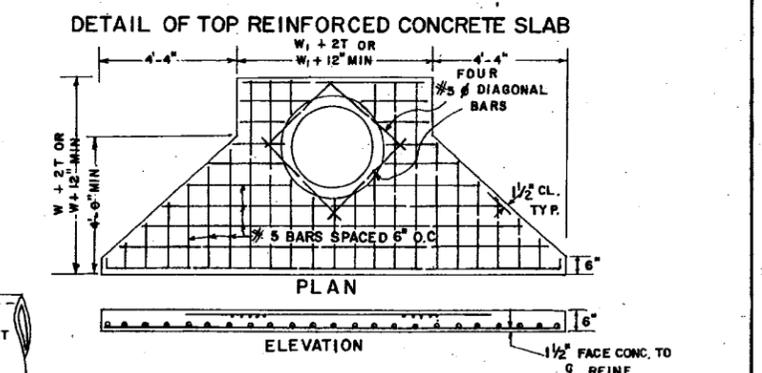


NOTE: DETAILS NOT SHOWN HERE WILL BE SIMILAR TO THOSE AT FAR LEFT FOR NORMAL CATCH BASINS.

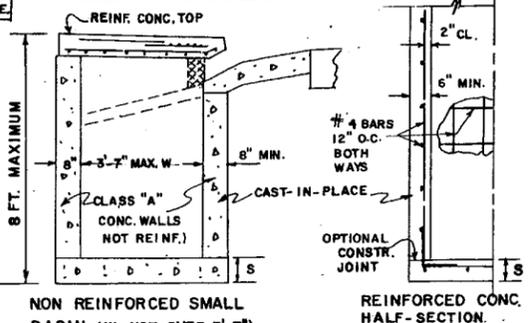


SECTION A-A' (FOR LONGIT. PIPE OVER 24")

SECTION A-A' (FOR RECESSED BOX)



NOTE: TYPICAL TREATMENT FOR SKEWED PIPES ARE: CIRCULAR PRECAST UNITS; PRECAST SWIVEL SECTIONS; PIPE ELBOWS OR INCREASED BOX SIZES TO ACCOMMODATE THE SKEWS. SEE SEPARATE STANDARDS FOR PRECAST ALTERNATES.



CONSTRUCTION ALTERNATES

NOTE: DETAILS NOT SHOWN ABOVE FOR CONSTRUCTION ALTERNATES WILL BE SIMILAR TO BRICK CATCH BASIN DETAILS.

DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA

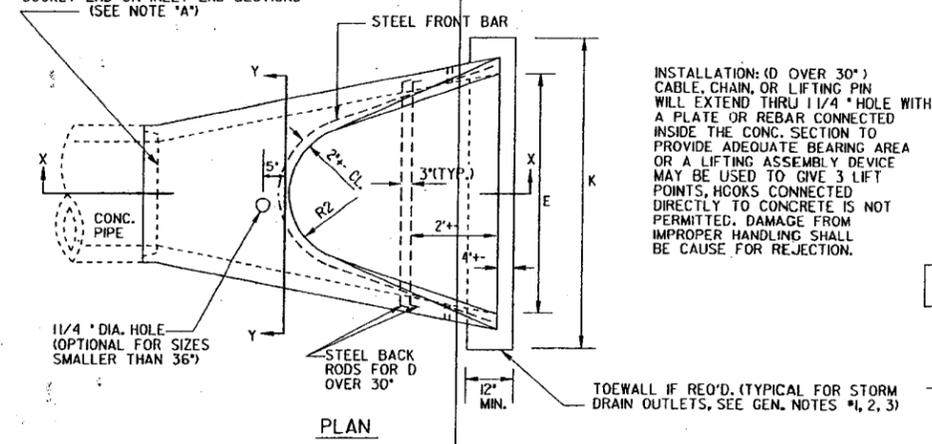
STANDARD CATCH BASINS FOR USE WITH CURB (6" OR 8" HT.) & GUTTER (IN SAGS OR LOW POINTS)

| | |
|--|---------------------------|
| SCALE AS SHOWN | REV. & RED. AUGUST, 19-82 |
| REV. & RED. R.M.U. (SUBMITTED) <i>Floyd E. Hardy</i> | NUMBER 1034D |
| TRA. G.M.F. (APPROVED) <i>Thomas G. Hardy</i> | |
| CHK. R.K.C. | |

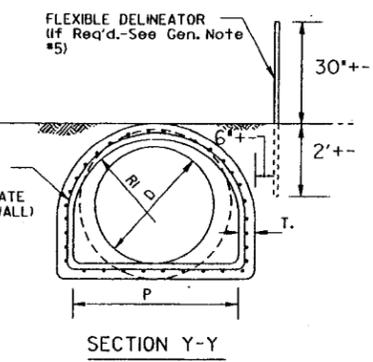
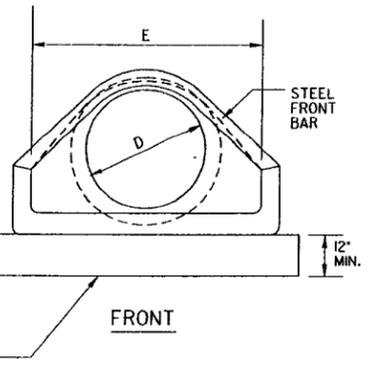
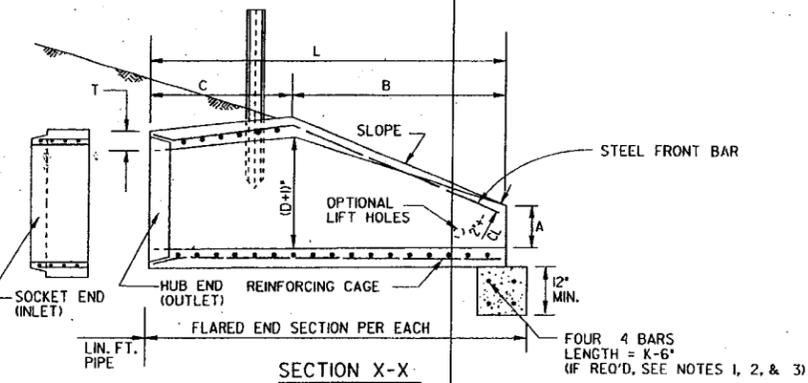
| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
|-------|----------------|-----------|--------------|
| GA. | | | |

END SECTION TO PIPE JOINT SHOWN AS TYPICAL:
HUB END ON OUTLET END SECTIONS;
SOCKET END ON INLET END SECTIONS
(SEE NOTE 'A')

CONCRETE FLARED END SECTION



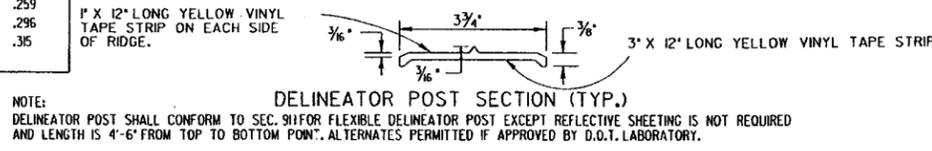
NOTE: DO NOT CUT CONCRETE PIPE. USE FULL LENGTH SECTIONS ONLY. WARP SLOPE TO CONFORM WITH PIPE LENGTH AND END SECTION.



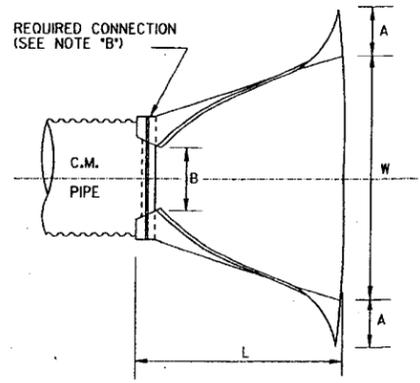
SPECIAL NOTE:
FLARED END SECTIONS ARE NORMALLY LIMITED TO USE OUTSIDE THE CLEAR ZONE OR BEHIND BARRIER AND WHERE HYDRAULICS PERMIT. SEE OTHER STANDARDS OR DETAILS FOR TAPERED HEADWALLS, SAFETY SLOPE END SECTIONS OR OTHER PIPE END STRUCTURES.

GENERAL NOTES :

- TOEWALLS ARE REQ'D. FOR OUTLETS OF CONC. STORM DRAINS, EXCEPT WHERE DITCH PAVING OR OTHER EROSION PROTECTION IS PROVIDED OR WHERE THE OUTLET VELOCITY IS LESS THAN 8 FT/SEC. TOEWALLS ARE NOT REQUIRED FOR SIDE DRAINS, SLOPE DRAINS OR INLETS OF STORM DRAINS THIS CRITERIA MAY BE VARIED WHERE SPECIFIED BY THE DESIGNER OR THE ENGINEER.
- TOEWALLS WILL BE PAID FOR AS CU. YDS. OF CLASS 'A' OR 'B' CONCRETE. CONTRACTOR MAY ELECT TO CONSTRUCT TOE WALL WITH SAND CEMENT BAG RIPRAP OR STONE RIPRAP TO SAME MINIMUM DIMENSIONS WITH NO ADDITIONAL PAYMENT.
- PRECAST TOEWALLS SHALL BE CL. 'A' CONCRETE; CAST-IN-PLACE TOEWALLS MAY BE CL. 'A' OR 'B' CONCRETE AND MAY BE TRENCH FORMED. WHERE PLANS ITEMIZE ONE CLASS OF CONCRETE AND CONTRACTOR ELECTS TO USE OTHER CLASS, NO ADDITIONAL PAYMENT IS MADE. NO PAYMENT IS MADE FOR STEEL IN TOEWALL.
- CENTERLINE OF FLARED END SECTION WILL ALIGN WITH CENTERLINE OF PIPE, IF PIPE IS SKEWED, THE EMBANKMENT SLOPE WILL BE WARPED TO CONFORM WITH END SECTION.
- FLEXIBLE DELINEATORS SHALL BE REQUIRED AT CROSS DRAIN FLARED END SECTIONS, BOTH INLET AND OUTLET. PAYMENT FOR FLARED END SECTION WILL INCLUDE DELINEATORS, SEE DETAIL AND NOTES BELOW. DELINEATORS NOT REQ'D. FOR SIDE DRAIN, SLOPE DRAIN, OR LONG PIPE.



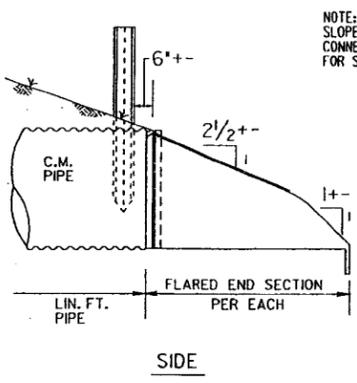
METAL FLARED END SECTION
(USE ONLY WITH COR. METAL PIPE)



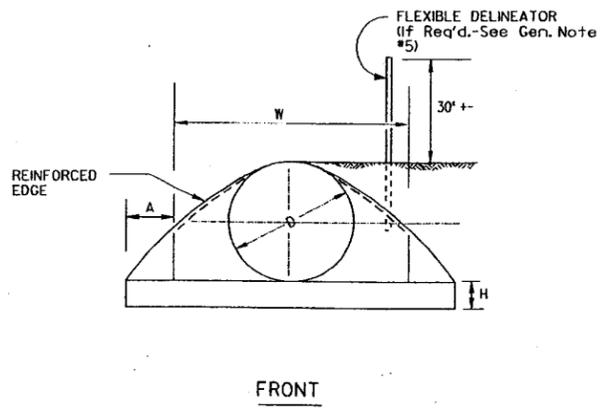
NOTE: GALVANIZED STEEL FLARED END SECTIONS ARE TO BE USED ONLY WITH CORRUGATED STEEL PIPE AND ALUMINUM FLARED END SECTIONS ARE TO BE USED ONLY WITH CORRUGATED ALUMINUM PIPE UNLESS OTHERWISE APPROVED BY D.O.T. OFFICE OF MATERIALS AND TESTS.

| PIPE SIZE "D" | THICKNESS | | A | B | H | L | W |
|---------------|-------------|-------|-----|-----|-----|-------|------|
| | GALV. STEEL | ALUM. | | | | | |
| 12" | .064" | .060" | 5' | 6' | 6' | 18' | 2'0" |
| 15" | .064" | .060" | 6' | 7' | 6' | 2'3" | 2'6" |
| 18" | .064" | .060" | 7' | 9' | 6' | 2'6" | 3'0" |
| 24" | .064" | .060" | 9' | 10' | 6' | 3'4" | 4'0" |
| 30" | .079" | .105" | 10' | 13' | 7' | 4'2" | 5'0" |
| 36" | .079" | .105" | 12' | 16' | 9' | 5'0" | 6'0" |
| 42" | .109" | .164" | 15' | 19' | 10' | 5'10" | 7'0" |

NOTE: WHERE METAL FLARED END SECTIONS ARE USED WITH MULTIPLE PIPE LINES, THE STANDARD SPACING BETWEEN PIPES (S-D OR 3 FT.) MAY HAVE TO BE INCREASED (S=1.75 D TYPICAL), TO PREVENT OVERLAP OF END SECTION WINGTIPS. SEE ALSO STD. 1030D.



NOTE: SLOPE DRAIN PIPES WILL REQUIRE AN ELBOW FOR CONNECTION TO THE FLARED END SECTION. PAYMENT FOR SLOPE DRAIN PIPE WILL INCLUDE THIS ELBOW.



NOTE 'B':

- THE CONNECTION BETWEEN METAL FLARED END SECTION AND C.M. PIPE WILL BE ONE OF THE FOLLOWING:
- A STRAP BAND OR THREADED ROD PROVIDED BY THE MANUFACTURER WILL LOCK END SECTION ONTO PIPE. A CORRUGATION AT THE PIPE AND WILL BE NON-SPIRALED (PERPENDICULAR TO CL OF PIPE)
 - A DIMPLE BAND COLLAR WILL BE SHOP BOLTED TO END SECTION. PIPE WILL BE INSERTED INTO BAND COLLAR TO MEET THE END SECTION.
 - A STUB PIPE WILL BE RIVETED TO THE END SECTION AND THE MAIN PIPE CONNECTED TO THE STUB WITH A NORMAL CONNECTING BAND.
 - OTHER TYPE CONNECTION IF RECOMMENDED BY MANUFACTURER AND APPROVED BY THE D.O.T.

| PIPE DIA | FRONT BAR | BACK RODS | SLOPE +/- | DIMENSIONS AND REINFORCING FOR CONCRETE FLARED END SECTIONS (+/- 1" TOLERANCE) | | | | | | | | K = E + 2' | CU. YDS. CONC. |
|----------|---------------|-------------|-----------|--|------|-------|------|------|------|------|------|------------|----------------|
| | | | | A | B | C | L | E | P | R1 | R2 | | |
| 12" | 1-#3 x 5'4" | NOT REQ'D. | 2.2h | 4' | 2'0" | 4'1" | 6'1" | 2'0" | 1'8" | 10" | 9' | 4'-0" | .148 |
| 15" | 1-#3 x 6'0" | NOT REQ'D. | 2.2h | 5' | 2'3" | 3'10" | 6'1" | 2'6" | 2'0" | 10" | 11' | 4'-6" | .167 |
| 18" | 1-#3 x 7'2" | NOT REQ'D. | 2.2h | 9' | 2'3" | 3'10" | 6'1" | 3'0" | 2'5" | 14" | 10' | 5'-0" | .185 |
| 24" | 1-#3 x 9'10" | NOT REQ'D. | 2.4h | 10' | 3'8" | 2'6" | 6'2" | 4'0" | 2'9" | 15" | 12' | 6'-0" | .222 |
| 30" | 1-#4 x 11'8" | NOT REQ'D. | 2.4h | 12' | 4'6" | 1'8" | 6'2" | 5'0" | 3'1" | 16" | 13' | 7'-0" | .259 |
| 36" | 1-#4 x 13'10" | 2-#4 x 6'3" | 2.4h | 15' | 5'3" | 2'11" | 8'2" | 6'0" | 4'0" | 2'0" | 18" | 8'-0" | .296 |
| 42" | 1-#4 x 13'10" | 2-#4 x 7'4" | 2.4h | 21' | 5'3" | 2'11" | 8'2" | 6'6" | 4'6" | 2'4" | 110" | 8'-6" | .315 |

NOTE: SPECIFIED REINFORCING IS MINIMAL AND MAY BE INCREASED AT PRODUCERS OPTION TO AID CASTING & HANDLING. ALTERNATE REINFORCEMENT PERMITTED IF APPROVED.

* NOTE: 'C' AND 'L' DIMENSION MAY BE MEASURED TO EITHER END OF JOINT CONNECTION AT PIPE.

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

STANDARD
FLARED END SECTIONS
FOR PIPES

NO SCALE

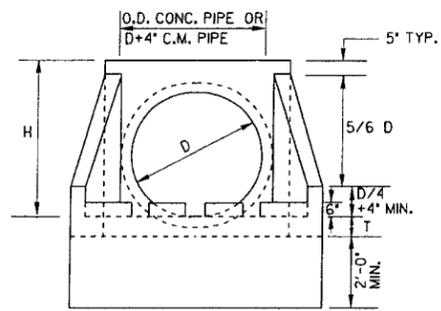
REV. & REDR. SEP., 1999

DES. (SUBMITTED) *Jessie A. Kinnel*
REV. STATE ROAD & AIRPORT DESIGN ENGR.
RETR. (APPROVED) *Paul L. Smith*
CHK. CHIEF ENGINEER

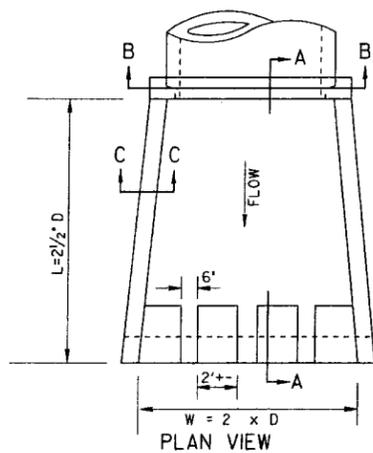
NUMBER
1120

| | | | |
|-------|----------------|-----------|--------------|
| STATE | PROJECT NUMBER | SHEET NO. | TOTAL SHEETS |
| GA. | | | |

OUTLET HEADWALL

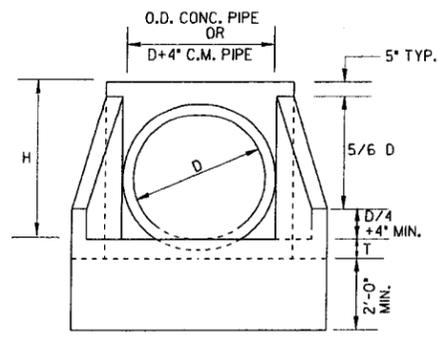


FRONT ELEVATION

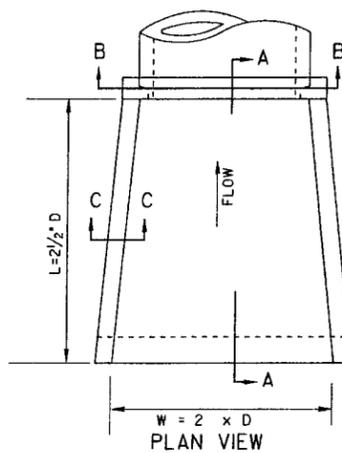


PLAN VIEW

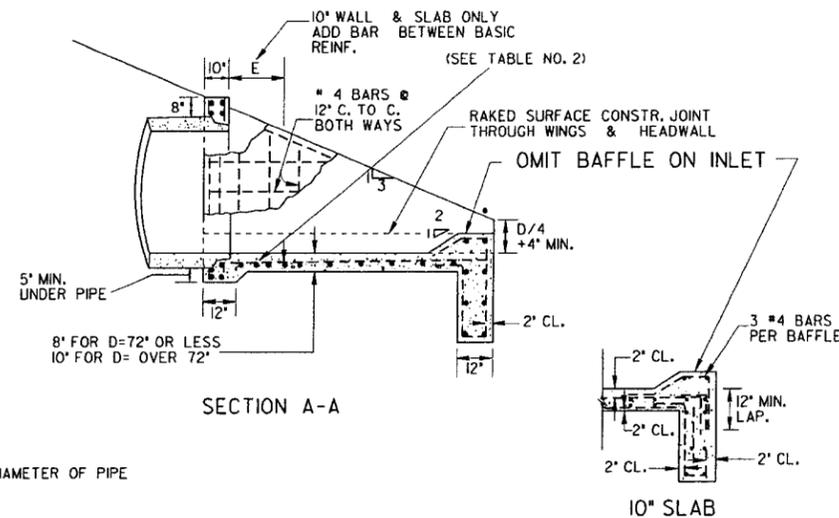
INLET HEADWALL



FRONT ELEVATION



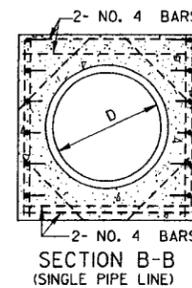
PLAN VIEW



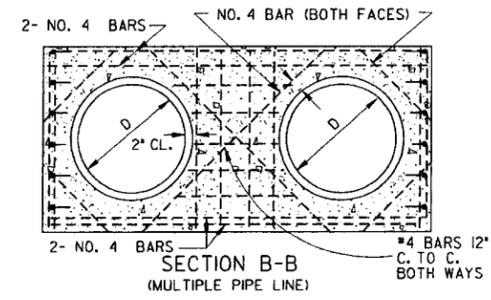
SECTION A-A

10" SLAB

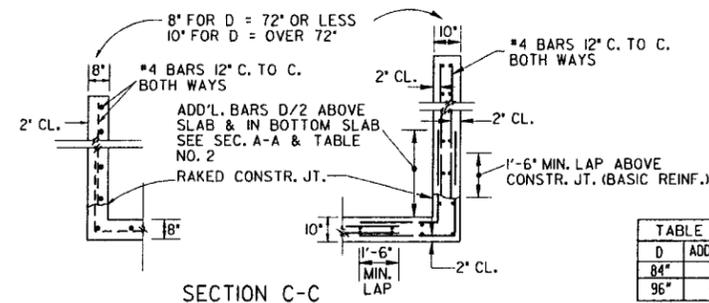
D = INSIDE DIAMETER OF PIPE



SECTION B-B (SINGLE PIPE LINE)



SECTION B-B (MULTIPLE PIPE LINE)



SECTION C-C

| D | ADD'L. BAR | E |
|-----|------------|----|
| 84" | #4 | 5' |
| 96" | #4 | 8' |

ADDITIONAL BAR DETAIL

| D | CU. YDS. CONCRETE (PAY QUANTITIES) | | | | LBS. STEEL (GIVEN FOR INFORMATION ONLY) | | | |
|-----|------------------------------------|--------|--------------------|--------|---|--------|-------------------------|--------|
| | FOR SINGLE LINE | | ADD FOR ADD'L LINE | | FOR SINGLE LINE | | ADD FOR EACH ADD'L LINE | |
| | INLET | OUTLET | INLET | OUTLET | INLET | OUTLET | INLET | OUTLET |
| 15" | 0.87 | 0.93 | 0.60 | 0.66 | 102 | 113 | 73 | 83 |
| 18" | 1.10 | 1.16 | 0.85 | 0.93 | 106 | 117 | 93 | 104 |
| 24" | 1.61 | 1.69 | 1.29 | 1.37 | 127 | 138 | 124 | 134 |
| 30" | 2.21 | 2.32 | 1.83 | 1.96 | 170 | 180 | 154 | 164 |
| 36" | 2.92 | 3.05 | 2.49 | 2.63 | 238 | 254 | 196 | 212 |
| 42" | 3.73 | 3.87 | 3.00 | 3.17 | 290 | 306 | 231 | 247 |
| 48" | 4.62 | 4.80 | 3.58 | 3.74 | 335 | 351 | 265 | 281 |
| 54" | 5.63 | 5.83 | 4.17 | 4.38 | 407 | 428 | 319 | 340 |
| 60" | 6.72 | 6.95 | 4.82 | 5.01 | 456 | 477 | 360 | 391 |
| 72" | 9.22 | 9.48 | 6.24 | 6.46 | 623 | 649 | 475 | 494 |
| 84" | 14.84 | 15.19 | 9.05 | 9.29 | 1517 | 1539 | 1017 | 1044 |
| 96" | 18.88 | 19.27 | 11.13 | 11.41 | 2188 | 2150 | 1323 | 1350 |

*NOTE: QUANTITIES SHOWN WILL BE ACTUAL PAY QUANTITIES FOR CLASS 'A' CONCRETE, INCLUDING REINFORCED STEEL. NO ADJUSTMENT WILL BE MADE FOR AS BUILT QUANTITIES.

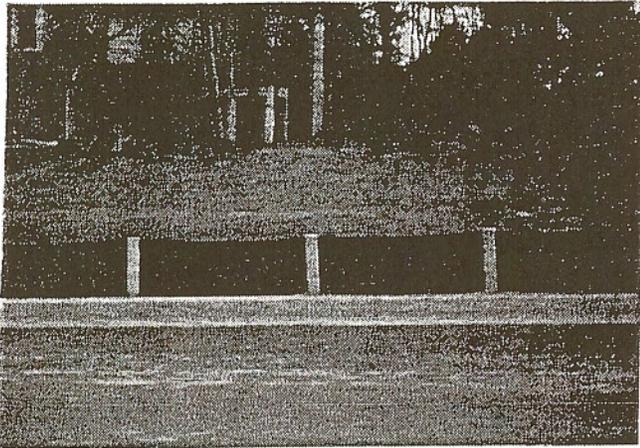
D - INSIDE DIAMETER OF PIPE CULVERT

H = D + 10' MIN. FOR C.M. PIPE
 H = D + PIPE WALL THICKNESS + 8' FOR CONC. PIPE (13/12 D + 9' TYP.)
 T = 8' FOR D = 72" OR LESS
 T = 10' FOR D = OVER 72"

| | | | |
|------------------------|-----------------------|---|----------------|
| DATE | | DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA | |
| REVISION | | STANDARD TAPERED INLET HEADWALL - OUTLET HEADWALL (BUILT-IN-PLACE) | |
| NO SCALE | | REV. & REDR. OCT., 1999 | |
| DES. _____ (SUBMITTED) | TRA. _____ (APPROVED) | BY _____ STATE ROAD & AIRPORT DESIGN ENGR. CHIEF ENGINEER | NUMBER 1125 |

Sediment Barrier

Sd1



DEFINITION

Sediment barriers are temporary structures typically constructed of silt fence supported by steel or wood posts. Other types of barriers may include sandbags, straw bales, brush piles or other filtering material.

PURPOSE

To prevent sediment carried by sheet flow from leaving the site and entering natural drainage ways or storm drainage system by slowing storm water runoff and causing the deposition of sediment at the structure.

CONDITIONS

Barriers should be installed where runoff can be stored behind the barrier without damaging the fence or the submerged area behind the fence.

Silt fence shall not be installed across streams, ditches, waterways, or other concentrated flow areas.

DESIGN CRITERIA

HAY OR STRAW BALES

Hay or straw bales retain sediment load transported by sheet flow from disturbed areas. The bales' comparatively low flow rate should be considered when choosing the appropriate sediment barrier. Ponding above the bale can occur rapidly. The slope lengths contributing runoff to a bale barrier cannot exceed those listed in Table 6-20.1. Straw and hay bales shall not be used if the project duration is expected to exceed three months.

CRITERIA FOR STRAW OR HAY BALE PLACEMENT

| Land Slope | Maximum Slope Length |
|------------|----------------------|
| | Above Bale |
| Percent | Feet |
| < 2 | 75 |
| 2 to 5 | 50 |
| 5 to 10 | 35 |
| 10 to 20 | 20 |
| > 20 | 10 |

Table 6-20.1

SILT FENCE

Like hay or straw bales, silt fence is designed to retain sediment transported by sheet flow from disturbed areas. Silt fence performs the same function as hay or straw bales, allows a higher flow rate, and is usually faster and cheaper to install. Approved silt fence fabrics are listed in the Georgia Department of Transportation Qualified Products List #36 (QPL-36). See Table 6-20.5 for current Georgia DOT silt fence specifications.

Where all runoff is to be stored behind the fence (where no stormwater disposal system is present), maximum slope length behind a silt fence shall not exceed those shown in Table 6-20.2. The drainage area shall not exceed 1/4 acre for every 100 feet of silt fence.

CRITERIA FOR SILT FENCE PLACEMENT

| Land Slope | Maximum Slope Length |
|------------|----------------------|
| | Above Fence |
| Percent | Feet |
| < 2 | 100 |
| 2 to 5 | 75 |
| 5 to 10 | 50 |
| 10 to 20 | 25 |
| > 20* | 15 |

*In areas where the slope is greater than 20%, a flat area length of 10 feet between the toe of the slope to the fence should be provided.

Table 6-20.2

Type A Silt Fence

Sd1-A

This 36-inch wide filter fabric shall be used on developments where the life of the project is greater than or equal to six months.

Type B Silt Fence (Sd1-B)

Though only 22-inches wide, this filter fabric allows the same flow rate as Type A silt fence. Type B silt fence shall be limited to use on minor projects, such as residential home sites or small commercial developments where permanent stabilization will be achieved in less than six months.

Type C Silt Fence (Sd1-C)

Type C fence is 36-inches wide with wire reinforcement. The wire reinforcement is necessary because this fabric allows almost three times the flow rate as Type A silt fence. Type C silt fence shall be used where runoff flows or velocities are particularly high or where slopes exceed a vertical height of 10 feet.

Provide a riprap splash pad or other outlet protection device for any point where flow may top the sediment fence. Ensure that the maximum height of the fence at a protected, reinforced outlet does not exceed 1 ft. and that support post spacing does not exceed 4 ft.

CONSTRUCTION SPECIFICATIONS

Sandbags (Sd1-S)

(if approved by local issuing authority)

Should be installed so that flow under or between bags is minimal. Anchoring with steel rods may be required if structure height exceeds two bags.

Hay or Straw Baies (Sd1-Hb)

(if approved by local issuing authority)

Bales will be placed in a single row, lengthwise, on the contour and embedded in the soil to a depth of 4 inches. Bales must be securely anchored in place by stakes or bars driven through the bales or by other acceptable means to prevent displacement. See Figures 6-20.1 and 6-20.2 for installation requirements.

Brush Barrier (Sd1-Bb)

(only during timber clearing operations)

Brush obtained from clearing and grubbing operations may be piled in a row along the perimeter of disturbance at the time of clearing and grubbing. Brush barriers should not be used in developed areas or locations where aesthetics are a concern.

Brush should be wind-rowed on the contour as nearly as possible and may require compaction. Construction equipment may be utilized to satisfy this requirement.

The minimum base width of the brush barrier shall be 5 feet and should be no wider than 10 feet. The height of the brush barrier should be between 3 and 5 feet.

If a greater filtering capacity is required, a commercially available filter fabric may be placed on the side of the brush barrier receiving the sediment-laden runoff. The lower edge of the fabric must be buried in a 6-inch deep trench immediately uphill from the barrier. The upper edge must be stapled, tied or otherwise fastened to the brush barrier. Edges of adjacent fabric pieces must overlap each other. See Figure 6.20.3

Silt Fence

The manufacturer shall have either an approved color mark yarn in the fabric or label the fabricated silt fence with both the manufacturer and fabric name every 100 feet.

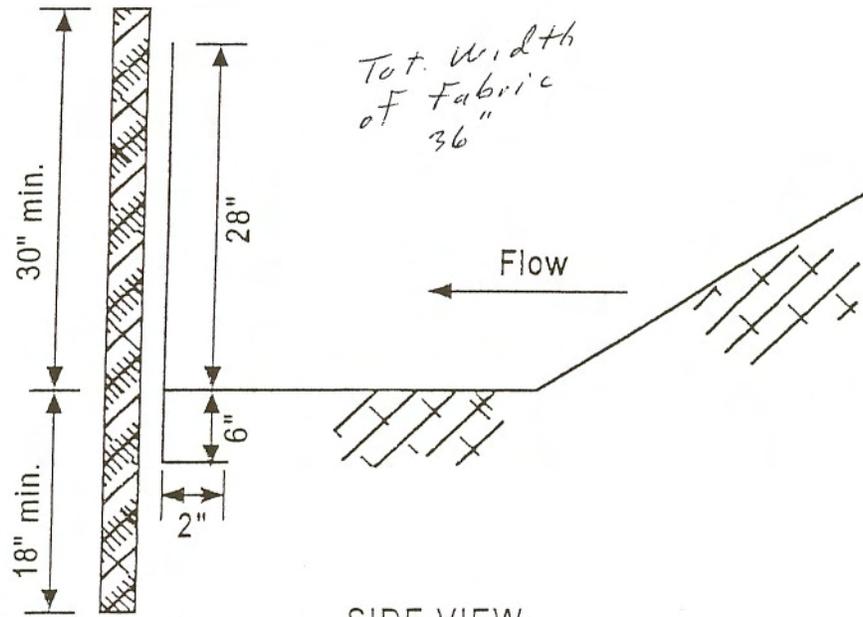
The temporary silt fence shall be installed according to this specification, as shown on the plans or as directed by the engineer. For installation of the fabric, see Figures 6-20.4, 6-20.5, and 6-20.6 respectively.

Post installation shall start at the center of the low-point (if applicable) with remaining posts spaced 6 feet apart for Type A and B silt fences and 4 feet apart for Type C silt fence. While Type A and B silt fences can be used with both wood and steel posts, only steel posts shall be used with Type C silt fence. For post size requirements, see Table 6-20.3. Fasteners for wood posts are listed in Table 6-20.4.

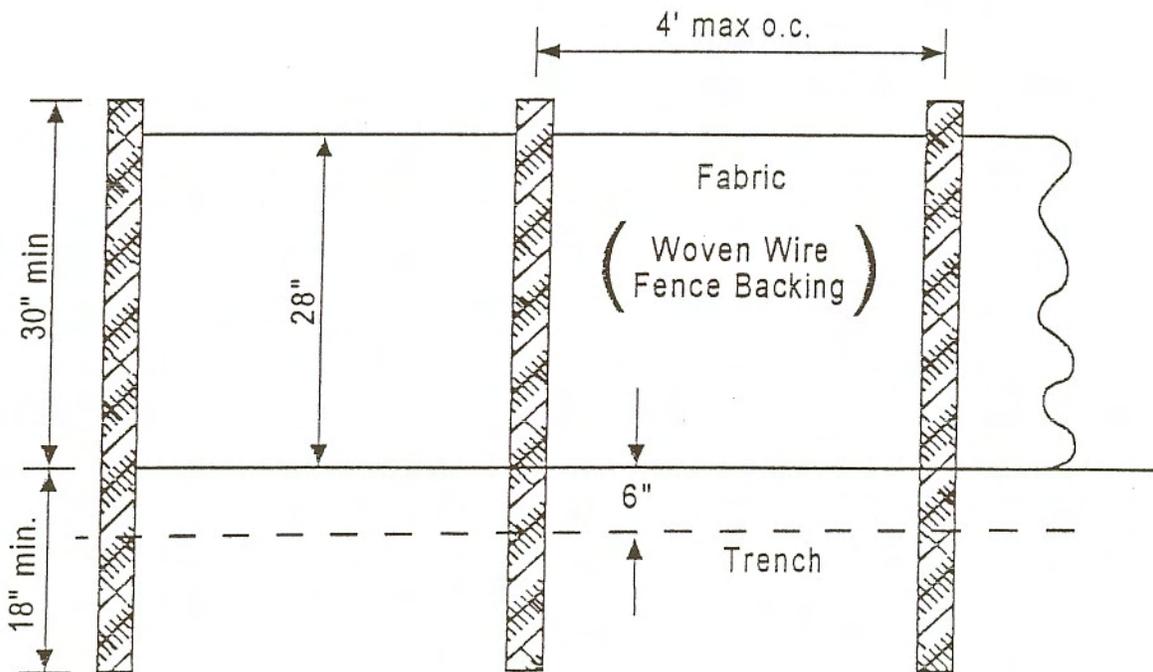
Along stream buffers and other sensitive areas, two rows of Type C silt fence or one row of Type C silt fence backed by haybales shall be used.

MAINTENANCE

Sediment shall be removed once it has accumulated to one-half the original height of the barrier. Filter fabric shall be replaced whenever it has deteriorated to such an extent that the effectiveness of the fabric is reduced (approximately six months). Temporary sediment barriers shall remain in place until disturbed areas have been permanently stabilized. All sediment accumulated at the barrier shall be removed and properly disposed of before the barrier is removed.



SIDE VIEW

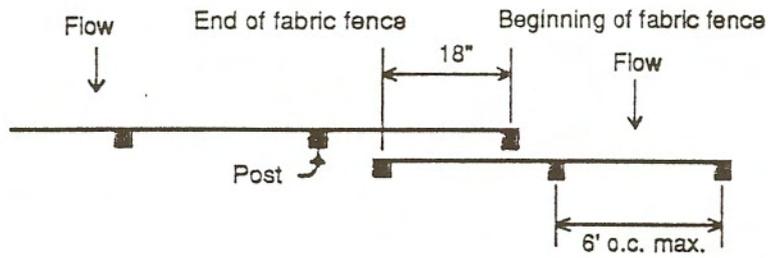


FRONT VIEW

NOTE:
Use 36" D.O.T. approved fabric.
Use steel posts - only

SILT FENCE - TYPE C

Figure 6-20.6



TOP VIEW - (Not to scale)

OVERLAP AT FABRIC ENDS



FRONT VIEWS

FASTENERS FOR SILT FENCES

Figure 6-20.7

Table 6-20.5

| TYPE FENCE | A | B | C |
|--|--------------------------|--------------------------|--------------------------|
| Tensile Strength (Lbs. Min.) (1) (ASTM D-4632) | Warp - 120 Fill - 100 | Warp - 120 Fill - 100 | Warp - 260 Fill - 180 |
| Elongation (% Max.) (ASTM D-4632) | 40 | 40 | 40 |
| AOS (Apparent Opening Size) (Max. Sieve Size) (ASTM D-4751) | #30 | #30 | #30 |
| Flow Rate (Gal/Min/Sq. Ft.) (GDT-87) | 25 | 25 | 70 |
| Ultraviolet Stability (2) (ASTM D-4632 after 300 hours weathering in accordance with ASTM D-4355) | 80 | 80 | 80 |
| Bursting Strength (PSI Min.) (ASTM D-3786 Diaphragm Bursting Strength Tester) | 175 | 175 | 175 |
| Minimum Fabric Width (Inches) | 36 | 22 | 36 |

(1) Minimum roll average of five specimens.

(2) Percent of required initial minimum tensile strength.

**SUBDIVISION
ORDINANCE**

**As of 6/5/2007; The Planning and
Zoning Office of the Community
Development Department is in the
process of updating the:**

SUBDIVISION ORDINANCE

**PLEASE CONTINUE TO CHECK THE COUNTY'S
WEBSITE (MuniCode) FOR UPDATES**

www.co.clayton.ga.us

**The current Subdivision Ordinance is
located in this section
Subdivision Ordinance No. 96-11**

**PLEASE REMEMBER TO INSERT THE
UPDATED ORDINANCE ONCE IT IS
APPROVED BY THE BOARD OF
COMMISSIONER'S**

THANK YOU

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 96 - 11

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, CHAPTER 86 "SUBDIVISIONS" SO AS TO ADD A NEW ARTICLE I "LAND SUBDIVISION" PROVIDING FOR ESTABLISHMENT OF RULES AND REGULATIONS AS THEY RELATE TO THE CONTROL OF THE SUBDIVISION OF RESIDENTIAL AND NON-RESIDENTIAL LAND TO INCLUDE GENERAL PROVISIONS, APPLICABILITY, DEFINITIONS, SUBDIVISION APPLICATION PROCEDURE AND APPROVAL, SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED, ADDITIONAL PROVISIONS, AND UNIFORM SYSTEM OF STREET NUMBERING; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED

Section I. The Code of Clayton County, Georgia, as amended, Chapter 86 "Subdivisions" is hereby further amended by adding a new Article I "Land Subdivision" to read as follows:

ARTICLE I. LAND SUBDIVISION

DIVISION I. GENERAL PROVISIONS

Sec. 86-1. Short title.

This Chapter shall hereafter be known, cited and referred to as the Land Subdivision Ordinance of Clayton County, Georgia.

Sec. 86-2. Authority.

By authority of ordinance of the Clayton County Board of Commissioners adopted pursuant to the powers and jurisdictions vested through the State of Georgia and other applicable laws, statutes, ordinances and regulations of the State of Georgia, the Planning and Zoning Section of the Community Development Department, the Transportation and Development Department, and the Zoning Advisory Group do hereby exercise the power and authority to review and approve or disapprove plats for the subdivision of land within the unincorporated areas of the County which show lots, blocks, or sites with or without new streets or highways.

In order that land may be subdivided in accordance with these purposes and policies, this subdivision ordinance is hereby adopted.

Sec. 86-3. Jurisdiction.

This Chapter shall control the subdivision of residential and non-residential land within the unincorporated portions of Clayton County, Georgia.

Sec. 86-4. Policy.

It is in the interest of orderly, planned, efficient and economical development and furtherance of the general health, safety and welfare of the County to consider the subdivision of land and its development to be subject to the control of the County and to ensure consistence with the Land Use Plan.

Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace and that it can be serviced with those public facilities deemed necessary and appropriate for such development.

The existing and proposed public improvements shall conform with and be properly related to the proposals shown in the Land Use Plan and it is intended that this Article shall supplement and facilitate the enforcement of the provisions and standards contained in Zoning Ordinances, the Land Use Plan, the Land Development Guidelines, and other related ordinances.

Sec. 86-5. Purpose.

This Article is adopted for the following purposes:

- (1) To encourage the development of an economically sound and stable community so as to help conserve and protect the natural, economic, and scenic resources of Clayton County, Georgia.
- (2) To assure the provision of required streets, utilities, and other facilities and services to both residential and non-residential subdivision developments.
- (3) To assure the adequate provisions of safe and convenient access and circulation, both vehicular and pedestrian and to help insure that all lots will be accessible to fire fighting equipment and other emergency and service vehicles.
- (4) To assure the provision of needed public open spaces and building sites in new land development through the dedication or reservation of land for recreational, educational, and other public purposes.
- (5) To encourage, in general, the wise development of the community in accordance with the Land Use Plan.

Sec. 86-6. Interpretation, conflict, and severability.

Conflict with Public and Private Provisions: Where any provision of this Chapter imposes restrictions different from those imposed by any other provisions of this Chapter or any other ordinance, rule or regulation, or other provision of law, whichever provisions are

more restrictive or impose higher standard shall control. The County does not exercise any control or enforcement over deed restrictions imposed by a developer.

Severability: If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this chapter shall not be affected thereby, it being the intent of the Clayton County Board of Commissioners in adopting this chapter that no portion or provision of this chapter shall become inoperative or fail by reason of the unconstitutionality or invalidity of any other section, subsection, sentence, clause, phrase or provision of this chapter. (Res. of 12-16-65, Art. 13, p. 13.1).

Sec. 86-7. Saving provision.

This Chapter shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the County under any section or provision existing at the time of adoption of this Chapter, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the County except as shall be expressly provided for in this Chapter.

Sec. 86-8. Contracts with municipal corporations or other counties.

If a proposed subdivision lies partially within the unincorporated area of Clayton County and partially within the incorporated area of a municipality or within the unincorporated area of another County, the Board of Commissioners of Clayton County may provide by contract with the governing authority of the municipal corporation or other counties involved so that either the provisions of this Chapter shall apply to the entire subdivision or so that the provisions of an ordinance of the municipal corporation or the other

county regulating the subdivision of land shall apply to the entire subdivision. Lacking such an agreement, that portion of the subdivision lying within Clayton County shall conform to the provisions of this Chapter. Further, the Planning and Zoning Section of the Community Development Department, the Department of Transportation and Development, or the Zoning Advisory Group may disapprove all or part of a subdivision where proper access and the provision of services affecting the health, safety, and welfare of the subdivision are jeopardized by reliance upon the performance of another jurisdiction.

Sec. 86-9. Adoptions and amendments.

Any amendment to this Article shall be heard by the Zoning Advisory Group, the Planning and Zoning Section of the Community Development Department, and the Director of Transportation and Development who shall make a recommendation to the County Board of Commissioners regarding approval or denial. Prior to acting on any proposed amendment, the County Board of Commissioners shall hold a public hearing on the amendment, having first published a notice of the time and place of the hearing in a newspaper of general circulation in Clayton County at least fifteen (15) days prior to the hearing.

Sec. 86-10. Conditions.

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State to this County. The developer has the duty of compliance with this Chapter and any reasonable conditions laid down by the Planning and Zoning Section of the Community Development Department or the Director of Transportation and Development for design, dedication, improvement, or planning of subdivisions so as to conform to the physical and economic development of the County and to the safety and general welfare of the future lot owners in the subdivision and of the community at large.

Sec. 86-11. Enforcement, violations and penalties.

(a) General:

- (1) It shall be the duty of the Director of the Community Development Department and the Director of the Transportation and Development Department to enforce this Chapter.
- (2) No owner, or agent of the owner of any parcel of land located in the subdivision proposed shall transfer title to any such parcel before a plat of such subdivision has been approved by the Planning and Zoning Section of the Community Development Department, the Director of the Transportation and Development Department, and the Zoning Advisory Group and the streets accepted by the Board of Commissioners in accordance with the provision of this Chapter, and filed with the Clerk of the Superior Court.
- (3) No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of this Chapter.

(b) Violations and Penalties: Any person, firm or other legal entity who fails to comply with, or violates, any portion of this Chapter shall be subject to a fine of not more than \$1000, or imprisonment for a period not exceeding six months, or both, such fine and imprisonment pursuant to the provisions of Section 2-1-1 of the code of Clayton County, Georgia. Each day such violation continues shall constitute a separate offense.

(c) Civil Enforcement: Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of this Chapter, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to

prevent illegal occupancy of a building, structure or premises, and these remedies shall be in addition to the penalties described above.

Secs. 86-12 - 86-13. Reserved.

DIVISION II. APPLICABILITY

Sec. 86-14. Applicability.

This Chapter shall apply as follows:

- (1) Any person proposing to subdivide land within the County shall submit to the Planning and Zoning Section of the Community Development Department plats of the proposed subdivision which shall conform to all requirements set forth in this Chapter.
- (2) No subdivider shall proceed with construction of any improvements on a proposed subdivision before obtaining Preliminary Plat approval from the Planning and Zoning Section of the Community Development Department, as certified thereon, and obtaining a Land Development Permit from the Director of Transportation and Development.
- (3) No subdivider shall sell any lot in a proposed subdivision by reference to or exhibition of or by any other use of a plat of such subdivision, until such plat has been given Final Plat approval by the Zoning Advisory Group, the Planning and Zoning Section of the Community Development Department, and the Director of the Transportation and Development Department, as certified thereon, and recorded in the office of the Clerk of the Superior Court of the County. No plat of a subdivision shall be filed or recorded in the office of the Clerk of the Superior Court of the County until it shall have been submitted to and approved by the Zoning Advisory Group, the Planning and Zoning Section

of the Community Development Department, the Director of the Transportation and Development Department, and County Board of Commissioners and such approval entered in writing on the plat by the Chairman of the Zoning Advisory Group.

- (4) No land dedicated as a public street shall be accepted, opened, or improved nor shall any utilities or other facilities be installed therein, unless such street shall have been accepted or opened as, or otherwise shall have received the legal status of, a public street prior to the adoption of this Chapter.
- (5) No building permit shall be issued for, and no building or other structure shall be erected on any lot within the County, unless such lot has access to a street which shall have been accepted or opened or otherwise shall have received the legal status of a public street.

DIVISION III. DEFINITIONS

Sec. 86-15. Usage.

For the purpose of this Chapter, certain terms and words used herein shall be used, interpreted, and defined as set forth in this section.

Except as defined herein, all words used in this chapter shall have their customary dictionary definitions. Words in the present tense include the future. Words in the singular include the plural, and the words in the plural include the singular. The word "building" includes the word "structure". The word "shall" is mandatory; the word "may" is permissive.

Sec. 86-16. Words and terms defined.

Alley: A street which affords only secondary means of access to abutting property and not intended for general traffic.

Appeal: The process by which an aggrieved party may petition for review of a decision made by an official or department of County government.

Block: A tract of land bounded by streets, or by a combination of streets and subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Director of Transportation and Development as a condition of the approval of the plat.

Building: A structure having a roof supported by columns and walls, for the housing or shelter of persons, animals or goods. Where roofed structures are separated from each other by party walls having no opening for passage, each portion so separated shall be considered a separate building.

Building Line (Setback): The line established by law past which a building shall not exceed as determined by front, side, and rear yards herein.

Building, Principal: A building in which is conducted the predominant use of the lot on which is situated.

Common Areas: Those portions of a site and/or building(s) collectively owned or controlled.

Construction Plan: The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed and constructed in the subdivision in accordance with the requirements of the Director of Transportation and Development.

County Board of Commissioners: The Board of Commissioners of Clayton County.

Cul-de-sac: A street having one end open to traffic, and the other end being permanently terminated by a vehicular turn-around.

Director: The Director of Clayton County's Transportation and Development Department.

Double Frontage Lot: A lot having frontage on two (2) streets, as distinguished from a corner lot.

Drainage Easement: An area set aside for the purpose of transporting storm water.

Driveway: An access way connecting one or more dwelling units and/or their parking spaces with a street.

Easement: A grant by a property owner of the use of land for a specific purpose or purposes by the general public, a corporation, or a certain person or persons in a county.

Grading: Any land disturbing activity including clearing, grubbing, stripping, cutting, filling, stockpiling, or any combination thereof and shall include the land in its cut or filled condition.

Improvements Guarantee: A guarantee in the form of a bond or letter of credit to insure completion of required subdivision improvements.

Land Development Guidelines: A document prepared by the Director, setting forth standards and specifications which shall apply to the physical improvements required to be provided and installed by a subdivider in a subdivision, in accordance with this chapter. In keeping with sound professional and technical practices, the Director may from time to time amend said Guidelines.

Land Use Plan: A development plan or any part thereof adopted by Clayton County which indicates the general location for the various physical classes of public works, places, and structures and depicting the general planned physical development of the County.

Lot: A parcel of land occupied or intended for occupancy by one principal building or use, and any accessory building and use incidental to it. In determining the area and

dimensions of a lot, no portion of the right-of-way of a street or crosswalk may be included.

Lot Area: The computed ground area inside the lots lines.

Lot Corner: A lot abutting on two or more streets at their intersection.

Lot Coverage: The computed ground area occupied by all buildings.

Lot Depth: The mean horizontal distance between the front and rear lot lines.

Lot Interior: A lot other than a corner lot or double frontage lot.

Lot Width: The distance between side lot lines measured at the minimum front yard setback line.

Major Subdivision: All subdivision not classified as minor subdivisions, including, but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new street, public or private.

Minor Subdivision: A division of land into not more than five (5) lots provided:

- a. Each Lot in the proposed subdivision abuts an existing street.
- b. The proposed subdivision shall be directly accessible to existing required improvements, such that all that shall be necessary is connection to existing utilities and other existing facilities.
- c. The combination or recombination of portions of previously platted lots is permitted where the total number of lots is not increased and the resultant lots comply with the standards of this Chapter and all other ordinances and resolutions of the County.

Non-residential Subdivision: A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of this Chapter.

Open Space: A parcel or parcels of land or an area of water or a combination both land and water owned by individuals within the site designed for development, designated and intended for the use and enjoyment of residents of the development, not including streets or off-street parking areas. Open space shall be substantially free of structures, but may contain such improvements as are in the approved plans. Maintenance shall be the responsibility of adjoining property owners.

Out parcel: A lot which either temporarily can not be built upon or is not intended for development and is intended only for aesthetics, safety, common use, or the public good. Out parcels are normally owned in common by individuals, adjoining property owners or homeowners associations.

Owner: Any individual, firm, association, syndicate, partnership corporation, or any other legal entity having sufficient (51 percent) proprietary interest in the tract of land sou to be subdivided to commence and maintain proceedings to subdivide the same under this Chapter.

Parcel: A general term including all plots of land with separate identification on the Official Appraisal Maps.

Planned Development: A method of development, identified in the Zoning Ordinance of Clayton County, involving careful planning for the preservation of the environment, and creation of an harmonious mixture of densities and land uses.

Zoning Advisory Group: The Clayton County Advisory Board appointed to make recommendations to Board of Commissioners concerning zoning matters.

Planning and Zoning Section: The Planning and Zoning Section of the Clayton County Department of Community Development.

Plat, Final: The map or plan of record for subdivision any accompanying material, as required in this Chapter.

Plat, Preliminary: The preliminary drawing or drawings, as described in this Chapter, indicating the proposed layout of the subdivision to be submitted to the Planning and Zoning Section for approval.

Public Improvement: Any drainage system, roadway, parkway, sidewalk, or other facility for which the County may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which the County's responsibility is established.

Public Utilities: Water, gas, sanitary and storm sewer, electrical, and communications lines and facilities.

Re-subdivision: A change in a map of an approved or recorded subdivision plat if such changes affects any street layout on such map or area reserved for public use, or any lot line.

Right-of-Way: A strip of land occupied or intended to be occupied by any or all of the following; a street, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or another special use. The usage of the term "right-of-way" hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-Way intended for streets, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the preparer of the plat on which such right-of-way is established and shall be covered by any necessary easements. Easements must be provided for all sanitary sewer and water lines prior to their installation within, or outside of a right-of-way.

Right-of-Way Width: The distance between property lines measured at right angle of the centerline of the street.

Shoulder: That portion of a street or road from outer edge of the paved surface or back of curb to the right-of-way limit.

Sidewalk: A concrete walkway which is parallel to the street or road which is intended for pedestrian traffic.

Street: A dedicated and accepted right-of-way for vehicular traffic whether designated as street, highway, thoroughfare, parkway, freeway, road, avenue, drive, boulevard, lane, place, circle, or otherwise. The following are definitions intended to distinguish between classifications of streets as designated in the Land Use Plan for the county:

- a. Freeway: A freeway is defined as a limited access facilities designed for continuous, high speed movement of all motorized traffic.
- b. Arterial: A street used primarily to carry large volumes of traffic at moderate speeds through and within the county. Arterials are usually multi-lane roadways in urbanized areas or in high volume traffic corridors. They provide access and movement of traffic to major activity centers. Arterials are classified as primary or secondary.
- c. Collector: A street which provides a greater degree of access to abutting properties than Arterials and are usually two-lane roadways. As the name implies, these roadways collect traffic from local streets and carry it to arterial roadways.
- d. Local: A street which provides low volume, low speed access to abutting properties. These include residential subdivision streets and rural roadways.

All roads not classified as Freeways, Arterials or Collectors are classified as local streets.

- e. Cul-De-Sac: A local street with one (1) outlet, closed and terminated by a vehicular turnaround.
- f. Marginal Access: A street which is parallel to, and adjacent to an arterial street or highway and which provides access to abutting properties and protection from through traffic.

Street Grade: The grade of the centerline of a street measured at any point along the street expressed as a percent.

Structure: Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground. Among other things structure includes buildings, mobile homes, fences, billboards, advertising signs, swimming pools, etc.

Subdivider: An person, individual, firm, partnership, association, corporation, estate, or trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined including any agent of the subdivider.

Subdivision: Any land, which is divided or proposed to be divided into two (2) or more lots or parcels. See major and minor subdivisions.

Zoning Ordinances: The Zoning Ordinance of Clayton County, Georgia, the Tree Preservation Ordinance, and all other Zoning related Ordinances.

Secs. 86-17 - 86-19. Reserved.

DIVISION IV. SUBDIVISION APPLICATION
PROCEDURE AND APPROVAL PROCESS

Sec. 86-20. General procedure.

Whenever any subdivision of land is proposed, and prior to issuing any permit for erection of a structure in such proposed subdivision, the owner, subdivider, or authorized agent shall apply for, and secure approval of such proposed subdivision in accordance with the following procedure, which includes one (1) step for a minor subdivision and three (3) steps for a major subdivision.

- (a) Minor Subdivision
 - (1) Final Plat
- (b) Major Subdivision
 - (1) Preliminary Plat
 - (2) Construction Plans
 - (3) Final Plat

Sec. 86-21. Subdivision review procedure.

The following describes the general procedures which shall be followed when submitting plats for minor subdivisions, or plats and construction plans for major subdivisions. Subdividers must follow the Administrative Guidelines which details each step of the procedure and sets all appropriate fees.

- a. Minor Subdivisions
 - (1) The subdivider shall meet with the Planning and Zoning Section staff to review the proposed subdivision and to insure compliance with these, and other appropriate Ordinances.
 - (2) As outlined in the Administrative Guidelines, original reproducibles of the final

plat are submitted to the Planning and Zoning Section and all appropriate fees paid.

- (3) The Planning and Zoning Section and the Department of Transportation and Development shall review the final plat and approve or disapprove said plat.
- (4) The approved final plat is to be recorded in the Office of the Clerk of Superior Court within fifteen (15) days of the date of approval.

b. Major Subdivisions

- (1) Copies of the preliminary plat shall be prepared and submitted to the Planning and Zoning Section for review and distribution.
- (2) The Planning and Zoning Section shall notify the subdivider if any changes are necessary to achieve compliance with this Chapter prior to the hearing by the Zoning Advisory Group.
- (3) The Zoning Advisory Group shall approve, approve subject to modifications, table, or disapprove the preliminary plat. The action of the Zoning Advisory Group shall be noted on copies of the preliminary plat, and one (1) copy shall be returned to the subdivider.
- (4) Preliminary plat approval is tentative, pending submission of a final plat and is valid for a period not to exceed twenty-four (24) months, after which approval shall expire.
- (5) After the preliminary plat is approved and prior to the subdivider commencing subdivision construction activities, the subdivider shall obtain a Land Development Permit from the Director of Transportation and Development which authorizes subdivision construction activities. Construction plans and any required fees must be submitted to the Director before permits may be issued.

- (6) Within twenty-four (24) months from the date of the plat approval. reproducible final plat of one or more phases of the subdivision shall be submitted to the Planning and Zoning Section and all appropriate fees paid. The Planning and Zoning Section shall review the final plat prior to the approval by the Zoning Advisory Group. The subdivider shall have completed the subdivision construction to the Director's satisfaction or provided the necessary improvements guarantee to the Director of Transportation and Development. Failure to submit within this time period shall void the plat unless an extension for a period not to exceed six (6) months is granted by the Planning and Zoning Section. Said extension must be applied for in writing by the subdivider.
- (7) The Zoning Advisory Group shall determine whether all requirements of Chapter have been met and either approve, table, or disapprove the final plat. If the final plat is disapproved, the Planning and Zoning Section shall notify the subdivider in writing, citing the reasons for disapproval.
- (8) The approved final plat is to be recorded in the Office of the Clerk of Superior Court within fifteen (15) days of the date of final plat approval.

Sec. 86-22. Re-subdivision of land.

Any change in an approved or recorded subdivision plat, which affects the street layout or area reserved for public use, any lot line, or if it affects the plan legally platted prior to the adoption of any Ordinance controlling subdivisions, shall be approved by the Planning and Zoning Section by the same procedures, rules, and requirements as for a subdivision.

Sec. 86-23. Subdivision with prior approval.

Subdivisions which are entirely developed or which have received a land disturbing permit prior to the adoption of this Chapter shall be permitted to proceed in accordance with the construction standards as reflected in the approved construction plans. This provision shall expire eighteen (18) months after the date of adoption of this Chapter.

Secs. 86-24 - 86-25. Reserved.

DIVISION V. SPECIFICATIONS FOR DOCUMENTS

Sec. 86-26. General provisions.

(a) Conformance: In addition to the requirements established herein, all subdivision plats shall comply with the following:

- (1) All applicable statutory provisions.
- (2) The Clayton County Zoning Ordinance and all other applicable Ordinances and laws of the appropriate jurisdictions.
- (3) The special requirements of this Chapter and any rules of the Health Department and/or appropriate State agencies.
- (4) The rules of the Georgia Department of Transportation if the subdivision or any lot contained therein abuts a state highway.
- (5) The Land Development Guidelines maintained by the Director of Transportation and Development.

Plat approval may be withheld if a subdivision is not in conformity with the above guidelines or policy and purposes of this Chapter.

Where features of the Land Use Plan such as school sites, parks, collector streets, major streets and other public spaces are located in whole or part in a proposed subdivision, or when these features have not been anticipated by the Land Use Plan but are considered

essential by the Planning and Zoning Section, such features shall be reserved by the subdivider. Whenever such reserved land, or any portion thereof, is not required, optional, or condemned by the appropriate public agency within 90 days from the date of recording the subdivision, the subdivider may claim the original reservation, or portion thereof, and cause it to be subdivided in a manner suitable to the subdivider, subject to the provisions of this Chapter.

With regard to roadway, drainage and utility requirements, alternate design standards may be approved by the Clayton County Department of Transportation and Development in accordance with sound engineering practices.

(b) Plats straddling Governmental Boundaries: Whenever access to the subdivision is required across land in another governmental jurisdiction, the Planning and Zoning Section may request assurance from the County Attorney that access is legally established, and from the Director of Transportation and Development that the access road is adequately improved, or that an improvement guarantee has been duly executed and is sufficient in amount to assure the construction of the access road. (In general, lot lines should be laid out so as not to cross governmental boundary lines.)

(c) Monuments: Permanent reference monuments shall be placed at block corners and other points such as street intersections and points of curvature, lot corners, and tangent points and angle points and shall be marked with a solid iron rod or an iron pipe not less than one-half (½) inch in diameter, at least two (2) feet long, driven flush with the ground. Monuments shall be indicated on all plats. Removal of monuments and resetting by anyone other than a registered land surveyor is prohibited.

(d) Character of the Land: Land which is unsuitable for subdivision development due to the potential for flooding, poor drainage, steep slopes, rock formations, adverse

topography or landform, or other features which could be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision, shall not be subdivided or developed unless adequate methods are formulated to alleviate these problems by the developer and these methods approved by the Director of Transportation and Development and the Planning and Zoning Section.

(e) Subdivision Name: The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by this Chapter. The Planning and Zoning Section shall have final authority to approve the name of the subdivision which shall be determined at preliminary plat review.

Sec. 86-27. Lot specifications.

All lots shall conform to the provisions of the Clayton County Zoning Ordinance.

(a) Lot Dimensions: Lot dimensions shall comply with minimum standards of the Zoning Ordinance. All lots approved under this Chapter shall front on a street. Where lots are more than double the minimum required area for the zoning district, the Planning and Zoning Section may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and this Chapter. In general, side lot lines shall be right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for construction of buildings, observing the minimum front-yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated.

(b) Double Frontage Lots: Double frontage lots shall be prohibited except where necessary to provide separation of residential development from arterial thoroughfares or to overcome specific disadvantages of topography and orientation. Double frontage lots which are necessary shall be required to have a no-access easement across them, preventing access to arterial or collector streets.

(c) Lot Drainage: Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

(d) Debris and Waste: No cut trees, timber, debris, rocks, stones, junk, rubbish, or other waste materials of any kind be buried in any right-of-way easement or under any proposed structures.

Sec. 86-28. Preservation of natural features and amenities.

Existing features which would add value to residential development or to the County as a whole, such as significant trees, watercourses and falls, historic sites, and similar irreplaceable assets, shall be preserved in the design of the subdivision.

Sec. 86-29. Preliminary plat.

The Preliminary Plat shall represent the entire area which the subdivider contemplates developing, including possible unit division not scheduled for immediate development. Copies of the Preliminary Plat shall be submitted to the Planning and Zoning Section for review and distribution. The Preliminary Plat shall be prepared by a licensed land surveyor, registered professional engineer or registered architect.

The Preliminary Plat submitted to the Planning and Zoning Section shall consist black-line or blue-line prints on a white background. The Preliminary Plat shall be prepared

at a scale of one inch equals 100 feet. Sheet size is not to exceed twenty-four (24) inches by thirty-six (36) inches; provided however, that a scale of one inch equals 200 feet may be used to avoid exceeding the prescribed dimensions for sheet size. In no event shall the sheet size be less than eight and one-half (8½) inches by eleven (11) inches. The Preliminary Plat shall contain the following information:

- (1) Name of subdivision.
- (2) The name, address, and telephone number of the owner or owners and subdivider.
- (3) Name of all proposed streets.
- (4) The seal(s), name(s), and addresses of the licensed land surveyor, registered professional engineer or registered architect responsible for the plat.
- (5) Date, scale, north arrow and space for revisions.
- (6) Vicinity map indicating streets and highways, Land Lot lines, railroads and other significant features within or adjacent to the proposed subdivision.
- (7) The following information should be listed on the plat:
 - a. Present zoning with stipulations (if any)
 - b. Land Lot and District
 - c. Total acreage and outparcel acreage if applicable
 - d. Number of lots
 - e. Minimum house size
 - f. Minimum lot size
 - g. Lot width and building setbacks (front, side, rear, and corner lot)
 - h. Density
 - i. Proposed use of property to be subdivided

- j. Indication of whether subdivision is served by sanitary sewer or septic tank
- (8) The location of property with respect to surrounding streets, and the names of adjoining developments.
 - (9) The bearings and lengths of all exterior property boundary lines of the property, to the nearest hundredth of a foot.
 - (10) Unit divisions, or staged development, if proposed by the developer.
 - (11) Contour lines at intervals not to exceed (5) foot intervals, based on mean sea level datum. The basis for development of contour lines shall be indicated on the plat with the information regarding the bench mark used as a reference.
 - (12) The location of existing and proposed streets, easements, water bodies, flood hazard areas, streams, and other pertinent features such as wetlands, railroads, buildings, parks, cemeteries, drainage ditches, or bridges.
 - (13) The approximate location and width of proposed streets.
 - (14) Reference points from proposed intersections to permanent features.
 - (15) The location and dimensions of all proposed or existing lots. The minimum front yard setback on all lots and side lot setback for corner lots.
 - (16) Sufficient data acceptable to the Director of Transportation and Development to determine readily the location, bearing and length of all exterior property lines and to reproduce such lines upon the ground; and the location of all proposed monuments. Control survey must close and balance within a tolerance of one foot in ten thousand feet.
 - (17) Blocks shall be lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be lettered consecutively.

throughout the several additions. All lots in each block shall be consecutively numbered. Out parcels shall be lettered in alphabetical order.

Sec. 86-30. Construction plans.

Subdivision construction plans shall be prepared in accordance with this Chapter and the current Land Development Guidelines, Zoning Ordinance, Flood Damage Prevention Ordinance, and Soil Erosion and Sediment Control Ordinance, or any other applicable Ordinances or laws.

Construction plans must be submitted to the Director for review and approval before any Land Development permits are issued. Plans will be approved when the Director determines that the necessary items required by the county ordinances or other agencies are satisfactorily addressed. Plan approval does not obligate the County to accept the finished work nor does it relieve the subdivider of the responsibility of complying with Federal, State, or local ordinances, laws, and regulations.

The required improvements set forth in this ordinance shall be observed in all construction plans which are required to be approved by the Director except that standards for improvements shall be applicable only to those plans for which improvements are required as a condition of plat approval.

Sec. 86-31. Improvements.

Subdivision improvements shall be planned and constructed by the subdivider in accordance with the design and construction standards contained in the Land Development Guidelines.

Streets.

- (1) The arrangement, character, extent, width, grade and location of all streets shall conform to the Land Use Plan for Clayton County and shall be considered in

their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. All proposed subdivisions shall normally have at least two (2) points of access, and provide for interconnection to similar adjacent uses. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Planning and Zoning Section such extension is not necessary or desirable for the coordination of the layout or the most advantageous future development of adjacent tracts.

- (2) The arrangement of streets in a subdivision, where not shown in the comprehensive plan, shall either:
 - a. Provide for the continuation or appropriate projection of existing streets in surrounding areas at the same or greater width, but in no case less than the required minimum width; or
 - b. Conform to a plan approved or adopted by the Director to meet a particular situation where topographic or other conditions make continuance or conformance to existing streets impractical.
- (3) Local streets shall be so laid out that their use by through traffic will be discouraged.
- (4) The Director, the Planning and Zoning Section, or the Zoning Advisory Group may require the subdivider to provide a temporary vehicular turnaround within the right-of-way at the end of any dead-end street other than a cul-de-sac.
- (5) Where a subdivision abuts or contains an existing or proposed major street, the Director may require marginal access streets, double frontage lots with screen

planting contained in a nonaccess reservation along the rear property lines, deep lots with rear service drives or such other treatment as may necessary for adequate protection of residential properties and to afford separation of through and local traffic.

- (6) Where a subdivision borders on or contains a railroad right-of-way or expressway right-of-way, the Director may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
- (7) Street right-of-way widths shall prevail as specified in the Land Development Guidelines.
- (8) Street paving widths shall prevail as specified in the Land Development Guidelines. Upon proper application being made to the Director with engineering plans attached thereto, the Director may consider an application for the reduction in width of an industrial street. When the street is to serve only industry located on one side of the street and where the development on the other side of the street, because of terrain or other factors, can not be developed, the Director may consider all facts and in the event he finds the application for said industrial street to be in order and to create a true hardship, may grant a permit to install an industrial street with a reduced width.
- (9) Cul-de-sac streets shall be designed so that maximum length shall not exceed eight hundred (800) feet, without specific approval of the Planning and Zoning Section.

- (10) Reserve strips controlling access to streets, alleys or public grounds shall not be permitted unless their control is definitely placed with the county under conditions approved by the Director of Transportation and Development.

Blocks.

- (1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width may be permitted in blocks adjacent to major streets, railroads, or waterways.
- (2) The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed fifteen hundred feet (1,500) nor be less than six hundred (600) feet in length. Wherever practicable, blocks along major arterial and collector streets shall be not less than one thousand (1,000) feet length.
- (3) In long blocks the Planning and Zoning Section may require reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.

Sanitary sewage disposal.

- (1) When, in the opinion of the Clayton County Water Authority and the Clayton County Health Department, public sanitary sewers are within reasonable access of the subdivision, the subdivider shall provide sanitary sewer services to each lot therein, in accordance with the standards of the Clayton County Water Authority.
- (2) When, in the opinion of the Clayton County Water Authority, a public sanitary sewer is not accessible, the septic tank method of disposal may be used in

compliance with the standards of the Clayton County Health Department; however, when septic tanks are utilized, a minimum of twenty-two thousand (22,000) square feet of lot area shall be required. In the event the building lot meets a minimum of twenty-two thousand (22,000) square feet in lot area, and meets all other criteria of the Clayton County Water Authority and the Clayton County Health Department, septic tanks may be approved.

- (3) When the operation of temporary disposal system requires land to be set aside for a disposal plant or oxidation pond, the property owner shall give the Clayton County Water Authority title to the property with proper reversionary clause to the owner when the land is no longer needed by the county for sewage disposal purposes.
- (4) Whenever a sanitary sewer is required to be installed within the right-of-way of a street, the street shall not be paved without such sewer first being inspected by the Clayton County Water Authority. Final inspection and acceptance of the sanitary sewer by the Clayton County Water Authority may be obtained only after paving of the streets.
- (5) Whenever, the installation of a sanitary sewer will require an easement, no building permit shall be issued for any lot affected by such an easement until that portion of the sanitary sewer has been installed. Said easement shall be a minimum width of ten (10) feet and no building shall be within five (5) feet of the center of the sanitary sewer.
- (6) Subdivision plats of record having received preliminary plat approval prior to the effective date of this resolution may be considered as hardship cases and upon approval by the Clayton County Water Authority and the Clayton County

Building Inspector may be permitted to proceed under the regulations governing the subject matter, "sanitary sewage disposal" in effect as of the date of the preliminary plat approval.

Storm drainage.

- (1) For any subdivision, with a total land area greater than 1.1 acre, a storm water impact evaluation shall be prepared by a registered professional engineer. This study shall evaluate the effects of existing and proposed drainage conditions on downstream property and drainage structures. The evaluation should consider all upstream areas based upon their fully developed conditions consistent with the Land Use Plan.
- (2) Every subdivision shall be served by appropriate storm drainage facilities including ditches, sewers, catch basins, culverts and other facilities designed in accordance with the Land Development Guidelines.
- (3) All storm drainage facilities shall be designed to serve the entire drainage area in which these facilities are located. The drainage area shall be considered to be in a fully developed condition based on the comprehensive Land Use Plan.
- (4) Storm drainage facilities shall be so arranged as to transport surface water to existing storm drains or other facilities as approved by the Director.
- (5) Whenever drainage ditches are used, such ditches shall retain natural design characteristics, and be designed so as not to present a hazard to life or property.
- (6) Whenever it is necessary for a storm drain to be crossed by a street or driveway, the subdivider shall provide and install a pipe or other structure designed in accordance with the Land Development Guidelines.

- (7) Whenever a storm drain is to be extended through lots proposed to be platted for development, the subdivider shall provide and install pipe designed in accordance with the Land Development Guidelines.
- (8) Whenever a storm drain is to be extended through land which is not proposed for development, a drainage ditch may be provided. However in such case, the plat shall be so marked, and an easement shown thereon, the easement must be provided for the flow of storm water through the property.

Fire hydrants.

Fire hydrants shall be located and set in accordance with the Clayton County Water Authority.

Sidewalks.

Sidewalks may be required where any of the following conditions exist:

- (1) Development is along a major street or thoroughfare; or
- (2) Development is along a street leading to a school, park, or shopping center;
or
- (3) At the discretion of the Director.

Utilities.

Utility installation shall not occur until the Director of Transportation and Development has approved the rough grade of the street and shoulder preparation.

86-32. Inspection of improvements.

Every subdivider at his own expense shall be required to install the physical subdivision improvements specified in this article and shown on the approved construction plans.

- (1) *Clearing and grubbing.* This activity consists of removal from the right-of-way and proper disposal of all trees, brush, stumps, logs, grass, weeds, roots, decayed vegetable matter, poles, stubs, rubbish, refuse dumps, sawdust piles, and all other objectionable matter resting on or protruding through the original ground surface or appearing or being on the right-of-way at any time before final acceptance of the work, except as provided for elsewhere. This item also includes the removal and proper disposal of any obstructions not to be salvaged, such as fences and incidental structures within the right-of-way which might interfere with construction.
- (2) *Street grading.* All street rights-of-way shall be graded in accordance with the Land Development Guidelines.
- (3) *Drainage.* The county will not be responsible for any drainage outside of the right-of-way or for any drainage leading from drop inlets, catch basins or surface drainage. The developer will be held responsible for all surface drainage and drainage from drop inlets and catch basins. The county will not be responsible for cleaning any ditches, pipes or channels or drainage easements on private property.
- (4) *Sub-grade.* Sub-grade preparation shall be inspected and approved by Clayton County before the installation of an acceptable base and shall be in accordance with the Land Development Guidelines.
- (5) *Curbs and gutters.* Curbs and gutters shall be installed on all streets, except as specified in the Land Development Guidelines and shall be installed in accordance with those guidelines.

- (6) *Water supply and sanitary sewer.* The installation of water mains and sanitary sewer lines shall be accomplished prior to the approval by Clayton County of an acceptable base.
- (7) *Base.* Base construction shall be inspected and approved by Clayton County before the placement of an asphaltic pavement and shall be in accordance with the Land Development Guidelines.
- (8) *Street paving.*
 - a. Streets shall be paved according to the approved construction plans and shall be in accordance with the Land Development Guidelines.
 - b. Finished grades shall be at levels approved by the Director.
- (9) *Sidewalks.* All sidewalk grading, forming and paving shall be approved by the Director and in accordance with the Land Development Guidelines.
- (10) *Detention ponds.* Any water impoundment structure shall be constructed so as to minimize mosquito breeding and other nuisance hazards, and shall be built in accordance with the Land Development Guidelines and with the approval of the Director.
- (11) *Street trees.* Street trees and other shrubbery that may be retained or planted shall be retained and planted so as not to obstruct required visibility along the street. (Res. of 12-16-65, Art. 8, § 8.10)
- (12) *Street markers.* Standard street markers shall be installed on every street in accordance with the Land Development Guidelines and at the approval of the Director.
- (13) *Street cuts.* All utility construction plans within county rights-of-way shall be submitted to the Clayton County Transportation and Development Engineering

Department for review and approval prior to the beginning of any construction. Furthermore, any such plans affecting traffic shall be submitted to the right-of-way engineer for the review and approval prior to the beginning of any construction. Safety barriers will be required to be placed and maintained during all periods of such construction.

All paving cuts shall meet the following requirements:

- a. All paving cuts shall be widened to a minimum of twelve (12) inches beyond the edge of any trench and excavated to allow for six (6) inches of concrete and one and one-half (1½) inches of asphalt to be poured;
- b. The edges of all paving cuts shall be smooth;
- c. All trenches under paving shall be returned to ninety-five (95) percent compaction upon compaction and prior to paving;
- d. All paving cuts shall be resurfaced with six (6) inches of concrete and final wearing surface and one and one half (1½) inches of Type "E" asphaltic concrete, to be poured and rolled after the initial concrete is sufficiently cured.

(14) *Material and testing.* All material and methods of construction will be governed by the Georgia Department of Transportation Specifications, or at the discretion of the Director. At the request of the Director, the developer will furnish material testing reports for any construction material or workmanship that might be in question by the Director.

(15) *Inspections.* The Director will be notified for an inspection of each of the following construction phases:

- a. Initiation of clearing and grubbing activities.

- b. Installation of sediment control.
- c. Initiation of grading activities.
- d. Installation of drainage structures.
- e. Preparation for and the installation of curb and gutter.
- f. The preparation of sub-grade for the approval to apply the appropriate base.
- g. Preparation of the base for the approval to apply the paving.
- h. Paving activities.
- i. Final inspection.

The Director will be notified at least three (3) hours in advance for an inspection, but if an inspection is not made after twenty-four (24) hours, the contractor may proceed to the next step of construction.

Sec. 86-33. Improvements and guarantees.

Before the Final Plat is signed by the Director of Transportation and Development all applicants shall be required to complete all the street, utility, and other improvements as required in this Chapter, or provide improvement guarantees for their completion.

Every subdivider, at his own expense, shall be required to install the physical subdivision improvements specified in this Chapter and shown on the approved construction plans.

- (1) Release of Improvement Guarantees: The Director will not recommend acceptance of required improvements nor release an improvement guarantee until all required improvements have been satisfactorily completed and a right-of-way deed submitted. Upon such approval and recommendation of the Director of Transportation and Development, the County Board of

Commissioners shall consider acceptance of the improvements for dedication in accordance with the established procedure.

- (2) Improvement Guarantees: The applicant may provide improvement guarantees at the time of application for Final Plat approval in an amount approved by the Director of Transportation and Development as sufficient to secure to the County Board of Commissioners the satisfactory construction, installation, and dedication of the incomplete portion of required improvements. Improvement guarantees may take the form of either a bond, a certified check or a letter of credit from a local lender. Guarantees shall be structured to permit periodic demands for payment from the issuer in whole or in part for the entire amount of the credit. Such improvement guarantees shall be approved by the Director of Transportation and Development as to the amount and surety. The guarantee shall be released only after the work has been completed and approved by the Director of Transportation and Development.
- (3) Temporary Improvements: The applicant shall build and pay for all costs of temporary improvements as may be required and shall maintain same for the period specified by the Director of Transportation and Development.
- (4) Costs of Improvements: All required improvements shall be made by the applicant, at his expense, without reimbursement by the County or by any improvements district therein.
- (5) Acceptance of Dedication Offers: Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by act of the County Board of Commissioners. The approval by the Zoning Advisory Group or Director of Transportation and Development of a subdivision plat shall not be deemed

to constitute or imply the acceptance by the County of any street, easement, or park shown on said plat.

Sec. 86-34. Maintenance of improvements.

The developer shall be responsible for the maintenance of the streets, drainage systems, and shoulders within the right-of-way for a period of twenty-four (24) months from the date of acceptance by Clayton County. All construction items, drainage systems, and erosion control measures will be in place and completed, or properly guaranteed, before the Director recommends approval of the final plat. The final plat will be approved after the guarantee is accepted. The developer will be responsible for the aforementioned maintenance services on guaranteed sections for a period of twenty-four (24) months after the completion of the work and the release of the performance guarantee.

Sec. 86-35. Final plat.

Within twenty-four (24) months of the date of approval of the Preliminary Plat the subdivider shall submit a reproducible Final Plat to the Planning and Zoning Section for review and approval. The Final Plat shall be prepared by a registered land surveyor. The Final Plat shall represent only that portion of the approved Preliminary Plat which the subdivider proposes to develop and record at this time. The Final Plat submitted to the Planning and Zoning Section shall conform to the Preliminary Plat and shall be prepared in ink on a reproducible medium.

The Final Plat shall be prepared at a scale of one inch equals 100 feet. Sheet size shall not exceed seventeen (17) inches by twenty-two (22) inches. If the entire Final Plat cannot be depicted on one sheet, the plat may be drawn on two or more sheets with an index provided on each sheet. In no event shall the sheet size for a multiple sheet submittal be less

than eight and one-half (8 ½) by eleven (11) inches. The Final Plat shall contain the following information:

- (1) Name of subdivision.
- (2) Name and address of owner and subdivider.
- (3) The following information should be listed on the plat:
 - a. Present zoning with stipulations (if any)
 - b. Land Lot and District
 - c. Total acreage and out parcel acreage if applicable
 - d. Number of lots
 - e. Minimum house size
 - f. Minimum lot size
 - g. Lot width and building setbacks (front, side, rear, and corner lot)
 - h. Density
 - i. Proposed use of property to be subdivided
 - j. Indication of whether subdivision is served by sanitary sewer or septic tank
- (4) Date of survey; date of plat drawing; graphic scale; north arrow with reference of bearings to Magnetic, True, or Grid North, indicating whether bearings were calculated from angles turned or from compass readings. Space for revisions.
- (5) Index map, where more than one sheet is required to depict plat.
- (6) Vicinity map indicating streets, highways, and land lot lines.
- (7) If part or all of the tract is a portion of a former subdivision, reference shall be made to the former plat, with identification of the former lots and blocks being re-subdivided.

- (8) Exact boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-hundredth (1/100) foot and angles to the nearest second. Tract boundaries shall be determined by an accurate survey in the field, and shall be balanced and closed with an error of closure not to exceed one foot in ten thousand feet.
- (9) Courses and distances to the nearest existing street lines, bench marks or other recognized permanent monuments which shall be accurately described on the plat.
- (10) The error of closure, as calculated by latitudes and departures, shall be stated. Surveys shall be coordinated and tied into U. S. Coast and Geodetic Traverse and Triangulation Survey, where same is available.
- (11) Municipal, County or Land Lot lines accurately tied to the boundary line of the subdivision by distance and angles, when such lines transverse or are reasonably close to the subdivision.
- (12) Exact location, right-of-way widths, and names of all streets and developments within and immediately adjoining the plat, and the exact location and widths of all cross walks. Street center lines showing angles of deflection, angles of intersection, radii, length of tangents, and arcs, and degree of curvature with basis of curve data.
- (13) Lot lines with dimensions to the nearest one hundredth (1/100) foot, necessary internal angles, arcs, and chords, and tangents of radii of rounded corners.
- (14) When lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees, the lot width at the building line shall be shown.

- (15) Blocks lettered alphabetically within each block; lots or sites numbered in numerical order. The blocks in numbered additions to subdivisions bearing the same name shall be lettered consecutively throughout the several additions.
- (16) Location, dimensions and purposes of: easements, including slope easements, public service utility right-of-way lines, open space and/or areas (other than streets) to be reserved; sites for other than residential use, with notes stating their purpose and limitations; and of any areas to be reserved by deed covenant for common uses of all property owners.
- (17) Accurate location, material and description of monuments and markers. Monuments to be placed after final street improvement and shall be designated as "future".
- (18) The location, length, diameter, and type of drainage structures and the location and width of drainage easements.
- (19) The location of existing and proposed streets, easements, water bodies, flood hazard areas, streams and other pertinent features such as wetlands, railroads, buildings, parks, cemeteries, drainage ditches or bridges.
- (20) The seal(s), name(s), and addresses of the licensed land surveyor, registered professional engineer or registered architect responsible for the plat.
- (21) The bearings and lengths of all exterior property boundary lines of the property.
- (22) Right-of-way widths.
- (23) Building setback lines shown on plat, indicating on corner lots front and side setbacks.
- (24) Sufficient data acceptable to the Director of Transportation and Development to determine readily the location, bearing, and length of all exterior property

lines and reproduce such lines upon the ground; and the location of all proposed monuments. Control survey must close and balance within a tolerance of one foot in ten thousand feet.

- (25) Identify on the plat the location of any landfill or burial site for debris.
- (26) All buffers to be indicated with their dimension and character (i.e., no-access, vegetated, undisturbed, etc.).
- (27) Boundary and elevation of 100 year flood plain. If no such flood plain exists on the property, then state that it does not exist. Finished floor elevations for each lot adjacent to the flood plain
- (28) Final plat must conform to approved preliminary plat unless prior approval was granted for the deviation. Final plat must be submitted within twenty-four (24) months of the date of the approved preliminary.
- (29) Any other notes that may be required by the Planning and Zoning Section or the Director of Transportation and Development.
- (30) Certificates as specified below:
 - a. Certificate of Final Plat Approval by the Zoning Advisory Group.
 - b. Certificate of Licensed Land Surveyor as to the accuracy of the final plat and compliance with applicable laws and regulations.
 - c. Warranty statement as specified in the Land Development Guidelines.
 - d. Dedication statement as specified in the Land Development Guidelines.

As a condition for final plat approval the developers shall submit to the Director of Transportation and Development a deed dedicating the road right-of-way to Clayton County.

Sec. 86-36. Plat recording.

An approved final plat shall be filed for recording by the subdivider in the Office of the Clerk of Superior Court within fifteen (15) days after final approval thereof. No final plat shall be filed or recorded by the Clerk of the Superior Court until such plat has been approved by the Director of Transportation and Development, the Zoning Advisory Group and the Planning and Zoning Section of the Community Development Department. The approval of a final plat by the Director of Transportation and Development shall not be deemed to constitute or effect acceptance by the County of any street or other ground shown on the plan.

Sec. 86-37. Non-residential subdivisions and planned developments.

General: If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision shall conform to this Chapter. A nonresidential subdivision shall also be subject to all the requirements of site plan approval set forth in the Zoning Ordinance. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously at the discretion of the Planning and Zoning Section and the Director of Transportation and Development. A non-residential subdivision shall be subject to all the requirements of this Chapter, as well as such additional standards required by the Planning and Zoning Section, and shall conform to the proposed Land Use Plan and standards established in the Land Development Guidelines and Zoning Ordinance.

Standards: In addition to the principles and standards in this Chapter, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Planning and Zoning Section that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- (2) Special requirements may be imposed by the Director of Transportation and Development with respect to street, curb, gutter, and sidewalk design and construction.
- (3) Special requirements may be imposed by the Director of Transportation and Development with respect to the installation of public utilities, including water, sewer, and storm water drainage.
- (4) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- (5) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

Secs. 86-38 - 86-39. Reserved.

DIVISION VII. UNIFORM SYSTEM OF STREET NUMBERING

Sec. 86-40. Statement of purpose.

(a) The purpose of this article is to establish a system for orderly naming of streets within Clayton County and the standards for numbering and the posting of numbers on all dwelling units and business establishments thereon. Further, this article empowers the Planning and Zoning Section of the county's Community Development Department to enforce the assignment of street names and the numbering of all such dwelling and business units constructed thereon.

(b) The enactment of this article should also facilitate the location of residences and businesses by the police, fire, sheriff, district attorney, rabies control, planning and zoning, transportation and development, business permits, and emergency management departments. (Ord. No. 90-37, § 1(2), 4-17-90)

Sec. 86-41. Designation of street names.

Names for all public streets as well as names for private streets that are opened for public access on a continuing basis shall be assigned by the Planning and Zoning Section in accordance with its administrative procedures. (Ord. No. 90-37, § 1(2), 4-17-90)

Sec. 86-42. Designation of street numbers.

Address numbers for dwelling units and places of business on all public streets and address numbers and/or building numbers for dwelling units and places of business within apartments/ condominiums and nonresidential developments located on private streets shall be assigned by the Planning and Zoning Section in accordance with its administrative procedures. (Ord. No. 90-37, § 1(3), 4-17-90)

Sec. 86-43. Display of number required.

(a) Generally. Every dwelling unit, place of business or other building having a street address to it under the system of numbering in unincorporated Clayton County shall display such address number visible for a distance of one hundred fifty (150) feet in a readily visible manner consistent with the requirements of this article. Mobile home parks and apartment complexes shall also be required to have each individual pad, lot number or apartment number displayed in a readily visible manner consistent with the requirements of this article. Such lot, pad or apartment numbers shall be in sequence unless directional signs are provided for numbers not in sequence.

(b) Residential. The address of the nonresidential dwelling unit shall be in figures of at least three (3) inches high on a contrasting background of a material that will allow twenty-four-hour visibility if placed within fifteen (15) feet of the back of the street curbing or edge of the street surface. If the address is placed beyond the fifteen-foot limit, the figures shall be at least six (6) inches high. In no event shall the address be placed beyond fifty (50) feet of the back of the street curbing or edge of the street surface. (Ord. No. 90-37, § 1(4), 4-17-90)

Sec. 86-44. Special considerations.

(a) All street numbering will be assigned in such a manner that when traveling from the lower numbers to the higher numbers the odd numbers will be to the right and the even numbers to the left.

(b) Any street which crosses the zero base line, as designated on the official base map, and is numbered using the east-west grid numbering and further causes any range of numbers to be duplicated on both sides (east and west) of the zero base line shall have the metro area quadrant designation added as part of the legally accepted street name. That section east of the zero base line will be designated "Southeast" (SE) and that portion west of the zero base line will be designated "Southwest" (SW). This designation will be effective for the entire portion of the street within the boundaries of Clayton County, including the incorporated areas.

(c) Any site where a telephone line (circuit) with dial tone exists, regardless of the terminating equipment, shall be assigned a street address for E 9-1-1 purposes. (Ord. No. 90-37, § 1(5), 4-17-90)

Sec. 86-45. Exceptions.

Any site utility services which are normally unmanned, but have been assigned a street number for E 9-1-1 purposes, are exempt from any required posting (display) of such an address. Such site would be traffic-control points, water and radio tower sites, utility power substations, etc. (Ord. No. 90-37, 4,6 1(6), 4-17-90)

Sec. 86-46. Duty of owner.

The obligation of complying with the provisions of this article shall be upon the owner of the property. The property owner shall have six (6) months from the date of adoption of the ordinance from which this article derives to comply with the provisions of this article. If any provision of this article shall be found to have been violated, notice shall be given to the owner of property, or his agent, specifying the manner in which the article is being violated, and giving the owner ten (10) days to bring the property into compliance. (Ord. No. 90-37, § 1(7), 4-17-90)

Sec. 86-47. Violations.

Any person, firm, corporation or other entity violating any provision of this article shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars (\$25.00) for each offense. Each day such a violation is continued shall constitute a separate offense. (Ord. No. 90-37, 4,6 1(8), 4-17-90)

Secs. 86-48 - 86-50. Reserved.

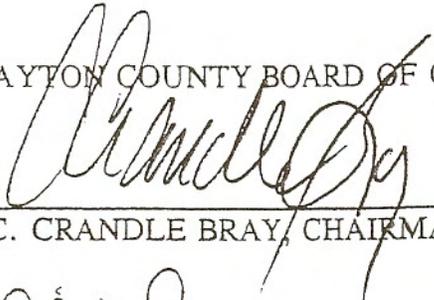
Section II. If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

Section III. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Section IV. This Ordinance shall become effective upon its approval by the Board of Commissioners.

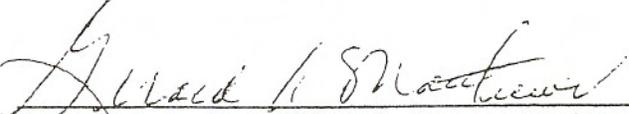
SO RESOLVED, this the 16th day of January, 1996.

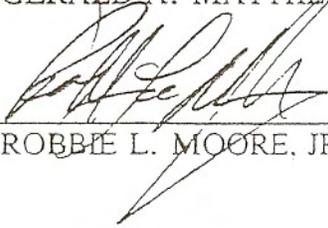
CLAYTON COUNTY BOARD OF COMMISSIONERS


C. CRANDLE BRAY, CHAIRMAN

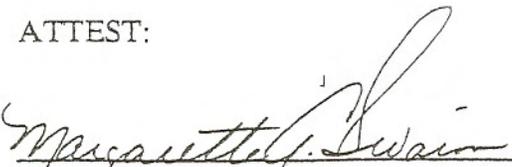

RICHARD REAGAN, VICE-CHAIRMAN


TERRY J. STARR, COMMISSIONER


GERALD A. MATTHEWS, COMMISSIONER


ROBBIE L. MOORE, JR., COMMISSIONER

ATTEST:


MARGARETTE A. SWAIM, CLERK

SOIL EROSION AND
SEDIMENT CONTROL
ORDINANCE

**THIS SECTION REFERS TO:
CLAYTON COUNTY CODE BOOK
CHAPTER 38; ENVIRONMENT
ARTICLE II.**

**SOIL EROSION AND SEDIMENTATION
CONTROL**

**DIVISION 1. GENERALLY
SECTIONS 38-26 THROUGH 38-45**

AND

**DIVISION 2. PERMITS
SECTIONS 38-46 THROUGH 38-75**

**PLEASE CONTINUE TO CHECK THE COUNTY'S
WEBSITE (MuniCode) FOR ANY UPDATES**

www.co.clayton.ga.us

THANK YOU

Chapter 38

ENVIRONMENT*

Article I. In General

Secs. 38-1—38-25. Reserved.

Article II. Soil Erosion and Sedimentation Control

Division 1. Generally

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- Sec. 38-27. Exemptions.
- Sec. 38-28. Minimum requirements for erosion and sedimentation control using best management practices.
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- Sec. 38-32. Education and certification.
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*Cross references—Open burnings, § 42-91 et seq.; dumping, depositing, etc., litter on public or private property or waters, § 62-30; smoking policy, § 70-101 et seq.

ARTICLE I. IN GENERAL

Secs. 38-1—38-25. Reserved.

ARTICLE II. SOIL EROSION AND SEDIMENTATION CONTROL*

DIVISION 1. GENERALLY†

Sec. 38-26. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article, unless otherwise specifically stated:

Best management practices (BMP's): A collection of structural practices and vegetative measures which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control. The term "properly designed" means designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. 12-7-6 subsection (b).

Board: The Board of Natural Resources.

Buffer: The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Commission: The State Soil and Water Conservation Commission.

Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as excavation.

Department: The Department of Natural Resources.

*Cross reference—Buildings and building regulations, ch. 18.

†Editor's note—Ord. No. 2004-73, § 1, adopted May 18, 2004, amended div. 1, §§ 38-26—38-34, in their entirety. Formerly, said sections pertained to similar subject matter as enacted by Code 1973; as amended.

Director: The Director of the Environmental Protection Division of the Department of Natural Resources.

District: The Clayton County Soil and Water Conservation District.

Division: The Environmental Protection Division of the Department of Natural Resources.

Drainage structure: A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm-water management, drainage control, or flood control purposes.

Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion and Sedimentation Control Plan: A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity. Also known as the "plan".

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

Finished grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

Ground elevation: The original elevation of the ground surface prior to cutting or filling.

Land-disturbing activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in section 38-27, paragraph 5.

Larger common plan of development or sale: A contiguous area where multiple separate and

distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

Local issuing authority: The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. 12-7-8.

Metropolitan River Protection Act (MRPA): A state law referenced as O.C.G.A. 12-5-440 et seq., which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Natural ground surface: The ground surface in its original state before any grading, excavation or filling.

Nephelometric turbidity units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloidally dispersed particles are present.

Operator: The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with a storm-water pollution prevention plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the storm-water pollution prevention plan or to comply with other permit conditions.

Permit: The authorization necessary to conduct a land-disturbing activity under the provisions of this article.

Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board,

public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this state, any interstate body or any other legal entity.

Project: The entire proposed development project regardless of the size of the area of land to be disturbed.

Qualified personnel: Any person who meets or exceeds the education and training requirements of O.C.G.A. 12-7-19.

Roadway drainage structure: A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.

Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Soil and water conservation district approved plan: An erosion and sedimentation control plan approved in writing by the Clayton County soil and water conservation district.

Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State general permit: The National Pollution Discharge Elimination System general permit or permits for storm-water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and subsection (f) of Code Section 12-5-30.

State waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Structural erosion and sedimentation control practices: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading, etc. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Trout streams: All streams or portions of streams within the watershed as designated by the Game and Fish Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20 et seq. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

Soil, "soil erosion and sediment control", vegetative erosion and sedimentation control measures: Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

- (1) Permanent seeding, sprigging or planting, producing long-term vegetative cover; or
- (2) Temporary seeding, producing short-term vegetative cover; or

- (3) Sodding, covering areas with a turf of perennial sod-forming grass.

Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Watercourse: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-27. Exemptions.

This article shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

Surface mining, as the same is defined in O.C.G.A. 12-4-72, "Mineral Resources and Caves Act"; Granite quarrying and land clearing for such quarrying;

Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion; The construction of single-family residences, when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in section 38-28 of this article and this paragraph. For single-family residence construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence

and any state waters classified as trout streams pursuant to Article 2 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted. The minimum requirements of section 38-28 of this article and the buffer zones provided by this section shall be enforced by the issuing authority;

Agricultural operations as defined in O.C.G.A. 1-3-3, "definitions", to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;

Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in paragraphs (15) and (16) of section 38-28(c) of this article, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices;

Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture;

Any project involving less than one acre of disturbed area; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre or within 200 feet of the bank of any state waters, and for purposes of this paragraph, "state waters" excludes channels and drainageways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves less than one acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainageway, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the local issuing authority from regulating any such project which is not specifically exempted by paragraphs 1, 2, 3, 4, 5, 6, 7, 9 or 10 of this section;

Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of Department of Transportation or State Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the local issuing authority, the local issuing authority shall enforce compliance with the

minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;

Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the local issuing authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and

Any public water system reservoir.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-28. Minimum requirements for erosion and sedimentation control using best management practices.

(a) *General provisions.* Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities. Therefore, plans for those land-disturbing which are not exempted by this ordinance shall contain provisions for application of soil erosion and sedimentation control measures and practices. The provisions shall be incorporated into the erosion and sedimentation control plans. Soil erosion and sedimentation

control measures and practices shall conform to the minimum requirements of section 38-28(b) and (c) of this article. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion and sedimentation pollution during all stages of any land-disturbing activity.

(b) *Minimum requirements/BMP's.*

- (1) Best management practices as set forth in section 38-28(b) and (c) of this article shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the director or to any other allegation of noncompliance with paragraph (2) of this subsection or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to subsection (f) of O.C.G.A. 12-5-30, the "Georgia Water Quality Control Act". As used in this subsection, the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. 12-7-6 subsection (b).
- (2) A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to subsection (f) of O.C.G.A. 12-5-30, the "Georgia Water Quality Control Act", for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in

accordance with guidelines to be issued by the director. This paragraph shall not apply to any land disturbance associated with the construction of single family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.

- (3) Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to subsection (f) of Code Section 12-5-30, the "Georgia Water Quality Control Act", for each day on which such failure occurs.
 - (4) The director may require, in accordance with regulations adopted by the board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land disturbing activities occur.
- (c) The rules and regulations, ordinances, or resolutions adopted pursuant to this chapter for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the Manual for Erosion and Sediment Control in Georgia published by the Georgia Soil and Water Conservation Commission as of January 1st of the year in which the land-disturbing activity was permitted, as well as the following:

- (1) Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
- (2) Cut-fill operations must be kept to a minimum;

- (3) Development plans must conform to topography and soil type so as to create the lowest practical erosion potential;
- (4) Whenever feasible, natural vegetation shall be retained, protected and supplemented;
- (5) The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
- (6) Disturbed soil shall be stabilized as quickly as practicable;
- (7) Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
- (8) Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
- (9) To the extent necessary, sediment in runoff water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. 12-7-1 et seq.;
- (10) Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
- (11) Cuts and fills may not endanger adjoining property;
- (12) Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
- (13) Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
- (14) Land-disturbing activity plans for erosion and sedimentation control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sed-

iments on-site or preclude sedimentation of adjacent waters beyond the levels specified in section 38-28(b)(2) of this article;

- (15) Except as provided in paragraph (16) of this subsection, there is established a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the director pursuant to O.C.G.A. 12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; provided, however, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the director as provided in this paragraph. The following requirements shall apply to any such buffer:
- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
 - b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines; and
- (16) There is established a 50-foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act", except where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25-foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the board, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The director may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:
- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural,

undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed: provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and

- b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines.
- c. Nothing contained in this chapter shall prevent any local issuing authority from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements in section 38-28(b) and (c) of this article.
- d. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of

a violation of the standards provided for in this article or the terms of the permit.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-29. Application/permit process.

(a) *General provisions.* The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of the local issuing authority that affect the tract to be developed and the area surrounding it. They shall review the zoning ordinance, storm-water management ordinance, subdivision ordinance, flood damage prevention ordinance, this article, and other ordinances which regulate the development of land within the jurisdictional boundaries of the local issuing authority. However, the operator is the only party who may obtain a permit.

(b) *Application requirements.*

- (1) No person shall conduct any land-disturbing activity within the jurisdictional boundaries of Clayton County without first obtaining a permit from the Clayton County Department of Transportation and Development to perform such activity.
- (2) The application for a permit shall be submitted to Clayton County Department of Transportation and Development and must include the applicant's erosion and sedimentation control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in section 38-29 of this article. Soil erosion and sedimentation control plans shall conform to the provisions of section 38-28(b) and (c) of this article. Applications for a permit will not be accepted unless accompanied by four copies of the applicant's soil erosion and sedimentation control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan or that such a visit was not required in accordance with rules and regulations established by the board.

- (3) A fee, to be determined by the land development section of the Clayton County Department of Transportation and Development shall be charged for each acre or fraction thereof in the project area.
- (4) In addition to the local permitting fees, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to subsection (a) of O.C.G.A. 12-7-8 half of such fees levied shall be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the division, regardless of the existence of a local issuing authority in the jurisdiction.
- (5) Immediately upon receipt of an application and plan for a permit, the local issuing authority shall refer the application and plan to the district for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. A district shall approve or disapprove a plan within 35 days of receipt. Failure of a district to act within 35 days shall be considered an approval of the pending plan. The results of the district review shall be forwarded to the issuing authority. No permit will be issued unless the plan has been approved by the district, and any variances required by section 38-28(c)(15) and (16) and bonding, if required as per section 38-29(b)(5), have been obtained. Such review will not be required if the issuing authority and the district have entered into an agreement which allows the issuing authority to conduct such review and approval of the plan without referring the application and plan to the district.
- (6) If a permit applicant has had two or more violations of previous permits, this article section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing of the application under consideration, the local issuing authority may deny the permit application.
- (7) The local issuing authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this ordinance or with the conditions of the permit after issuance, the local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the local issuing authority with respect to alleged permit violations.
- (c) *Plan requirements.* Plans must be prepared to meet the minimum requirements as contained in section 38-28(b) and (c) of this article. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the Manual for Erosion and Sediment Control in Georgia, published by the State Soil and Water Conservation Commission as a guide; or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The Manual for Erosion and Sediment Control in Georgia is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed

waterways, sediment control and storm water management facilities, local ordinances and state laws.

Data required for site plan:

- (1) Narrative or notes, and other information: Notes or narrative to be located on the site plan in general notes or in erosion and sediment control notes.
- (2) Description of existing land use at project site and description of proposed project.
- (3) Name, address, and phone number of the property owner.
- (4) Name and phone number of 24-hour local contact who is responsible for erosion and sedimentation controls.
- (5) Size of project, or phase under construction, in acres.
- (6) Activity schedule showing anticipated starting and completion dates for the project. Include the statement in bold letters, that "the installation of erosion and sedimentation control measures and practices shall occur prior to or concurrent with land-disturbing activities."
- (7) Stormwater and sedimentation management systems-storage capacity, hydrologic study, and calculations, including off-site drainage areas.
- (8) Vegetative plan for all temporary and permanent vegetative measures, including species, planting dates, and seeding, fertilizer, lime, and mulching rates. The vegetative plan should show options for year-round seeding.
- (9) Detail drawings for all structural practices. Specifications may follow guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.
- (10) Maintenance statement. Erosion and sedimentation control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion and sediment control, additional erosion and sediment control measures shall be implemented to control

or treat the sediment source. Maps, drawings, and supportive computations shall bear the signature/seal of a registered or certified professional in engineering, architecture, landscape architecture, land surveying, or erosion and sedimentation control. After December 31, 2006, all persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements as developed by the commission pursuant to O.C.G.A. 12-7-20. The certified plans shall contain:

- a. Graphic scale and north point or arrow indicating magnetic north.
- b. Vicinity maps showing location of project and existing streets.
- c. Boundary line survey.
- d. Delineation of disturbed areas within project boundary.
- e. Existing and planned contours, with an interval in accordance with the following:

| Map Scale | Ground Slope | Contour Interval, ft. |
|---|---------------|-----------------------|
| 1 inch = 100 ft. or larger scale | Flat | 0.5 or 1 |
| | 0—2% | 1 or 2 |
| | Rolling | 2, 5 or 10 |
| | 2—8% | |
| | Steep 8% + | |

Adjacent areas and feature areas such as streams, lakes, residential areas, etc. which might be affected should be indicated on the plan.

Proposed structures or additions to existing structures and paved areas.

Delineate the 25-foot horizontal buffer adjacent to state waters and the specified width in MRPA areas.

Delineate the specified horizontal buffer along designated trout streams, where applicable.

Location of erosion and sedimentation control measures and practices using coding symbols from the Manual for Erosion and Sediment Control in Georgia, Chapter 6.

Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.

(d) *Permits.*

- (1) Permits shall be issued or denied as soon as practicable but in any event not later than 45 days after receipt by the local issuing authority of a completed application, providing variances and bonding are obtained, where necessary.
- (2) No permit shall be issued by the local issuing authority unless the erosion and sedimentation control plan has been approved by the district and the local issuing authority has affirmatively determined that the plan is in compliance with this article, any variances required by section 38-28(c)(15) and (16) are obtained, bonding requirements, if necessary, as per section 38-29(b)(5) are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the local issuing authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
- (3) If the tract is to be developed in phases, then a separate permit shall be required for each phase.
- (4) The permit may be suspended, revoked, or modified by the local issuing authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this article. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-30. Inspection and enforcement.

The Land Development Section of the Clayton County Department of Transportation and Development will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, the local issuing authority shall regulate both primary and secondary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this article, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this article.

The Land Development Section of the Clayton County Department of Transportation and Development shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.

No person shall refuse entry or access to any authorized representative or agent of the issuing authority, the commission, the district, or division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

The districts or the commission or both shall periodically review the actions of counties and municipalities which have been certified as local issuing authorities pursuant to O.C.G.A. 12-7-8 (a). The districts or the commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion and sedimentation control program. The districts or the commission shall notify the Division and request investigation by the division if any deficient or ineffective local program is found.

The board, on or before December 31, 2003, shall promulgate rules and regulations setting forth the requirements and standards for certification and the procedures for decertification of a local issuing authority. The division may periodically review the actions of counties and municipalities which have been certified as local issuing authorities pursuant to Code Section 12-7-8(a). Such review may include, but shall not be limited to, review of the administration and enforcement of a governing authority's ordinance and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any county or municipality certified pursuant to O.C.G.A. 12-7-8(a) has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7(e), the division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 30 days within which to take the necessary corrective action to retain certification as a local issuing authority. If the county or municipality does not take necessary corrective action within 30 days after notification by the division, the division may revoke the certification of the county or municipality as a local issuing authority.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-31. Penalties and incentives.

(a) *Failure to obtain a permit for land disturbing activity.* If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this article without first

obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the issuing authority.

(b) *Stop-work orders.* For the first and second violation of the provisions of this article, the director or the local issuing authority shall issue a written warning to the violator. The violator shall have five days to correct the violation. If the violation is not corrected within five days, the director or the local issuing authority shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing activities are conducted without obtaining the necessary permit, the director or the local issuing authority shall issue an immediate stop-work order in lieu of a warning;

For a third and each subsequent violation, the director or the local issuing authority shall issue an immediate stop-work order; and;

All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.

When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the local issuing authority or by the director or his or her designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by the local issuing authority or by the director or his or her designee. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

(c) *Bond forfeiture.* If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this article and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of section 38-29(5). The issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

(d) *Monetary penalties.* Any person who violates any provisions of this article, or any permit condition or limitation established pursuant to this article, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the director issued as provided in this article shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this article, notwithstanding any provisions in any City Charter to the contrary, municipal courts shall be authorized to impose penalty not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this article under county ordinances approved under this article shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-32. Education and certification.

After December 31, 2006, all persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education

and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. 12-7-20.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-33. Administrative appeal judicial review.

(a) *Administrative remedies.* The suspension, revocation, modification or grant with condition of a permit by the issuing authority upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Clayton County Board of Commissioners within fourteen days after receipt by the issuing authority of written notice of appeal.

(b) *Judicial review.* Any person, aggrieved by a decision or order of the issuing authority, after exhausting his administrative remedies, shall have the right to appeal denovo to the Superior Court of Clayton County.

(Ord. No. 2004-73, § 1, 5-18-04)

Sec. 38-34. Effectivity, validity and liability.

(a) *Effectivity.* This division shall become effective on the 1st day of July, 2004.

(b) *Validity.* If any section, paragraph, clause, phrase, or provision of this division shall be adjudged invalid or held unconstitutional, such decisions shall not effect the remaining portions of this division.

(c) *Liability.*

- (1) Neither the approval of a plan under the provisions of this division, nor the compliance with provisions of this division shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the issuing authority or district for damage to any person or property.

- (2) The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this division or the terms of the permit.
 - (3) No provision of this division shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the state as defined thereby.
- (Ord. No. 2004-73, § 1, 5-18-04)

Secs. 38-35—38-45. Reserved.

DIVISION 2. PERMITS

Sec. 38-46. Duties of director of transportation and development.

The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of the issuing authority that affect the tract to be developed and the area surrounding it. They shall review the zoning ordinance, stormwater management ordinance, subdivision ordinance, flood damage prevention ordinance, this article, and other ordinances which regulate the development of land within the jurisdictional boundaries of the issuing authority. However, the property owner is the only party who may obtain a permit.

(Code 1973, § 2-23¹/₂-5(a); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-47. Required.

No person shall conduct any land-disturbing activity within the jurisdictional boundaries of the county without first obtaining a permit from

the Land Development Section of the Clayton County Department of Transportation and Development to perform such activity.

(Code 1973, § 2-23½-5(b)(1); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-48. Application.

The application for a permit shall be submitted to the Land Development Section of the Clayton County Department of Transportation and Development and must include the applicant's erosion and sedimentation control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in section 38-51 of this article. Soil erosion and sedimentation control plans shall conform to the provisions of section 38-34 of this article. Applications for a permit will not be accepted unless accompanied by four copies of the applicant's soil erosion and sedimentation control plans. A fee, to be determined by the Land Development Section of the Clayton County Department of Transportation shall be charged for each acre or fraction thereof in the project area.

(Code 1973, § 2-23½-5(b)(2); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-49. Review of application by district.

Immediately upon receipt of an application and plan for a permit, the issuing authority shall refer the application and plan to the district for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. The results of the district review shall be forwarded to the issuing authority. No permit will be issued unless the plan has been approved by the district, and any variances required by section 38-34 and bonding, if required as per section 38-50, have been obtained. Such review will not be required if the issuing authority and the district have entered into an agreement which allows the issuing authority to conduct such review and approval of the plan without referring the application and plan to the district. (Code 1973, § 2-23½-5(b)(3); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-50. Past record of applicant, bonding.

If a permit applicant has had two or more violations of previous permits, this article section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing of the application under consideration, the issuing authority may: (A) deny the permit application; or (B) the issuing authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this article or with the conditions of the permit after issuance, the issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the issuing authority with respect to alleged permit violations.

(Code 1973, § 2-23½-5(b)(4); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-51. Plan requirements.

(a) Plans must be prepared to meet the minimum requirements as contained in section 38-34 of this article. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the Manual for Erosion and Sediment Control in Georgia, published by the State Soil and Water Conservation Commission, as a guide; or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The Manual for Erosion and Sediment Control in Georgia is hereby incorporated by reference into this article. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures includ-

ing roadways, constructed waterways, sediment control and stormwater management facilities, local ordinances and state laws.

(b) Data required for site plan shall include:

- (1) Narrative or notes, and other information: Notes or narrative to be located on the site plan in general notes or in erosion and sediment control notes.
- (2) Description of existing land use at project site and description of proposed project.
- (3) Name, address, and telephone number of the property owner.
- (4) Name and telephone number of 24-hour local contact who is responsible for erosion and sedimentation controls.
- (5) Size of project, or phase under construction, in total acreage and disturbed acreage.
- (6) Activity schedule showing anticipated starting and completion dates for the project. Include the statement in bold letters, that "the installation of erosion and sedimentation control measures and practices shall occur prior to or concurrent with land-disturbing activities".
- (7) Stormwater and sedimentation management systems-storage capacity, hydrologic study, and calculations, including off-site drainage areas.
- (8) Vegetative plan for all temporary and permanent vegetative measures, including species, planting dates, and seeding, fertilizer, lime, and mulching rates. The vegetative plan should show options for year-round seeding.
- (9) Detail drawings for all structural practices. Specifications may follow guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.
- (10) Maintenance statement—"Erosion and sedimentation control measures will be maintained at all times. Additional erosion and sedimentation control measures and practices will be installed if deemed necessary by onsite inspection".

(c) Maps, drawings, and supportive computations shall bear the signature/seal of a registered or certified professional in engineering, architecture, landscape architecture, land surveying, or erosion and sedimentation control. The certified plans shall contain:

- (1) Graphic scale and north point or arrow indicating magnetic north.
- (2) Vicinity maps showing location of project and existing streets.
- (3) Boundary line survey.
- (4) Delineation of disturbed areas within project boundary. Existing and planned contours, at two-foot intervals.
- (5) Adjacent areas and features areas such as streams, lakes, residential areas, etc. which might be affected should be indicated on the plan.
- (6) Proposed structures or additions to existing structures and paved areas.
- (7) Delineate the 25-foot horizontal buffer adjacent to state waters and the specified width in MRPA area.
- (8) Delineate the specified horizontal buffer along designated trout streams, where applicable.
- (9) Location of erosion and sedimentation control measures and practices using coding symbols from the Manual for Erosion and Sediment Control in Georgia, Chapter 6.

(d) Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.

(Code 1973, § 2-23¹/₂-5(c); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-52. Issuance.

(a) Permits shall be issued or denied as soon as practicable but in any event not later than 45 days after receipt by the issuing authority of a completed application, providing variances and bonding are obtained, where necessary.

(b) No permit shall be issued by the issuing authority unless the erosion and sedimentation control plan has been approved by the district and the issuing authority has affirmatively determined that the plan is in compliance with this article, any variances required by section 38-34 are obtained, bonding requirements, if necessary, as per section 38-50 are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the issuing authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.

(c) If the tract is to be developed in phases, then a separate permit shall be required for each phase.

(d) No permit shall be issued unless the applicant provides a statement by the Clayton County Tax Assessor's Office certifying that all ad valorem taxes levied against the property and due and owing have been paid.

(Code 1973, § 2-23½-5(d)(1)—(3); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-53. Suspension, revocation.

The permit may be suspended, revoked, or modified by the issuing authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this article. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

(Code 1973, § 2-23½-5(d)(4); Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-54. Liability.

Neither the approval of a plan under the provisions of this article, nor the compliance with provisions of this article shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the issuing authority or district for damage to any person or property. The fact

that a land-disturbing activity for which a permit has been issued result in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this article or the terms of the permit. No provision of this article shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the state as defined thereby.

(Ord. No. 95-113, § 1, 10-17-95; Ord. No. 96-114, § 1, 10-15-96; Ord. No. 00-153, § 1, 12-19-00)

Sec. 38-55. Validity.

If any section, paragraph, clause, phrase, or provision of this article shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of the article.

(Ord. No. 00-153, § 1, 12-19-00)

Secs. 38-56—38-75. Reserved.

ARTICLE III. PHOSPHATE-FREE LAUNDRY DETERGENT

Sec. 38-76. 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:

Household laundry detergent means a laundering cleaning compound in liquid, bar, spray, tablet, flake, powder, or other form used for domestic clothes-cleaning purposes. The term "household laundry detergent" shall not mean:

- (1) A dishwashing compound, household cleaner, metal cleaner, degreasing compound, commercial cleaner, industrial cleaner, or other substance that is intended to be used for nonlaundry cleaning purposes;
- (2) A detergent used in dairy, beverage or food processing cleaning equipment;

STORMWATER UTILITY ORDINANCE

**THIS SECTION REFERS TO:
CLAYTON COUNTY CODE BOOK
CHAPTER 25; STORMWATER
MANAGEMENT**

ARTICLE V

STORMWATER UTILITY

SECTIONS 25 - 360 THROUGH 25 - 373

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Chapter 25

STORMWATER MANAGEMENT

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Article V. Stormwater Utility

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- Sec. 25-361. Definitions.
- Sec. 25-362. Establishment of a utility.
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- Sec. 25-368. Exemptions.
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ARTICLES I—IV. RESERVED

Secs. 25-1—25-359. Reserved.

ARTICLE V. STORMWATER UTILITY

Sec. 25-360. Findings.

The Board of Commissioners of Clayton County makes the following findings:

- (1) Stormwater management is needed throughout Clayton County. While specific service and system demands may differ from area to area at any given point in time, a stormwater management service area encompassing all lands and water bodies within Clayton County is consistent with the present and future needs of the community.
- (2) Addressing the stormwater management needs in Clayton County is essential to protecting the public health, safety, and welfare. Provision of stormwater management programs and systems results in both service and benefit to all properties, property owners, citizens, and residents of Clayton County in a variety of ways.
- (3) Failure to effectively manage stormwater runoff can result in flooding, streambank and ditch erosion, property damage and degradation of water quality, aquatic habitat and biological communities. Failure to manage these impacts can put Clayton County's ability to receive state and federal grants and permits at risk.
- (4) The volume and quantity of stormwater generated by a development has been proven to be most closely associated with the amount of impervious surface on the property, therefore, the square footage of impervious surface is the most appropriate factor for calculating stormwater utility fees.
- (5) Clayton County, Forest Park, Jonesboro, Lake City, Lovejoy, Morrow, and Riverdale, presently own and operate stormwater management systems which have been developed over many years. The future usefulness of the existing stormwater systems owned and operated by these entities, and of additions and improvements thereto, rests on the ability of the entities to effectively manage, protect, control, regulate, use, and enhance stormwater systems in Clayton County in concert with the management of other water resources in the county. In order to do so, there must be adequate and stable funding for Clayton County's Stormwater Management Program's operating needs and capital.
- (6) The feasibility report submitted to the county, cities, and Clayton County Water Authority (CCWA) properly assesses and defines the stormwater management problems, needs, goals, program priorities and funding opportunities of the stormwater utility.
- (7) As a result, the county's governing authority finds that a utility provides the most practical and appropriate means of properly delivering storm water management services and the county's governing authority finds that a utility fee provides the most practical and appropriate means of funding storm water management services in Clayton County.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-361. Definitions.

The following definitions shall apply to this article. Any word or phrase not defined below but otherwise defined in the Code of Ordinances shall be given that meaning. All other words or phrases shall be given their common ordinary meaning unless the context clearly requires otherwise.

Credit shall mean a conditional reduction in the amount of a stormwater service charge to an individual property based on the provision and continuing presence of an effectively maintained and operational on-site stormwater system or facility or the provision of a service or activity by property owner, which system, facility, service, or activity reduces the stormwater utility's cost of providing stormwater services and facilities. The basis of such credits, if granted, will be defined by a specific written

agreement at the determination of the stormwater official in accordance with the stormwater utility.

Customer shall mean all persons or entities to whom the stormwater service charge is billed.

Detached dwelling unit shall mean developed land containing one structure which is not attached to another dwelling and which contains one or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one family. Detached dwelling units may include houses, manufactured homes, and mobile homes located on one or more individual lots or parcels of land. Developed land may be classified as a detached dwelling unit despite the presence of incidental structures associated with residential uses such as garages, carports, or small storage buildings, or the presence of a commercial use within the dwelling unit so long as such use does not result in additional impervious areas such as parking spaces, playgrounds, or structures or additions to the building which are used as offices, storage facilities, meeting rooms, classrooms, houses of worship, or similar non-residential uses. Detached dwelling unit shall not include developed land containing: structures used primarily for non-residential purposes, manufactured homes and mobile homes located within manufactured home or mobile home parks where the land is owned by others than the owners of the manufactured homes or mobile homes, or multiple dwelling unit residential properties.

Developed land means real property which has been altered from its "natural" state by addition of any improvements, such as grading, paving, compaction, construction of structures or impervious surfaces greater than 200 square feet, or drainage works so that hydrologic response of the property is changed from that which would occur in the natural undeveloped conditions. For new construction, property shall be considered developed pursuant to this ordinance upon issuance of a certificate of occupancy, or upon completion of construction or final inspection if no such certificate is issued.

Hydrologic response of a property is the manner and means whereby stormwater col-

lects, remains, infiltrates, and is conveyed from a property. It is dependent on several factors including, but not limited to, the presence of impervious area; the size, shape, topographic, vegetative, and geologic conditions of a property; antecedent moisture conditions; and groundwater conditions on a property.

Impervious surfaces shall mean those areas, which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. The following types of surfaces will be considered "impervious surfaces" for purposes of the stormwater utility: the projected area of buildings; asphalt-, concrete-, brick-, or stone-paved areas; improved vehicular drives and parking areas; compacted gravel and soil surfaces; fabric or plastic coverings; and other surfaces that prevent or impede the natural infiltration of stormwater runoff or that change the hydrologic response of the property that existed prior to development.

Multi-family residential shall mean developed land where more than one attached or detached residential dwelling units are located, including, but not limited to apartment houses, condominiums, townhomes, attached single-family homes, boarding houses, group homes, hotels and motels, retirement centers, and other structures in which more than one family groups commonly and normally reside or could reside.

Service charges shall mean the stormwater management service charges applicable to a parcel of developed land, which charge shall be reflective of the service provided by CCWA stormwater utility. The charge shall be used to fund the Clayton County Stormwater Utility's cost of providing stormwater management services and systems. Service charges are based on measurable parameters that influence the stormwater utility's cost of providing services and facilities, with the most important factor being the amount of impervious area on each parcel of land. The use of impervious area as a service charge rate parameter shall not preclude the use of other parameters, or the grouping of properties having similar characteristics through the use of ranges or rounding up or

down to a consistent numerical interval, or the use of flat-rate charges for one or more classes of similarly-situated properties whose impact on the stormwater utility's cost of providing stormwater management services and facilities is relatively consistent. Stormwater service charges may also include special charges to the owners of particular properties for services or facilities uniquely related to stormwater management of that property, including but not limited to charges for development plan review, inspection of development projects and on-site stormwater control systems, and enhanced level of stormwater services above those normally provided by CCWA.

Single-family residential shall mean a developed lot containing one dwelling structure with its principal use being residential.

Stormwater development guidelines are those guidelines established by CCWA which specify approved design criteria, construction materials and construction methods for components of the stormwater management system.

Stormwater management system means any one or more of the various devices used in the collection, treatment, or conveyance of storm, flood or surface drainage waters, including all manmade structures or natural watercourse for the conveyance or transportation of runoff, such as: detention areas, lakes, berms, swales, improved watercourses, open channels, streams, culverts, pipes, catch basins inlets; collection, or drainage.

Stormwater official is the CCWA general manager or his/her appointee that has direct responsibility for the management of the CCWA stormwater utility.

Stormwater unit (SU) shall mean the unit of measure which provides the basis for comparing the runoff generated by customer's developed land with that generated by another's. An SU shall be the average impervious coverage of a statistical sampling of single-family residential lots in Clayton County. A stormwater unit has been determined through engineering and analysis to be 2,950 square feet of impervious surface. This unit will be used to determine

and compute the service charge for all developed land served by the CCWA stormwater utility.

Stormwater utility guidebook shall mean the document that defines the basis for the stormwater utility, policies and procedures for operating the utility, and other necessary information determined to help document how the utility was developed and how it is operated.

Undeveloped land is land in its unaltered natural state or which has been modified to such minimal degree as to have a hydrologic response comparable to land in an unaltered natural state shall be deemed undeveloped. Undeveloped land shall have no pavement, asphalt, or compacted gravel surfaces or structures in excess of 200 square feet which create an impervious surface that would prevent infiltration of stormwater or cause stormwater to collect, concentrate, or flow in a manner materially different than that which would occur if the land was in an unaltered natural state.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-362. Establishment of a utility.

(a) Clayton County hereby consents to the establishment of a county-wide stormwater utility (the "stormwater utility") by the CCWA which shall be responsible for stormwater management county-wide, and shall provide for, the management, protection, control, regulation, use, and enhancement of stormwater management systems. Specific areas of regulation and maintenance are established in the stormwater utility guidebook so long as they are not in conflict with the terms of this article or that certain intergovernmental agreement dated _____, as amended from time to time, between CCWA and Clayton County.

(b) Pursuant to the terms of this article and that certain intergovernmental agreement dated _____, as amended from time to time, between CCWA and Clayton County, the CCWA shall carry out and perform on behalf of Clayton County, all of Clayton County's duties and respon-

sibilities with respect to stormwater management services, enforcement, and systems heretofore owned and operated by the county. (Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-363. Scope of responsibility for the stormwater utility.

(a) The stormwater utility shall monitor the design, operation, maintenance, inspection, construction, and use of all stormwater management systems in the county. The stormwater utility shall be responsible for the design and construction of public stormwater facilities owned by the county and shall inspect, operate, and maintain them as prescribed herein. The stormwater utility shall provide services which relate to the:

- Transfer, control, conveyance or movement of stormwater runoff through Clayton County;
- Maintenance, repair and replacement of existing city or county owned stormwater management systems;
- Planning, development, design and construction of additional stormwater management systems and facilities to meet current and anticipated needs;
- Maintenance and/or improvement of water quality in waterways throughout Clayton County;
- Regulation of the use of stormwater management services, systems;
- Complying with the Federal and State regulations related to stormwater management including the Metropolitan North Georgia Water Planning District (MNGWPD) watershed management requirements.
- Education of the public regarding stormwater issues.
- The stormwater utility shall not provide stormwater services related to erosion and sedimentation control (E&SC).

(b) The stormwater utility shall be responsible for plan approval and construction inspection of both private stormwater systems and public stormwater systems not owned by the county. Design and construction of public or private stormwater management facilities will be gov-

erned by the CCWA's stormwater development guidelines which specify design criteria, construction materials and construction methods. The CCWA stormwater development guidelines will supersede any previously adopted stormwater design or construction guidelines. Additionally, the stormwater utility may accept the responsibility for the operation and maintenance of private stormwater systems only when such services have been agreed to, contracted for, and approved by the governing authority of the utility.

(c) The stormwater utility shall provide for inspection of private stormwater systems to ascertain that the stormwater systems are functioning as designed and approved. The MNGWPD post-development stormwater ordinance has been adopted by Clayton County, Forest Park, Jonesboro, Morrow, Lake City, Lovejoy, and Riverdale. Property owners who fail to maintain their stormwater systems will be notified of the violation. If within 30 days (or 24 hours if there is an immediate danger to public safety), no actions are taken, the CCWA may enter the property and correct the failure. The cost for the repair work may be a charge on the customer's water, sewer and stormwater bill or a lien on the property that may be placed on the tax bill.

(d) The CCWA owns or has rights established by written agreements which allow it to operate, maintain, improve and access those stormwater management systems and facilities which are located:

- (1) Within public road rights-of-way and easements;
- (2) On public land which is owned by the county, cities, or other governmental entity, and to which CCWA has agreements for the operation, maintenance, improvement and access to the stormwater management system;
- (3) Operation, maintenance, and/or improvement of stormwater management systems which are located on private or public property not owned by the county or cities, and for which there has been no written agreement granting easements, rights-of-entry, rights-of-access, rights-of-use or other form of dedication thereof to

CCWA for operation, maintenance, improvement and access of such stormwater management systems, shall be and remain the legal responsibility of the property owner, except as otherwise provided for by the laws of the state and the United States; and

- (4) It is the express intent of this article to protect the public health, safety and welfare of people and property in general, but not to create any special duty or relationship with any individual person, or to any specific property within or outside the boundaries of the county or cities. CCWA has expressly reserved the right to assert all available immunities and defenses in any action seeking to impose monetary damages or equitable remedies upon the CCWA, its directors, and employees arising out of any alleged failure or breach of duty or relationship.

(e) The stormwater utility shall provide for effective management of a uniform stormwater plan and program throughout [the unincorporated areas of] Clayton County and provide compliance with the Municipal Separate Storm Sewer NPDES Permit issued to each jurisdiction including but not limited to the following components:

- Public education and outreach on stormwater issues;
- Public involvement and participation;
- Illicit discharge detection and elimination;
- Post-construction stormwater management;
- Pollution prevention;
- Floodplain management.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-364. Reserved.

Sec. 25-365. Stormwater service charges authorized.

The CCWA is authorized to impose a service charge on each customer of the stormwater system, provided that such charge is closely associated with the amount of impervious surface associated with a particular property for which the

service charge is imposed. The stormwater utility guidebook shall provide for the rate structure which shall determine overall charges for properties served by the stormwater utility, based in part on the number of stormwater units each property is determined to consist of. The stormwater service charge and rate structure may be amended from time to time by official action of the CCWA board of directors. The CCWA shall review the stormwater service charge and rate structure on an annual basis and any rate changes will be approved by the CCWA board of directors.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-366. Effective date of stormwater service charges.

The CCWA may begin collecting the stormwater service charge on or after September 1, 2006 and but shall bill more frequently than monthly thereafter.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

[Sec. 25-367. Reserved.]

Sec. 25-368. Exemptions.

The following properties are exempt from stormwater utility fees:

- (1) Undeveloped land;
- (2) All public road rights-of-way; and
- (3) Railroad rights-of-way (tracks). However, railroad stations, maintenance buildings, or other developed land used for railroad purposes shall not be exempt from stormwater service charges.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-369. Credits.

(a) To the extent practicable, credits against stormwater service charges shall be provided for on-site stormwater control systems and activities constructed, operated, maintained and performed to CCWAs standards by private property owners which eliminate, mitigate or compensate for the impact that the property or person may have upon stormwater runoff discharged to public stormwater management systems and facilities

or to private stormwater management systems which impact the proper function of public stormwater management systems.

(b) Property owners of developed land may receive a stormwater service charge credit. The specific credits will be determined based on the guidelines in the stormwater utility guidebook. Credits for structural controls will be based on best management practices performance as defined by the design criteria in the Georgia Stormwater Management Manual, First Edition, August 2001.

(c) Credits may be partial or full credits and property owners can receive a maximum 40 percent credit.

(d) Property owners seeking stormwater service charge credits must apply for stormwater service charge credits through completion and submittal to the CCWA of a stormwater service charge credit application.

(e) Upon receipt of a completed application, the CCWA shall review the application and make a determination as to whether the applicable criteria for a credit have been met. All decisions regarding the approval or disapproval of a stormwater credit shall be made within 45 days of the date the completed application was received by CCWA.

(f) Any credit allowed against the service charge is conditioned on (1) continuing compliance with the CCWA's design and performance standards as may be updated or amended from time to time; and (2) upon continuing provision of the systems or facilities provided, operated, and maintained by the property owner or owners upon which the credit is based. The CCWA may revoke any credit at any time for non-compliance with this article.

(g) Stormwater utility fees may be adjusted retroactively to the date that CCWA received the completed application.

(h) Applicants receiving credit for a structural control as defined in the Georgia Stormwater Management Manual must have an approved maintenance plan on file with CCWA and the applicant's property must have on-site stormwater management and treatment facilities.

(i) A customer shall reapply every five years for the credit granted, however, CCWA may terminate the credit if CCWA finds the facility does not comply with the original approved credit application.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-370. Inspection of private facilities.

Continuing compliance with the CCWA's design and performance standards may be verified by CCWA inspection of the systems or facilities upon which the credit is based. No credit shall be given under this article unless the property owner agrees in writing in its application that the CCWA shall have the right for its designated officers, representatives, agents, and employees to enter upon private and public property, upon reasonable notice to the owner of such property, to inspect the property and conduct surveys and engineering testing, on such property in order to assure compliance with the design and performance standards and the applicant's credit application. On-site systems or facilities determined to no longer comply with the county's design and performance standards or the applicant's original credit application shall subject the property owner to revocation of all, or a portion of, stormwater service charge credits based on the CCWA inspectors' estimate of capacity reduction for a period of not less than one year.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-371. Stormwater service charge, billing, delinquencies and collections.

The CCWA is authorized to establish and/or utilize its own policies with respect to the billing and collection of the stormwater utility service charge and the treatment of delinquent accounts. The stormwater utility service charge may be billed separately, or on a customer statement and collected along with other utility services provided by CCWA, at the CCWA's sole discretion. The CCWA is authorized to apply partial payments proportionately among the water, sewer, and stormwater fees charged by the CCWA. The

CCWA is authorized to use existing CCWA procedures for shutting off water with respect to non-payment.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-372. Stormwater utility enforcement.

(a) Every owner of developed real property located in [the unincorporated areas of] Clayton County, and every person who serves as a contractor or developer for the purpose of developing real property located in [the unincorporated areas of] Clayton County shall provide, manage, maintain, and operate on-site stormwater management systems sufficient to collect, convey, detain, treat, control and discharge stormwater in a safe manner consistent with all Clayton County ordinances and development regulations, and the laws of the State of Georgia and the United States of America.

(b) When the stormwater official determines that a public nuisance exists, the stormwater official shall send a notice of violation by certified mail, return receipt requested, to the owner or owners of the property described, as their name and address are shown on the latest ad valorem tax records of the county property appraiser. This notice shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. The notice of violation shall inform the property owner that a violation of this article exists on the identified property with the description of the public nuisance, that the property owner is responsible for maintaining the identified private storm water system, that the property owner may allow the city access to the property to abate the nuisance at the expense of the property owner, and that formal enforcement action will be taken if the violation is not corrected within the time period indicated on the notice. The stormwater official shall determine a reasonable period of time for correction of the nuisance. In determining a reasonable period of time, the stormwater official shall consider the following: practicality and ease of correction; the owner's ability to correct the violation; the severity of the violation; the nature, extent, and probability of danger to the public, and other relevant factors.

Notice, as required under this provision, shall not be required: (a) when the stormwater official determines that the public nuisance presents an imminent endangerment to persons or property; (b) when a notice of violation has been sent to the same property owner or owners for the same violation within the previous three months; or (c) when notice by certified mail cannot be effected on the owners of record.

The notice of violation shall contain substantially the following information and may be in the following form or other appropriate form: Notice of Violation: name of owner; address of owner; description of property; inspection date; determination made by the stormwater official that the condition on the property is creating adverse conditions so as to constitute a violation of the this ordinance; describe the conditions that caused the property to be in violation and any recommended actions that may be necessary to remedy the nuisance; specify a reasonable time period to proceed and remedy the nuisance; or provide written permission to the city to enter the site and abate the nuisance at owner's expense.

Within the reasonable period of time for compliance specified in the notice of violation, the property owner shall either abate the nuisance or file a written request with CCWA for a hearing before the stormwater official to show that the condition alleged in the notice does not exist or that such condition does not constitute a public nuisance in violation of the article.

(c) Any failure to meet the obligation set forth in this section shall constitute a nuisance and be subject to an abatement action filed by any damaged party or Clayton County in any court of competent jurisdiction. In the event a public nuisance is found by the court to exist, which the owner fails to properly abate within such reasonable time as allowed by the court, the CCWA may enter upon the property and cause such work as is reasonably necessary to abate the nuisance with the actual cost thereof assessed against the owner or developer, if any, on a joint and several basis. From the date of the filing of such action, the CCWA shall have lien rights, which may be perfected, after judgment, by filing a notice of lien on the General Execution Docket of the Superior

Court of Clayton County or city court. CCWA shall have the right, pursuant to the authority of this article, for its designated officers and employees to enter upon private and public property owned by entities other than the county, upon reasonable notice to the owner thereof, to inspect the property and conduct surveys and engineering tests thereon in order to assure compliance with this section.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

Sec. 25-373. Appeals.

(a) Any customer who believes the provisions of this article have been applied in error may appeal in the following manner:

- (1) An appeal must be filed in writing with the stormwater official within 30 days of the decision that is appealed. In the case of service charge appeals, the appeal shall include a survey prepared by a registered land surveyor or professional engineer containing information on the total property area, the impervious surface area, and any other features or conditions which influence the hydrologic response of the property to rainfall events.
- (2) The CCWA shall conduct a technical review of the conditions on the property and respond to the appeal in writing within 30 days.
- (3) In response to an appeal the CCWA may adjust the stormwater service charge applicable to a property in conformance with the general purpose and intent of this article.
- (4) All decisions by the CCWA shall be final.

(b) The appeal process contained in this section shall be a condition precedent to an aggrieved customer seeking judicial relief. Any decision of the stormwater official may be appealed by application for writ of certiorari in the Superior Court of Clayton County or city court, filed within 30 days of the date of service of the decision of the chief executive officer.

(Ord. No. 2006-44, Pt. 1, 3-21-06)

STORMWATER
MANAGEMENT
ORDINANCE

**THIS SECTION REFERS TO:
CLAYTON COUNTY CODE BOOK
CHAPTER 38; ENVIRONMENT**

ARTICLE IV

STORMWATER MANAGEMENT

SECTIONS 38 - 91 THROUGH 38 - 104

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*Cross references—Open burnings, § 42-91 et seq.; dumping, depositing, etc., litter on public or private property or waters, § 62-30; smoking policy, § 70-101 et seq.

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ARTICLE IV. STORMWATER MANAGEMENT*

Sec. 38-91. Authority.

The authority for this article is based on home rule provisions of the Georgia Constitution, Article IX, Section II, Chapter 2-49.
(Ord. No. 95-19, § I, 2-21-95)

Sec. 38-92. Findings.

Recent federal regulations (1987 Clean Water Act Amendments) require maintenance and management of municipal stormwater systems and discharges.
(Ord. No. 95-19, § I, 2-21-95)

Sec. 38-93. Objective.

It is the objective of this article to comply with state and federal stormwater regulations developed pursuant to the Clean Water Act.
(Ord. No. 95-19, § I, 2-21-95)

Sec. 38-94. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

Accidental discharge means a discharge prohibited by this article into the county separate storm sewer system which occurs by chance and without planning or consideration prior to occurrence.

Clean Water Act means the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.).

Conveyance means stormwater features designed for the movement of stormwater through the drainage system, such as concrete or metal pipes, ditches, depressions, swales, catch basins, curbs, gutters, storm drains, etc.

***Editor's note**—Ordinance No. 95-19, § I, adopted February 21, 1995, amended the Code by adding new §§ 38-96-96—38-96-109. In order to maintain the uniform numbering style of this Code, such new provisions were included as §§ 38-91—38-104 at the discretion of the editor.

County separate storm sewer system means a conveyance or system of conveyances which is located within county-owned rights-of-way and designed and used only for collecting or conveying stormwater runoff or other approved surface water discharges.

Development activity means manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.

Director means the Director of the Clayton County Transportation and Development Department or his designated representative.

Discharge means the release of treated or untreated stormwater runoff or other material to the county separate storm sewer system.

Drainage system means a conveyance or system of conveyances designed and used for collecting or conveying stormwater runoff.

Hazardous material means a flammable, highly corrosive, acidic or toxic material as identified in the Official Code of Georgia (O.C.G.A. § 12-14-1) in the "Oil and Hazardous Materials Spill Reporting" requirements.

Illicit discharge means a discharge to the county's separate storm sewer system that is not composed entirely of stormwater runoff except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the county's separate storm sewer).

Maximum extent practicable means best management practices, control techniques, system design or engineering methods and any other provisions which can be economically and reasonably implemented to reduce the discharge of pollutants to the county's separate storm sewer system.

Person means any and all persons, natural or artificial, and includes any individual, firm, corporation, government agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.

Pollution means the contamination or other significant alteration of any water's physical, chemical or biological properties, including change in temperature, taste, color, turbidity, or odor of such waters or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to render such waters harmful, detrimental or injurious to the public health, safety or welfare or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Private means property or facilities owned by individuals, corporations, and other organizations and not by city, county, state, or federal government.

Stormwater management means the collection, conveyance, storage, treatment and disposal of stormwater runoff.

Stormwater management facility means constructed or natural components of a stormwater drainage system, designed to perform a particular function or multiple functions, including, but not limited to, pipes, swales, ditches, culverts, street gutters, detention basins, retention basins, constructed wetlands, infiltration devices, catch basins, oil/water separators, sediment basins, natural systems and modular pavement.

Stormwater runoff means the direct response of a land surface to precipitation and includes the surface and subsurface runoff that enters a stormwater conveyance system or other concentrated flow during and following a precipitation event.

Water quality means those characteristics of stormwater runoff that relate to the physical, chemical, biological or radiological integrity of water. (Ord. No. 95-19, § I, 2-21-95)

Sec. 38-95. Scope of responsibility.

(a) The provisions of this article shall apply throughout the unincorporated area of the county.

(b) The director of transportation and development, or his designee, shall be responsible for the coordination and enforcement of the provisions of this article.

(c) This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. This article shall control where ordinances actually conflict; however, if another ordinance or statute requires further or more stringent action, this article does not conflict. All persons must take necessary actions to meet other statutes and ordinances not in conflict with this article.

(Ord. No. 95-19, § I, 2-21-95)

Sec. 38-96. Powers of the director.

The director shall:

- (1) Have the authority to administer and enforce all regulations and procedures adopted to implement this article, including the right to issue notices of noncompliance and requests for corrective actions.
- (2) Oversee the administration, coordination, acquisition, design, construction, operation, or maintenance of the county separate storm sewer system.
- (3) Approve new connections to the county's separate storm sewer systems by other persons.
- (4) Examine, with the property owner's permission, separate storm sewer systems, stormwater management facilities, or other drainage systems which discharge to the county's separate storm sewer system. The director may take all legal action necessary to examine such systems when the property owner cannot be located, contacted, or fails to give his permission to inspect same.

(Ord. No. 95-19, § I, 2-21-95)

Sec. 38-97. Application for clearing or grading permit; exempt activities.

(a) Application for a clearing or grading permit shall be made to the director on forms furnished by him prior to commencing any development activities which direct stormwater runoff or other discharges to the county separate storm sewer system. Such application may require plans prepared by a registered professional engineer or other qualified professional to be submitted in triplicate drawn to scale showing the nature, lo-

cation, dimensions, and elevations of the development vicinity; existing and proposed structures; existing and proposed drainage systems; and proposed activities on the site. Specifically, the following information is required:

- (1) A plan to reduce, to the maximum extent practicable, the discharge of pollutants to the county's separate storm sewer system from areas of new development. Plans may include, but are not limited to, structural and source control measures to reduce pollutants in stormwater runoff, management practices, or other appropriate provisions approved by the director.
 - (2) Plans shall also address controls to reduce pollutants in discharges to the county's separate storm sewer system after construction is completed.
 - (3) A plan to insure that the post-developed peak stormwater runoff rate is no greater than the pre-developed peak stormwater runoff rate and minimize downstream erosion and property damage. The director may waive this requirement if appropriate information is submitted that documents [that] downstream impacts are not significant.
- (b) The following activities are exempt from obtaining a development permit, unless such activities are identified by the director as possible pollutant sources and provided that such projects shall conform to the minimum requirements set forth in sections 38-98 and 38-99:
- (1) Surface mining, as the same is defined in O.C.G.A. § 12-4-72.
 - (2) Granite quarrying and land clearing for such quarrying.
 - (3) Minor land-disturbing activities, such as home gardens and individual home landscaping, repairs, maintenance work, and other related activities.
 - (4) The construction of single-family residences; provided that construction of any such residence conforms to the minimum standards as set forth in section IV of the coun-

ty soil erosion and sediment control ordinance and that such standards may be enforced by the issuing authority.

- (5) Agricultural activities.
 - (6) Any project carried out under the technical supervision of the Soil Conservation Service of the United States Department of Agriculture.
 - (7) Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the department of transportation, the state highway authority, or the state tollway authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; construction and maintenance, or either, by any water or sewerage authority established by the general assembly of the state; provided, however, that such projects shall conform to the minimum requirements set forth in section IV of the county soil erosion and sedimentation control ordinance and that such standards may be enforced by the issuing authority.
 - (8) Any land-disturbing activities conducted by any electric membership corporation or municipal electric system or any public utility under the regulatory jurisdiction of the public service commission.
- (Ord. No. 95-19, § I, 2-21-95)

Sec. 38-98. Unlawful discharge; exemptions; accidental discharge.

(a) It is unlawful for any person to throw, drain, run, or otherwise discharge to any component of the county separate storm sewer system or to cause, permit or suffer to be thrown, drained, run, or allow to seep or otherwise discharge into such system all matter of any nature, excepting only such stormwater or surface water as herein authorized. It shall be the responsibility of the discharger to provide to the director appropriate certifications that discharges to the county separate storm sewer system meet the requirements of this article.

(b) The director may exempt the following discharges from the prohibition provision above, unless such discharges are identified by the director as possible pollution sources:

- (1) Water line flushing performed by a government agency, diverted stream flows, rising groundwaters, and unpolluted groundwater infiltration.
- (2) Unpolluted pumped groundwater.
- (3) Discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, and street washwater.
- (4) Discharges or flows from firefighting.
- (5) Other unpolluted water.

(c) In the event of an accidental discharge or an unavoidable loss to the county separate storm sewer system of any hazardous material, the person concerned shall notify the fire and emergency management departments through the 911 system immediately after the event is discovered. If the material discharged is not considered a hazardous material, but is other than unpolluted stormwater runoff, then it should be reported to the transportation and development department as soon as practicable. Notification shall include the nature, quantity and time of occurrence of the discharge. The person concerned shall take immediate steps to stop the discharge and contain, treat, or take other actions to minimize effects of the discharge on the county separate storm sewer system. The person shall also take immediate steps to ensure no recurrence of the discharge. A written report describing the occurrence, its impact on water quality and the cleanup shall be prepared by the person concerned and submitted within 15 days of the occurrence to the fire, emergency management and transportation and development departments.

(Ord. No. 95-19, § I, 2-21-95)

Sec. 38-99. Unlawful connections.

(a) It is unlawful for any person, company, corporation, and/or entity to connect any pipe, open channel, any other conveyance system that

discharges anything except stormwater runoff or other water, which is approved by the Director, based on the exemptions listed in subsection 38-98(b) above, to the county separate storm sewer system.

(b) Connections to the separate storm sewer system which are in violation of this Code must be disconnected. The owner of the property where the connection originates shall be responsible for redirecting such connections to an approved location.

(Ord. No. 95-19, § I, 2-21-95)

Sec. 38-100. Maintenance and inspection of private systems.

(a) Privately owned stormwater detention or retention ponds must be maintained by the property owner to insure that they continue to operate as designed. Failure to maintain these structures as designed is a violation of this Code section and subject to the penalties as provided in section 38-101.

(b) The director or his/her designee, bearing proper credentials and identification, shall be permitted to enter, in accordance with state and federal law, all properties for regular inspections, periodic investigations, observation, measurement, enforcement, sampling and testing, in accordance with provisions of this article. The director or his/her designee shall duly notify the owner of such property or the representative on site, except in the case of an emergency.

(c) Measurements, tests and analyses required of any discharger to the county separate storm sewer system shall be in accordance with 40 CFR Part 136, unless another method is approved by the director.

(Ord. No. 95-19, § I, 2-21-95; Ord. No. 99-49, § 2, 6-15-99)

Sec. 38-101. Notice of violation; penalty.

(a) Upon determination that a violation of this article has occurred, the director shall notify the violator. This notice shall specify the nature and evidence of violation and the amount of time in which to correct deficiencies.

(b) A violation of this article, including any noncompliance for correction or alleviation of violations specified in the director's first notice within the specified time for the alleviation in the notice, shall constitute a misdemeanor. In the absence of a time specified for the correction or alleviations in the first notice, all violations must be corrected or alleviated as specified in the first notice within 30 days from the date of such notice. Failure to comply shall constitute a misdemeanor also. The maximum penalty and punishment for any single violation of this article may not exceed a fine of \$1,000.00 or imprisonment in the county jail for six months, or both. Each day the noncompliance or violation is not corrected constitutes a separate violation. The county may institute appropriate action or proceedings at law or equity for the enforcement of this article or to correct violations of this article. Any court of competent jurisdiction may have the right to issue restraining orders, temporary or permanent injunctions, and other appropriate forms of remedy or relief. Each day of noncompliance is considered a separate offense. Nothing herein contained shall prevent the county from taking such other lawful action as is necessary to prevent or remedy any violation, including application for injunctive relief.

(c) Upon notice from the issuing authority or its agent, work on any project that is being done contrary to the provisions of this article or in a dangerous or unsafe manner shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, his authorized agent, the person or persons in charge of the activity on the property, and shall state the conditions under which work may be resumed. Where an emergency exists, no written notice shall be required.

(Ord. No. 95-19, § I, 2-21-95; Ord. No. 03-128, § 6, 9-16-03)

Sec. 38-102. Variances from requirements.

(a) The director may grant a variance from requirements of this article if exceptional circumstances applicable to a site exist such that strict adherence to the provisions of the article will result in unnecessary hardship and will not fulfill the intent of the article.

adherence to the provisions of the article will result in unnecessary hardship and will not fulfill the intent of the article.

(b) A written request for a variance shall be required and shall state the specific variance sought and the reasons, with supporting data, a

(b) A written request for a variance shall be required and shall state the specific variance sought and the reasons, with supporting data, a variance should be granted. The request shall include all information necessary to evaluate the proposed variance.

(c) The director will conduct a review of the request for a variance and may approve, deny, or request additional information for the variance. (Ord. No. 95-19, § I, 2-21-95)

Sec. 38-103. Appeals.

(a) Any person aggrieved by a decision of the director (including any decision with reference to the granting or denial of a variance from the terms of this article) may appeal same by filing a written notice of appeal with the director within seven days of the issuance of such decision by the director. A notice of appeal shall state the specific reasons why the decision of the director is alleged to be in error.

(b) The director can reverse his decision or prepare and send to the board of commissioners and appellant a written response to such notice of appeal within 30 days of receipt of the notice of appeal. All appeals shall be heard by the county board of commissioners in accord with the board of commissioners bylaws. The hearing shall be held within the next two meetings of the board of commissioners or a date mutually agreed upon in writing by the appellant and the chairperson of the county board of commissioners. The county board of commissioners shall then make its findings within 30 days of the appeal hearing. The appellant shall not be relieved of his or her obligations during the appeal process.

(c) If the appellant is dissatisfied with the county board of commissioners' decision, he or she can appeal such decision to the superior court. (Ord. No. 95-19, § I, 2-21-95)

Sec. 38-104. Supplemental charges for violation.

Any person in violation of any portion of this article shall pay for all costs associated with the

violation, including, but not limited to, sampling, testing, containment, cleanup, injury, legal and other costs.

(Ord. No. 95-19, § I, 2-21-95)

ARTICLE V. POST-DEVELOPMENT STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT

Sec. 38-110. Findings.

It is hereby determined that:

Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition;

Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;

The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment, by the use of both structural facilities as well as nonstructural measures, such as the conservation of open space and greenspace areas. The preservation and protection of natural area and greenspace for stormwater management benefits is encouraged through the use of incentives or "credits." The Georgia Greenspace Program provides a mechanism for the preservation and coordination of those greenspace areas which provide stormwater management quality and quantity benefits;

Localities in the State of Georgia are required to comply with a number of both state and federal laws, regulations and permits which

**FLOODPLAIN
MANAGEMENT / FLOOD
DAMAGE PREVENTION
ORDINANCE**

**THIS SECTION REFERS TO:
CLAYTON COUNTY CODE BOOK
CHAPTER 38; ENVIRONMENT**

ARTICLE VI

**FLOODPLAIN MANAGEMENT /
FLOOD DAMAGE PREVENTION**

**DIVISION 1. GENERAL PROVISIONS
SECTIONS 38 – 121.1. THROUGH 38-121.7.**

**DIVISION 2. DEFINITIONS
SECTION 38-121.10.**

**DIVISION 3. PERMIT PROCEDURES AND
REQUIREMENTS
SECTIONS 38-123.1. THROUGH 38-123.4.**

**DIVISION 4. STANDARDS FOR DEVELOPMENT
SECTIONS 38-124.1. THROUGH 38-124.6.**

**DIVISION 5. PROVISIONS FOR FLOOD
DAMAGE REDUCTION
SECTIONS 38-125.1. THROUGH 38-125.6.**

**DIVISION 6. VARIANCE AND APPEAL
PROCEDURES
SECTION 38-126.0.**

**DIVISION 7. VIOLATIONS, ENFORCEMENT
AND PENALTIES
SECTIONS 38-127.1. THROUGH 38-127.3.**

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ENVIRONMENT

Division 6. Ongoing Inspection and Maintenance of Facilities and Practices

- Sec. 38-116.1. Long-term maintenance inspection of stormwater facilities and practices.
- Sec. 38-116.2. Right-of-entry for inspection.
- Sec. 38-116.3. Records of maintenance activities.
- Sec. 38-116.4. Failure to maintain.

Division 7. Violations, Enforcement and Penalties

- Sec. 38-117.1. Notice of violation.
- Sec. 38-117.2. Penalties.

Article VI. Floodplain Management

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- Sec. 38-121.1. Purpose and intent.
- Sec. 38-121.2. Applicability.
- Sec. 38-121.3. Designation of ordinance administrator.
- Sec. 38-121.4. Basis for area of special flood hazard—Flood area maps and studies.
- Sec. 38-121.5. Compatibility with other regulations.
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[Sec. 38-121.10. Definitions.]

Division 3. Permit Procedures and Requirements

- Sec. 38-123.1. Permit application requirements.
- Sec. 38-123.2. Floodplain management plan requirements.
- Sec. 38-123.3. Construction stage submittal requirements.
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Division 4. Standards for Development

- Sec. 38-124.1. Definition of floodplain boundaries.
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- Sec. 38-124.3. General standards.
- Sec. 38-124.4. Engineering study requirements for floodplain encroachments.
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- Sec. 38-124.6. Maintenance requirements.

Division 5. Provisions for Flood Damage Reduction

- Sec. 38-125.1. General standards.
- Sec. 38-125.2. Building standards for structures and buildings within the future-conditions floodplain.
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- Sec. 38-125.4. Building standards for residential single-lot developments on streams without established base flood elevations and/or floodway (A-zones).
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Division 6. Variance Procedures

Sec. 38-126.0. Variance and appeal procedures.

Division 7. Violations, Enforcement and Penalties

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Article VII. Illicit Discharge and Illegal Connection

Sec. 38-130. Findings.

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Sec. 38-131.3. Compatibility with other regulations.
Sec. 38-131.4. Severability.
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Division 2. Definitions

[Sec. 38-132. Definitions.]

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Sec. 38-133.1. Prohibition of illicit discharges.
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Sec. 38-136.1. Requirement to ensure discovery, containment, and cleanup of pollutants or non-stormwater discharges.

Division 7. Violations, Enforcement and Penalties

Sec. 38-137.1. Violations.
Sec. 38-137.2. Notice of violation.
Sec. 38-137.3. Appeal of notice of violation.
Sec. 38-137.4. Enforcement measures after appeal.
Sec. 38-137.5. Costs of abatement of the violation.
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Sec. 38-137.9. Remedies not exclusive.

cure the violations described therein within ten days, or such greater period as the Clayton County Director of Transportation and Development or his designee shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the Clayton County Director of Transportation and Development or his designee has taken one or more of the actions described above, the Clayton County Director of Transportation and Development or his designee may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

- (5) *Criminal penalties.* For intentional and flagrant violations of this article, the Clayton County Director of Transportation and Development or his designee may issue a citation to the applicant or other responsible person, requiring such person to appear in magistrate court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for six months or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(Ord. No. 04-39, § 1, 4-6-04)

ARTICLE VI. FLOODPLAIN MANAGEMENT*

DIVISION 1. GENERAL PROVISIONS

Sec. 38-121.1. Purpose and intent.

The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize

***Editor's note**—Ord. No. 2007-38, § 1, adopted Feb. 20, 2007, amended art. VI in its entirety to read as herein set out. Formerly, said article pertained to similar subject matter. See the Code Comparative Table for a detailed analysis of inclusion.

public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed to:

- (1) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (2) Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
- (3) Control filling, grading, dredging and other development which may increase flood damage or erosion;
- (4) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
- (5) Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and
- (6) Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.2. Applicability.

This article shall be applicable to all areas of special flood hazard within Clayton County, Georgia.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.3. Designation of ordinance administrator.

The Clayton County Water Authority or their designee is hereby appointed to administer and implement the provisions of this article and provide appropriate recommendations for permit ap-

proval to the Clayton County Department of Transportation and Development and Clayton County Department of Community Development.
(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.4. Basis for area of special flood hazard—Flood area maps and studies.

For the purposes of this article, the following are adopted by reference:

- (1) The Flood Insurance Study (FIS), dated November 20, 2000, with accompanying maps and other supporting data and any revision thereto are hereby adopted by reference. [For those land areas acquired by Clayton County through annexation, the current effective FIS and data for unincorporated Clayton County, the current effective FIS and data for Clayton County are hereby adopted by reference.]
- (2) Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the 100-year floodplain and flood-prone areas include:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, state or federal agency applicable to Clayton County, Georgia; or
 - b. Any base flood study authored by a registered professional engineer in the State of Georgia which has been prepared by FEMA approved methodology and approved by FEMA.
- (3) Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood-prone areas include:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, state or federal agency applicable to Clayton County, Georgia; or

- b. Any future-conditions flood study authored by a registered professional engineer in the State of Georgia which has been prepared by FEMA approved methodology approved by FEMA.

- (4) The repository for public inspection of the FIS, accompanying maps and other supporting data is located at Clayton County Water Authority.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.5. Compatibility with other regulations.

This article is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environment shall control.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.6. Severability.

If the provisions of any section, subsection, paragraph, subdivision or clause of this article shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this article.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.7. Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazard or

uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of Clayton County, Georgia or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made there under.
(Ord. No. 2007-38, § 1, 2-20-07)

DIVISION 2. DEFINITIONS

[Sec. 38-121.10. Definitions.]

For purposes of this article, certain words and terms used herein shall be defined and interpreted as follows; all other terms not defined shall have their customary dictionary definitions:

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered new construction.

"Appeal" means a request for a review of the (appointed official)'s interpretation of any provision of this article.

"Area of shallow flooding" means a designated AO or AH zone on a community's flood insurance rate map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of special flood hazard" is the land subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation (including A, A1-30, A-99, AE, AO, AH, and AR on the FHBM or the FIRM), all floodplain and flood prone areas at or below the future-conditions flood elevation, and all other flood prone areas as referenced in section 38-121.4. All streams with a drainage area of 100 acres or greater shall have the area of special flood hazard delineated.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

"Base flood elevation" means the highest water surface elevation anticipated at any given point during the base flood.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Development" means any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

"Elevated building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Existing construction" Any structure for which the "start of construction" commenced before 1973.

"Existing manufactured home park" or "subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before 1973.

"Expansion to an existing manufactured home park" or "subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the

installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

"*FEMA*" means the Federal Emergency Management Agency.

"*Flood*" or "*flooding*" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters; or
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

"*Flood hazard boundary map*" or "*FHBM*" means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as zone A.

"*Flood insurance rate map*" or "*FIRM*" means an official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

"*Flood insurance study*" or "*FIS*" means the official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

"*Floodplain*" means any land area susceptible to flooding.

"*Floodproofing*" means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"*Floodway*" or "*regulatory floodway*" means the channel of a stream or other watercourse and the adjacent areas of the floodplain which is necessary to contain and discharge the base flood flow without cumulatively increasing the base flood elevation more than one foot.

"*Functionally dependent use*" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water.

"*Future-conditions flood*" means the flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

"*Future-conditions flood elevation*" means the flood standard equal to or higher than the base flood elevation. The future-conditions flood elevation is defined as the highest water surface anticipated at any given point during the future-conditions flood.

"*Future-conditions floodplain*" means any land area susceptible to flooding by the future-conditions flood.

"*Future-conditions hydrology*" means the flood discharges associated with projected land-use conditions based on a community's zoning map, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of flood detention structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

"*Highest adjacent grade*" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.

"*Historic structure*" means any structure that is;

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places and deter-

mined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

- (d) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
1. By an approved state program as determined by the Secretary of the Interior; or
 2. Directly by the Secretary of the Interior in states without approved programs.

"*Lowest floor*" means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this article.

"*Manufactured home*" means a building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

"*Mean sea level*" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article the term is synonymous with National Geodetic Vertical Datum (NGVD) and/or the North American Vertical Datum (NAVD) of 1988.

"*National geodetic vertical datum (NGVD)*" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"*New construction*" means any structure (see definition) for which the "start of construction" commenced after 1973 and includes any subsequent improvements to the structure.

"*New manufactured home park or subdivision*" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after 1973.

"*North American Vertical Datum (NAVD) of 1988*" is a vertical control used as a reference for establishing varying elevations within the floodplain.

"*Owner*" means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

"*Permit*" means the permit issued by the Clayton County Department of Transportation and Development to the applicant which is required prior to undertaking any development activity.

"*Recreational vehicle*" means a vehicle which is:

- (a) built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) designed to be self-propelled or permanently towable by light duty truck; and
- (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"*Site*" means the parcel of land being developed, or the portion thereof on which the development project is located.

"*Start of construction*" means the date the permit was issued, provided the actual start of construction, repair, reconstruction, or improve-

ment was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are not exempt from any ordinance requirements). For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

"Subdivision" means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during a ten-year period, in which the cumulative cost equals or exceeds 50 percent of the

market value of the structure prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage" regardless of the actual amount of repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include those improvements of a building required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, which have been pre-identified by the code enforcement official, and not solely triggered by an improvement or repair project.

"Substantially improved existing manufactured home park or subdivision" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this article which permits construction in a manner otherwise prohibited by this article.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certificates, or other evidence of compliance required in this article is presumed to be in violation until such time as that documentation is provided.

(Ord. No. 2007-38, § 1, 2-20-07)

DIVISION 3. PERMIT PROCEDURES AND REQUIREMENTS

Sec. 38-123.1. Permit application requirements.

No owner or developer shall perform any development activities on a site where an area of

special flood hazard is located without first meeting the requirements of this article prior to commencing the proposed activity.

Unless specifically excluded by this article, any landowner or developer desiring a permit for a development activity shall submit to the Clayton County Department of Transportation and Development a permit application on a form provided by the Clayton County Department of Transportation and Development for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this article. (Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-123.2. Floodplain management plan requirements.

An application for a development project with any area of special flood hazard located on the site will be required to submit a floodplain management/flood damage prevention plan to the Clayton County Water Authority. This plan shall include the following items:

- (1) Site plan drawn to scale, which includes but is not limited to:
 - a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the above by a registered professional engineer or surveyor.
- (2) Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
 - b. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
 - c. Certification that any proposed non-residential floodproofed structure meets the criteria in subsection 38-125.2(2);
 - d. For enclosures below the base flood elevation, location and total net area of foundation openings as required in subsection 38-125.1(5).
 - e. Design plans certified by a registered professional engineer or architect for all proposed structure(s).
- (3) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
- (4) Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre-and post development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, special flood hazard areas and regulatory floodway widths, flood profiles and all other computations and other information similar to that presented in the FIS;
- (5) Copies of all applicable state and federal permits necessary for proposed development; and
- (6) All appropriate certifications required under this article.

The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-123.3. Construction stage submittal requirements.

For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the Clayton County Department of Community Development a certified as-built elevation certificate or floodproofing certificate for non-residential construction including the lowest floor elevation or flood-proofing level immediately after the lowest floor or flood-proofing is completed. A final elevation certificate shall be provided after completion of construction including final grading of the site. The Clayton County Department of Community Development shall forward a copy of the elevation certificate or floodproofing certificate to the Clayton County Water Authority. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The Clayton County Department of Community Development shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit certification or failure to make the corrections required hereby shall be cause to issue a stop work order for the project.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-123.4. Duties and responsibilities of the administrator.

Duties of the Clayton County Water Authority shall include, but shall not be limited to:

- (1) Review all development applications and permits to assure that the requirements of this article have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
- (2) Require that copies of all necessary permits from governmental agencies from which approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334, be provided and maintained on file;
- (3) When base flood elevation data or floodway data have not been provided, then the Clayton County Water Authority shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other sources in order to meet the provisions of Divisions 4 and 5;
- (4) Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures;
- (5) Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been flood-proofed;
- (6) When flood-proofing is utilized for a non-residential structure, the Clayton County Department of Community Development shall obtain certification of design criteria from a registered professional engineer or architect and forward a copy of the certification to the Clayton County Water Authority;
- (7) Notify affected adjacent communities and the Georgia Department of Natural Resources prior to any alteration or reloca-

tion of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);

- (8) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions) the Clayton County Water Authority shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps; and
- (9) All records pertaining to the provisions of this article shall be maintained in the office of the Clayton County Water Authority and Clayton County Department of Community Development and shall be open for public inspection.

(Ord. No. 2007-38, § 1, 2-20-07)

DIVISION 4. STANDARDS FOR DEVELOPMENT

Sec. 38-124.1. Definition of floodplain boundaries.

(a) Studied "A" zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.

(b) Future-conditions floodplains for streams with a drainage area of one square mile (640 acres) and greater in size are to be delineated by the Clayton County Water Authority. As required in the Metropolitan North Georgia Water Planning District Watershed Management Plan, cities and counties are expected to model and map at least ten percent of their area each year until future-conditions floodplains have been established for the entire community.

(c) For streams with a drainage area between 100 acres and one square mile (640 acres), the future-conditions floodplains shall be determined

on a per development basis by a registered professional engineer using a method approved by FEMA and the Clayton County Water Authority. This requirement will be effective after the water authority has completed the future floodplain mapping for the drainage areas of one square mile and greater as referenced in subsection 38-124.1(b).

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-124.2. Definition of floodway boundaries.

(a) The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of one square mile or greater, the regulatory floodway shall be provided by the Clayton County Water Authority. For all streams with a drainage area between 100 acres and one square mile (640 acres), the regulatory floodway shall be determined on a per development basis by a registered professional engineer using a method approved by FEMA and the Clayton County Water Authority. If floodway data is not available from the Clayton County Water Authority, then it shall be determined by a registered professional engineer using a method approved by FEMA and the Clayton County Water Authority.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-124.3. General standards.

(a) No development shall be allowed within the future-conditions floodplain that could result in any of the following:

- (1) Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
- (2) Reducing the base flood or future-conditions flood storage capacity;
- (3) Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or

- (4) Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.
- (b) Any development within the future-conditions floodplain allowed under (a) above shall also meet the following conditions:

- (1) Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the top of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
- (2) Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
- (3) Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
- (4) Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of section 38-124.4;
- (5) Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
- (6) Any significant physical changes to the base flood floodplain shall be submitted as a conditional letter of map revision

(CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the Clayton County Water Authority using the community consent forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of construction, the applicant shall submit as-built surveys for a final letter of map revision (LOMR).

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-124.4. Engineering study requirements for floodplain encroachments.

An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and/or floodways for which the provisions of section 38-125.4 apply. This study shall be prepared by a currently registered professional engineer in the State of Georgia and made a part of the application for a permit. This information shall be submitted to and approved by the Clayton County Water Authority prior to the approval of any permit by the Clayton County Department of Transportation and Development which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:

- (1) Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
- (2) Step-backwater analysis, using a FEMA-approved methodology approved by the Clayton County Water Authority. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the

proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;

- (3) Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
- (4) The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-124.5. Floodway encroachments.

Located within areas of special flood hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore the following provisions shall apply:

- (1) Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in (2) below.
- (2) Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof; and
- (3) If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by

the Clayton County Department of Transportation and Development until an affirmative conditional letter of map revision (CLOMR) is issued by FEMA and no-rise certification is approved by the Clayton County Water Authority.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-124.6. Maintenance requirements.

The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on his property so that the flood-carrying or flood storage capacity is not diminished. The Clayton County Water Authority may direct the property owner (at no cost to Clayton County, Georgia) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the Clayton County Water Authority.

(Ord. No. 2007-38, § 1, 2-20-07)

DIVISION 5. PROVISIONS FOR FLOOD DAMAGE REDUCTION

Sec. 38-125.1. General standards.

In all areas of special flood hazard the following provisions apply:

- (1) New construction of principal buildings (residential or non-residential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of sections 38-124.3, 38-124.4 and 38-124.5 have been met;
- (2) New construction or substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- (3) New construction or substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;

- (4) New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;
- (5) Elevated buildings. All new construction and substantial improvements of existing structures that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished and flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - 1. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2. The bottom of all openings shall be no higher than one foot above grade; and
 - 3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
 - b. So as not to violate the "lowest floor" criteria of this article, the unfinished and flood resistant enclosure shall solely be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and
 - c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- (6) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (7) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
- (8) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (9) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (10) On-site waste disposal systems shall be located and constructed to avoid impairment to them, or contamination from them, during flooding; and
- (11) Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this article, shall be undertaken only if the non-conformity is not furthered, extended or replaced.
- (12) If the proposed development is located in multiple flood zones or multiple base flood elevation cross the proposed site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-125.2. Building standards for structures and buildings within the future-conditions floodplain.

The following provisions, in addition to those in section 38-125.1, shall apply:

(1) *Residential buildings.*

a. *New construction.* New construction of principal buildings, including manufactured homes shall not be allowed within the limits of the future-conditions floodplain unless all requirements of sections 38-124.3, 38-124.4 and 38-124.5 have been met. If all of the requirements of sections 38-124.3, 38-124.4 and 38-124.5 have been met, all new construction shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to equalize the hydrologic flood forces on exterior walls and to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection 38-125.1(5).

b. *Substantial improvements.* Substantial improvement of any principal structure or manufactured home shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to equalize the hydrologic flood forces on exterior walls and to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of subsection 38-125.1(5).

(2) *Non-residential buildings.*

a. *New construction.* New construction of principal buildings, including man-

ufactured homes shall not be allowed within the limits of the future-conditions floodplain unless all requirements of sections 38-124.3, 38-124.4 and 38-124.5 have been met. New construction that has met all of the requirements of sections 38-124.3, 38-124.4 and 38-124.5 may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Clayton County Department of Community Development.

b. *Substantial improvements.* Substantial improvement of any principal non-residential structure located in A1- 30, AE, or AH zones, may be authorized by the Clayton County Department Community Development to be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to one foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that

the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Clayton County Department of Community Development.

(3) *Accessory structures and facilities.* Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, parking lots, recreational facilities and other similar non-habitable structures and facilities) which are permitted to be located within the limits of the floodplain shall be constructed of flood-resistant materials and designed to pass all floodwater in accordance with subsection 38-125.1(5) and be anchored to prevent flotation, collapse or lateral movement of the structure.

(4) *Standards for recreational vehicles.* All recreational vehicles placed on sites must either:

- a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
- b. The recreational vehicle must meet all the requirements for residential buildings—Substantial improvements (subsection 38-125.2(1)b.), including the anchoring and elevation requirements.

(5) *Standards for manufactured homes.*

- a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of sections 38-124.3, 38-124.4 and 38-124.5 have been met.
- b. Manufactured homes placed and/or substantially improved in an exist-

ing manufactured home park or subdivision shall be elevated so that either:

- 1. The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or
- 2. The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.

c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with standards of subsection 38-125.1(7).

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-125.3. Building standards for structures and buildings authorized adjacent to the future-conditions floodplain.

(a) *Residential buildings.* For new construction or substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher.

(b) *Non-residential buildings.* For new construction or substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-125.4. Building standards for residential single-lot developments on streams without established base flood elevations and/or floodway (A-zones).

For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A-zones), the Clayton County Water Authority shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a federal, state, local or other source, in order to administer the provisions and standards of this article.

If data are not available from any of these sources, the following provisions shall apply:

- (1) No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or 50 feet from the top of the bank of the stream, whichever is greater.
- (2) In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with subsection 38-125.1(5).

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-125.5. Building standards for areas of shallow flooding (AO-zones).

Areas of special flood hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet above ground, with no clearly defined channel. In these areas the following provisions apply:

- (1) All substantial improvements of residential and non-residential structures shall have the lowest floor, including basement,

elevated to no lower than one foot above the flood depth number in feet specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of subsection 38-125.1(5).

- (2) Substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice; and
- (3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-125.6. Standards for subdivisions.

(a) All subdivision proposals shall identify the special flood hazard area and provide base flood elevation data and future-conditions flood elevation data;

(b) All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;

(c) All subdivision plans will provide the elevations of proposed structures in accordance with section 38-123.2.

(d) All subdivision proposals shall be consistent with the need to minimize flood damage;

(e) All subdivision proposals shall have public utilities and facilities such as water, sanitary sewer, gas, and electrical systems located and constructed to minimize or eliminate infiltration of flood waters, and discharges from the systems into flood waters; and

(f) All subdivision proposals shall include adequate drainage and stormwater management facilities per the requirements of Clayton County, Georgia to reduce potential exposure to flood hazards.

(Ord. No. 2007-38, § 1, 2-20-07)

DIVISION 6. VARIANCE PROCEDURES

Sec. 38-126.0. Variance and appeal procedures.

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this article. A request for a variance may be submitted by an applicant who has been denied a permit by the Clayton County Department of Transportation and Development or Clayton County Department of Community Development, or by an owner or developer who has not previously applied for a permit for the reasons stated herein above. The Clayton County Water Authority shall make appropriate recommendations to the Clayton County Department of Transportation and Development and Clayton County Department of Community Development regarding permit approval.

(1) Requests for variances from the requirements of this article shall be submitted to the Clayton County Water Authority. All such requests shall be heard and decided in accordance with procedures to be published in writing by the Clayton County Water Authority. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

(2) Any person adversely affected by any decision of the Clayton County Water Authority shall have the right to appeal such decision to the Clayton County Board of Commissioners as established by Clayton County, Georgia in accordance with procedures to be published in writing by the Clayton County Board of Commissioners. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

(3) Any person aggrieved by the decision of the Clayton County Board of Commissioners may appeal such decision to the Magistrate Court, as provided in O.C.G.A. § 5-4-1.

(4) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure, and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.

(5) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this section are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

(6) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(7) In reviewing such requests, the Clayton County Water Authority and Clayton County Board of Commissioners shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this article.

(8) Conditions for variances:

- a. A variance shall be issued only when there is:
 - 1. a finding of good and sufficient cause;

2. a determination that failure to grant the variance would result in exceptional hardship; and
 3. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.
- b. The provisions of this article are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of a historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
 - c. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.
 - d. The Clerk of the Clayton County Board of Commissioners shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.
- (9) Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the Clayton County Water Authority and Clayton County Board of Commissioners shall deem necessary to the consideration of the request.
 - (10) Upon consideration of the factors listed above and the purposes of this article, the Clayton County Water Authority and the Clayton County Board of Commissioners may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this article.
 - (11) Variances shall not be issued "after the fact".
(Ord. No. 2007-38, § 1, 2-20-07)

DIVISION 7. VIOLATIONS, ENFORCEMENT AND PENALTIES

Sec. 38-127.1. Enforcement.

Any action or inaction which violates the provisions of this article or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.
(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-127.2. Notice of violation.

If the Clayton County Department of Transportation and Development, Clayton County Water Authority or Clayton County Department of Community Development determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured a permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this article and the date for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
- (6) A statement that the determination of violation may be appealed to the Clayton County Department of Transportation and Development by filing a written notice of appeal within 30 days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-127.3. Penalties.

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Clayton County Department of Transportation and Development or Clayton County Department of Community Development shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other

responsible person fails to cure such violation after such notice and cure period, the Clayton County Department of Transportation and Development or Clayton County Department of Community Development may take any one or more of the following actions or impose any one or more of the following penalties.

- (1) *Stop work order.* The Clayton County Department of Transportation and Development may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, **provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.**
- (2) *Withhold certificate of occupancy.* The Clayton County Department of Community Development may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) *Suspension, revocation or modification of permit.* The Clayton County Department of Transportation and Development may suspend, revoke or modify the permit authorizing the development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Clayton County Department of Transportation and Development may deem necessary) to enable the appli-

cant or other responsible person to take the necessary remedial measures to cure such violations.

- (4) *Civil penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the Clayton County Department of Transportation and Development shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the Clayton County Department of Transportation and Development has taken one or more of the actions described above, the Clayton County Department of Transportation and Development may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

- (5) *Criminal penalties.* For intentional and flagrant violations of this article, the Clayton County Department of Transportation and Development may issue a citation to the applicant or other responsible person, requiring such person to appear in Magistrate Court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
(Ord. No. 2007-38, § 1, 2-20-07)

ARTICLE VII. ILLICIT DISCHARGE AND ILLEGAL CONNECTION

Sec. 38-130. Findings.

It is hereby determined that:

Discharges to the Clayton County separate storm sewer system that are not composed

entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving waters;

These non-stormwater discharges occur due to spills, dumping and improper connections to the Clayton County separate storm sewer system from residential, industrial, commercial or institutional establishments.

These non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters.

The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These impacts can be minimized through the regulation of spills, dumping and discharges into the Clayton County separate storm sewer system;

Localities in the State of Georgia are required to comply with a number of state and federal laws, regulations and permits which require a locality to address the impacts of stormwater runoff quality and nonpoint source pollution due to improper non-stormwater discharges to the Clayton County separate storm sewer system;

Therefore, the Clayton County Board of Commissioners adopts this article to prohibit such non-stormwater discharges to the Clayton County separate storm sewer system. It is determined that the regulation of spills, improper dumping and discharges to the Clayton County separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.
(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 1. GENERAL PROVISIONS

Sec. 38-131.1. Purpose and intent.

The purpose of this article is to protect the public health, safety, environment and general

STORMWATER POST
DEVELOPMENT
ORDINANCE

**THIS SECTION REFERS TO:
CLAYTON COUNTY CODE BOOK
CHAPTER 38; ENVIRONMENT**

ARTICLE V.

**POST-DEVELOPMENT
STORMWATER MANAGEMENT FOR
NEW DEVELOPMENT AND
REDEVELOPMENT**

**DIVISION 1. GENERAL PROVISIONS
SECTIONS 38 – 111.1. THROUGH 38-111.6.**

**DIVISION 2. DEFINITIONS
SECTION 38-112.1**

**DIVISION 3. PERMIT PROCEDURES AND
REQUIREMENTS
SECTIONS 38-113.1. THROUGH 38-113.8.**

**DIVISION 4. POST-DEVELOPMENT
STORMWATER MANAGEMENT
PERFORMANCE CRITERIA
SECTIONS 38-114.1. THROUGH 38-114.8.**

**DIVISION 5. CONSTRUCTION INSPECTIONS
OF POST-DEVELOPMENT STORMWATER
MANAGEMENT SYSTEM
SECTIONS 38-115.1. THROUGH 38-115.2.**

**DIVISION 6. ONGOING INSPECTION AND
MAINTENANCE OF FACILITIES AND
PRACTICES
SECTION 38-116.1. THROUGH 38-116.4.**

**DIVISION 7. VIOLATIONS, ENFORCEMENT
AND PENALTIES
SECTIONS 38-117.1. THROUGH 38-117.2.**

**PLEASE CONTINUE TO CHECK THE COUNTY'S
WEBSITE (MuniCode) FOR ANY UPDATES
www.co.clayton.ga.us**

CLAYTON COUNTY CODE

- Sec. 38-96. Powers of the director.
- Sec. 38-97. Application for clearing or grading permit; exempt activities.
- Sec. 38-98. Unlawful discharge; exemptions; accidental discharge.
- Sec. 38-99. Unlawful connections.
- Sec. 38-100. Maintenance and inspection of private systems.
- Sec. 38-101. Notice of violation; penalty.
- Sec. 38-102. Variances from requirements.
- Sec. 38-103. Appeals.
- Sec. 38-104. Supplemental charges for violation.

**Article V. Post-Development Stormwater Management for New
Development and Redevelopment**

- Sec. 38-110. Findings.

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- Sec. 38-111.1. Purpose and intent.
- Sec. 38-111.2. Applicability.
- Sec. 38-111.3. Designation of article administrator.
- Sec. 38-111.4. Compatibility with other regulations.
- Sec. 38-111.5. Severability.
- Sec. 38-111.6. Stormwater design manual.

Division 2. Definitions

- Sec. 38-112.1. Definitions.

Division 3. Permit Procedures and Requirements

- Sec. 38-113.1. Permit application requirements.
- Sec. 38-113.2. Stormwater concept plan and consultation meeting.
- Sec. 38-113.3. Stormwater management plan requirements.
- Sec. 38-113.4. Stormwater management inspection and maintenance agreements.
- Sec. 38-113.5. Performance and maintenance bonds.
- Sec. 38-113.6. Application procedure.
- Sec. 38-113.7. Application review fees.
- Sec. 38-113.8. Modifications for off-site facilities.

Division 4. Post-Development Stormwater Management Performance Criteria

- Sec. 38-114.1. Water quality.
- Sec. 38-114.2. Stream channel protection.
- Sec. 38-114.3. Overbank flooding protection.
- Sec. 38-114.4. Extreme flooding protection.
- Sec. 38-114.5. Structural stormwater controls.
- Sec. 38-114.6. Stormwater credits for nonstructural measures.
- Sec. 38-114.7. Drainage system guidelines.
- Sec. 38-114.8. Dam design guidelines.

Division 5. Construction Inspections of Post-Development Stormwater
Management System

- Sec. 38-115.1. Inspections to ensure plan compliance during construction.
- Sec. 38-115.2. Final inspection and as built plans.

ENVIRONMENT

Division 6. Ongoing Inspection and Maintenance of Facilities and Practices

- Sec. 38-116.1. Long-term maintenance inspection of stormwater facilities and practices.
- Sec. 38-116.2. Right-of-entry for inspection.
- Sec. 38-116.3. Records of maintenance activities.
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Division 7. Violations, Enforcement and Penalties

- Sec. 38-117.1. Notice of violation.
- Sec. 38-117.2. Penalties.

Article VI. Floodplain Management

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- Sec. 38-121.1. Purpose and intent.
- Sec. 38-121.2. Applicability.
- Sec. 38-121.3. Designation of ordinance administrator.
- Sec. 38-121.4. Basis for area of special flood hazard—Flood area maps and studies.
- Sec. 38-121.5. Compatibility with other regulations.
- Sec. 38-121.6. Severability.
- Sec. 38-121.7. Warning and disclaimer of liability.

Division 2. Definitions

- [Sec. 38-121.10. Definitions.]

Division 3. Permit Procedures and Requirements

- Sec. 38-123.1. Permit application requirements.
- Sec. 38-123.2. Floodplain management plan requirements.
- Sec. 38-123.3. Construction stage submittal requirements.
- Sec. 38-123.4. Duties and responsibilities of the administrator.

Division 4. Standards for Development

- Sec. 38-124.1. Definition of floodplain boundaries.
- Sec. 38-124.2. Definition of floodway boundaries.
- Sec. 38-124.3. General standards.
- Sec. 38-124.4. Engineering study requirements for floodplain encroachments.
- Sec. 38-124.5. Floodway encroachments.
- Sec. 38-124.6. Maintenance requirements.

Division 5. Provisions for Flood Damage Reduction

- Sec. 38-125.1. General standards.
- Sec. 38-125.2. Building standards for structures and buildings within the future-conditions floodplain.
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- Sec. 38-125.4. Building standards for residential single-lot developments on streams without established base flood elevations and/or floodway (A-zones).
- Sec. 38-125.5. Building standards for areas of shallow flooding (AO-zones).
- Sec. 38-125.6. Standards for subdivisions.

(b) A written request for a variance shall be required and shall state the specific variance sought and the reasons, with supporting data, a variance should be granted. The request shall include all information necessary to evaluate the proposed variance.

(c) The director will conduct a review of the request for a variance and may approve, deny, or request additional information for the variance. (Ord. No. 95-19, § I, 2-21-95)

Sec. 38-103. Appeals.

(a) Any person aggrieved by a decision of the director (including any decision with reference to the granting or denial of a variance from the terms of this article) may appeal same by filing a written notice of appeal with the director within seven days of the issuance of such decision by the director. A notice of appeal shall state the specific reasons why the decision of the director is alleged to be in error.

(b) The director can reverse his decision or prepare and send to the board of commissioners and appellant a written response to such notice of appeal within 30 days of receipt of the notice of appeal. All appeals shall be heard by the county board of commissioners in accord with the board of commissioners bylaws. The hearing shall be held within the next two meetings of the board of commissioners or a date mutually agreed upon in writing by the appellant and the chairperson of the county board of commissioners. The county board of commissioners shall then make its findings within 30 days of the appeal hearing. The appellant shall not be relieved of his or her obligations during the appeal process.

(c) If the appellant is dissatisfied with the county board of commissioners' decision, he or she can appeal such decision to the superior court. (Ord. No. 95-19, § I, 2-21-95)

Sec. 38-104. Supplemental charges for violation.

Any person in violation of any portion of this article shall pay for all costs associated with the

violation, including, but not limited to, sampling, testing, containment, cleanup, injury, legal and other costs.

(Ord. No. 95-19, § I, 2-21-95)

ARTICLE V. POST-DEVELOPMENT STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT

Sec. 38-110. Findings.

It is hereby determined that:

Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition;

Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;

The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment, by the use of both structural facilities as well as nonstructural measures, such as the conservation of open space and greenspace areas. The preservation and protection of natural area and greenspace for stormwater management benefits is encouraged through the use of incentives or "credits." The Georgia Greenspace Program provides a mechanism for the preservation and coordination of those greenspace areas which provide stormwater management quality and quantity benefits;

Localities in the State of Georgia are required to comply with a number of both state and federal laws, regulations and permits which

require a locality to address the impacts of post-development stormwater runoff quality and nonpoint source pollution;

Therefore, Clayton County Board of Commissioners has established this set of stormwater management policies to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. It has determined that it is in the public interest to regulate post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post-development stormwater runoff.

(Ord. No. 04-39, § 1, 4-6-04)

DIVISION 1. GENERAL PROVISIONS

Sec. 38-111.1. Purpose and intent.

The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment. It has been determined that proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This article seeks to meet that purpose through the following objectives:

- (1) Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
- (2) Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and in-

creases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;

- (3) Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
- (4) Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;
- (5) Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of greenspace and other conservation areas, to the maximum extent practicable. Coordinate site design plans, which include greenspace, with Clayton County's Watershed Improvements through Statistical Evaluation (WISE) Model Plan;
- (6) Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and,
- (7) Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-111.2. Applicability.

(a) This article shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless exempt pursuant to subsection (2) below. These standards apply to any new development or redevelopment site that meets one or more of the following criteria:

- (1) New development that involves the creation of 5,000 square feet or more of

impervious cover, or that involves other land development activities of one acre or more;

- (2) Redevelopment that includes the creation, addition or replacement of 5,000 square feet or more of impervious cover, or that involves other land development activity of one acre or more;
- (3) Any new development or redevelopment, regardless of size, that is defined by the Clayton County Director of Transportation and Development or his designee to be a hotspot land use; or,
- (4) Land development activities that are smaller than the minimum applicability criteria set forth in items (1) and (2) above if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.

(b) The following activities are exempt from this article:

- (1) Individual single-family or duplex residential lots that are not part of a subdivision or phased development project;
- (2) Additions or modifications to existing single-family or duplex residential structures;
- (3) Agricultural or silvicultural land management activities within areas zoned for these activities; and,
- (4) Repairs to any stormwater management facility or practice deemed necessary by the Clayton County Director of Transportation and Development.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-111.3. Designation of article administrator.

The Clayton County Director of Transportation and Development or his designee is hereby appointed to administer and implement the provisions of this article.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-111.4. Compatibility with other regulations.

This article is not intended to modify or repeal any other ordinance, rule, regulation or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-111.5. Severability.

If the provisions of any section, subsection, paragraph, subdivision or clause of this article shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this article.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-111.6. Stormwater design manual.

Clayton County will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the Georgia Stormwater Management Manual and any relevant local addenda for the proper implementation of the requirements of this article. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

DIVISION 2. DEFINITIONS

Sec. 38-112.1. Definitions.

For purposes of this ordinance, certain words and terms used herein shall be defined and interrupted as follows; all other terms as not defined shall have their customary dictionary definitions:

"*Applicant*" means a person submitting a post-development stormwater management application and plan for approval.

"*Channel*" means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

"*Conservation easement*" means an agreement between a land owner and Clayton County or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

"*Detention*" means the temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

"*Detention facility*" means a detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

"*Developer*" means a person who undertakes land development activities.

"*Development*" means a land development or land development project.

"*Drainage easement*" means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

"*Erosion and Sedimentation Control Plan*" means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

"*Extended detention*" means the detention of stormwater runoff for an extended period, typically 24 hours or greater.

"*Extreme flood protection*" means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

"*Flooding*" means a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

"*Greenspace*" or "*open space*" means permanently protected areas of the site that are preserved in a natural state.

"*Hotspot*" means an area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

"*Hydrologic Soil Group (HSG)*" means a Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

"*Impervious cover*" means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

"*Industrial stormwater permit*" means a National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

"*Infiltration*" means the process of percolating stormwater runoff into the subsoil.

"*Jurisdictional wetland*" means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

"*Land development*" means any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

"*Land development activities*" means those actions or activities which comprise, facilitate or result in land development.

"*Land development project*" means a discrete land development undertaking.

"*Inspection and maintenance agreement*" means a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

"*New development*" means a land development activity on a previously undeveloped site.

"*Nonpoint source pollution*" means a form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

"*Nonstructural stormwater management practice*" or "*nonstructural practice*" means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

"*Off-site facility*" means a stormwater management facility located outside the boundaries of the site.

"*On-site facility*" means a stormwater management facility located within the boundaries of the site.

"*Overbank flood protection*" means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter

the floodplain), and that are intended to protect downstream properties from flooding for the two-year through 25-year frequency storm events.

"*Owner*" means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

"*Permit*" means the permit issued by Clayton County to the applicant which is required for undertaking any land development activity.

"*Person*" means, except to the extent exempted from this article, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the state, any interstate body or any other legal entity.

"*Post-development*" refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

"*Pre-development*" refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

"*Project*" means a land development project.

"*Redevelopment*" means a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

"*Regional stormwater management facility*" or "*regional facility*" means stormwater management facilities designed to control stormwater runoff from multiple properties, where the own-

ers or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

"*Runoff*" means stormwater runoff.

"*Site*" means the parcel of land being developed, or the portion thereof on which the land development project is located.

"*Stormwater better site design*" means nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

"*Stormwater management*" means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

"*Stormwater management facility*" means any infrastructure that controls or conveys stormwater runoff.

"*Stormwater management measure*" means any stormwater management facility or nonstructural stormwater practice.

"*Stormwater management plan*" means a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this article.

"*Stormwater management system*" means the entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.

"*Stormwater retrofit*" means a stormwater management practice designed for a currently developed site that previously had either no stormwater

management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

"*Stormwater runoff*" means the flow of surface water resulting from precipitation.

"*Structural stormwater control*" means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

"*Subdivision*" means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

(Ord. No. 04-39, § 1, 4-6-04)

DIVISION 3. PERMIT PROCEDURES AND REQUIREMENTS

Sec. 38-113.1. Permit application requirements.

No owner or developer shall perform any land development activities without first meeting the requirements of this article prior to commencing the proposed activity.

Unless specifically exempted by this article, any owner or developer proposing a land development activity shall submit to the Clayton County Director of Transportation and Development or his designee a permit application on a form provided by the Clayton County Director of Transportation and Development or his designee for that purpose.

Unless otherwise exempted by this article, a permit application shall be accompanied by the following items in order to be considered:

- (1) Stormwater concept plan and consultation meeting certification in accordance with section 38-113.2;

- (2) Stormwater management plan in accordance with section 38-113.3;
 - (3) Inspection and maintenance agreement in accordance with section 38-113.4, if applicable;
 - (4) Performance bond in accordance with section 38-113.5, if applicable; and,
 - (5) Permit application and plan review fees in accordance with section 38-113.6.
- (Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-113.2. Stormwater concept plan and consultation meeting.

Before any stormwater management permit application is submitted, it is recommended that the land owner or developer meet with the Clayton County Director of Transportation and Development or his designee for a consultation meeting on a concept plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting should take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

To accomplish this goal the following information should be included in the concept plan which should be submitted in advance of the meeting:

- A. *Existing conditions/proposed site plans.* Existing conditions and proposed site layout sketch plans, which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas and other impervious surfaces.
- B. *Natural resources inventory.* A written or graphic inventory of the natural resources

at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.

- C. *Stormwater management system concept plan.* A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.

Local watershed plans, the Clayton County Greenspace Program (if applicable), and any relevant resource protection plans will be consulted in the discussion of the concept plan.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-113.3. Stormwater management plan requirements.

The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this article, including the performance criteria set forth in Section 4 below.

This plan shall be in accordance with the criteria established in this section and must be submitted with the stamp and signature of a Professional Engineer (PE) licensed in the State

of Georgia, who must verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the submittal checklist(s) found in the stormwater design manual.

The stormwater management plan must ensure that the requirements and criteria in this article are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the stormwater management site plan checklist found in the stormwater design manual. This includes:

- (1) Common address and legal description of site.
- (2) Vicinity map.
- (3) Existing conditions hydrologic analysis. The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, predevelopment conditions shall be modeled using the established guidelines for the portion of the site undergoing land development activities.
- (4) Post-development hydrologic analysis. The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of developed site conditions with the post-development drainage ba-

sin boundaries indicated; total area of post-development impervious surfaces and other land cover areas for each subbasin affected by the project; calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in division 4; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than 50 percent of the site area for the entire site, then the performance criteria in division 4 of this article must be met for the stormwater runoff from the entire site.

- (5) Stormwater management system. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow

- and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in division 4 of this article; drawings, design calculations, elevations for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.
- (6) Post-development downstream analysis. A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is ten percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis shall be in accordance with the stormwater design manual.
- (7) Construction-phase erosion and sedimentation control plan. An erosion and sedimentation control plan in accordance with the Georgia Erosion and Sedimentation Control Act, Clayton County Soil and Erosion Control Ordinance 2000-153 or NPDES permit for construction activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.
- (8) Landscaping and open space plan. A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.
- (9) Operations and maintenance plan. Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.
- (10) Maintenance access easements. The applicant must ensure access from public right-of-way to stormwater management

facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property.

- (11) Inspection and maintenance agreements. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the Clayton County Director of Transportation and Development or his designee as provided in section 38-113.4 below, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance section 38-113.4.
- (12) Evidence of acquisition of applicable local and non-local permits. The applicant shall certify and provide documentation to the Clayton County Director of Transportation and Development or his designee that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-113.4. Stormwater management inspection and maintenance agreements.

Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which Clayton County requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the Clayton County Director of Transportation and Development or his designee, execute an inspec-

tion and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.

The inspection and maintenance agreement, if applicable, must be approved by the Clayton County Director of Transportation and Development or his designee prior to plan approval, and recorded in the deed records upon final plat approval.

The inspection and maintenance agreement shall identify by name or official title the person(s) responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.

As part of the inspection and maintenance agreement, a schedule shall be developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof.

In addition to enforcing the terms of the inspection and maintenance agreement, the Clayton County Director of Transportation and Development or his designee may also enforce all of the provisions for ongoing inspection and maintenance in division 6 of this article.

The Clayton County Board of Commissioners, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meet all the requirements of this article and includes adequate

and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-113.5. Performance and maintenance bonds.

[Reserved.]

Sec. 38-113.6. Application procedure.

- (1) Applications for land development permits shall be filed with Clayton County Department of Transportation and Development.
- (2) Permit applications shall include the items set forth in section 38-113.1 above (two copies of the stormwater management plan and the inspection maintenance agreement, if applicable, shall be included).
- (3) The Clayton County Director of Transportation and Development or his designee shall inform the applicant whether the application, stormwater management plan and inspection and maintenance agreement are approved or disapproved.
- (4) If either the permit application, stormwater management plan or inspection and maintenance agreement are disapproved, the Clayton County Director of Transportation and Development or his designee shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same, in which event subparagraph 3 above and this subparagraph shall apply to such resubmittal.
- (5) Upon a finding by the Clayton County Director of Transportation and Development or his designee that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this article, the Clayton County Director of Transportation and Development or his designee may issue a permit

for the land development project, provided all other legal requirements for the issuance of such permit have been met.

- (6) Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person shall be subject to the following requirements:
 - (a) The applicant shall comply with all applicable requirements of the approved plan and this article and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;
 - (b) The land development project shall be conducted only within the area specified in the approved plan;
 - (c) The Clayton County Director of Transportation and Development or his designee shall be allowed to conduct periodic inspections of the project;
 - (d) No changes may be made to an approved plan without review and written approval by the Clayton County Director of Transportation and Development or his designee; and,
 - (e) Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by section 38-115.2.
- (Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-113.7. Application review fees.

The fee for review of any stormwater management application shall be based on the fee structure established by the Clayton County Director of Transportation and Development or his designee and shall be made prior to the issuance of any building permit for the development.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-113.8. Modifications for off-site facilities.

The stormwater management plan for each land development project shall provide for

stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.

A stormwater management plan must be submitted to the Clayton County Department of Transportation and Development, which shows the adequacy of the off-site or regional facility.

To be eligible for a modification, the applicant must demonstrate to the satisfaction of the Clayton County Director of Transportation and Development or his designee that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:

- (1) Increased threat of flood damage to public health, life, and property;
 - (2) Deterioration of existing culverts, bridges, dams, and other structures;
 - (3) Accelerated streambank or streambed erosion or siltation;
 - (4) Degradation of in-stream biological functions or habitat; or
 - (5) Water quality impairment in violation of State water quality standards, and/or violation of any state or federal regulations.
- (Ord. No. 04-39, § 1, 4-6-04)

**DIVISION 4. POST-DEVELOPMENT
STORMWATER MANAGEMENT
PERFORMANCE CRITERIA**

The following performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in this article:

Sec. 38-114.1. Water quality.

All stormwater runoff generated from a site shall be adequately treated before discharge. It will be presumed that a stormwater management system complies with this requirement if:

It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual; Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual; and, Runoff from hotspot land uses and activities identified by the Clayton County Director of Transportation and Development or his designee are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-114.2. Stream channel protection.

Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:

- (1) Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
- (2) 24-hour extended detention storage of the one-year, 24-hour return frequency storm event;
- (3) Erosion prevention measures such as energy dissipation and velocity control.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-114.3. Overbank flooding protection.

Downstream overbank flood and property protection shall be provided by controlling (attenuat-

ing) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the one-year, 24-hour storm under section 38-114.2 is exempted, then peak discharge rate attenuation of the two-year through the 25-year return frequency storm event must be provided.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-114.4. Extreme flooding protection.

Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

Sec. 38-114.5. Structural stormwater controls.

All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Clayton County Director of Transportation and Development or his designee before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the Clayton County Director of Transportation and Development or his designee may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question.

Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors

that determine site design feasibility when selecting and locating a structural stormwater control. (Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-114.6. Stormwater credits for nonstructural measures.

The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under section 38-114.1. The applicant may, if approved by the Clayton County Director of Transportation and Development or his designee, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-114.7. Drainage system guidelines.

Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public right-of-ways. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:

- (1) Methods to calculate stormwater flows shall be in accordance with the stormwater design manual;
- (2) All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the stormwater design manual; and,
- (3) Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the stormwater design manual.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-114.8. Dam design guidelines.

Any land disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

(Ord. No. 04-39, § 1, 4-6-04)

DIVISION 5. CONSTRUCTION
INSPECTIONS OF POST-DEVELOPMENT
STORMWATER MANAGEMENT SYSTEM

Sec. 38-115.1. Inspections to ensure plan compliance during construction.

Periodic inspections of the stormwater management system construction may be conducted by the staff of the Clayton County Department of Transportation and Development or conducted and certified by a professional engineer who has been approved by the Clayton County Director of Transportation and Development or his designee. Construction inspections shall utilize the approved stormwater management plan for establishing compliance.

All inspections shall be documented with written reports that contain the following information:

- (1) The date and location of the inspection;
- (2) Whether construction is in compliance with the approved stormwater management plan;
- (3) Variations from the approved construction specifications; and,
- (4) Any other variations or violations of the conditions of the approved stormwater management plan.

If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions.

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-115.2. Final inspection and as built plans.

Upon completion of a project, and before a certificate of occupancy shall be granted, the

applicant is responsible for certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual "as built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a Professional Engineer. A final inspection by the Clayton County Director of Transportation and Development or his designee is required before the release of any performance securities can occur.

(Ord. No. 04-39, § 1, 4-6-04)

DIVISION 6. ONGOING INSPECTION AND
MAINTENANCE OF FACILITIES AND
PRACTICES

Sec. 38-116.1. Long-term maintenance inspection of stormwater facilities and practices.

Stormwater management facilities and practices included in a stormwater management plan, which is subject to an inspection and maintenance agreement, must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this article.

A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the Clayton County Director of Transportation and Development or his designee shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Clayton County Director of Trans-

portation and Development or his designee, may correct the violation as provided in section 38-116.4 hereof.

Inspection programs by the Clayton County Department of Transportation and Development may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.
(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-116.2. Right-of-entry for inspection.

The terms of the inspection and maintenance agreement shall provide for the Clayton County Director of Transportation and Development or his designee to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this article is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this article.
(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-116.3. Records of maintenance activities.

Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the Clayton County Director of Transportation and Development or his designee.
(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-116.4. Failure to maintain.

If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Clayton County Director of Transportation and Development or his designee, after 30 days written notice (except, that in the

event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The Clayton County Director of Transportation and Development or his designee may assess the owner(s) of the facility for the cost of repair work which shall be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.

(Ord. No. 04-39, § 1, 4-6-04)

DIVISION 7. VIOLATIONS, ENFORCEMENT AND PENALTIES

Any action or inaction, which violates the provisions of this article or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

Sec. 38-117.1. Notice of violation.

If the Clayton County Director of Transportation and Development or his designee determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured a permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;

- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this article and the date for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
- (6) A statement that the determination of violation may be appealed to the Clayton County Board of Commissioners by filing a written notice of appeal within 30 days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hours notice shall be sufficient).

(Ord. No. 04-39, § 1, 4-6-04)

Sec. 38-117.2. Penalties.

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Clayton County Director of Transportation and Development or his designee shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the Clayton County Director of Transportation and Development or his designee may take any one or more of the following actions or impose any one or more of the following penalties.

- (1) *Stop work order.* The Clayton County Director of Transportation and Develop-

ment or his designee may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

- (2) *Withhold certificate of occupancy.* The Clayton County Director of Transportation and Development or his designee may request that the director of community development refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) *Suspension, revocation or modification of permit.* The Clayton County Director of Transportation and Development or his designee may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Clayton County Director of Transportation and Development or his designee may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (4) *Civil penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to

cure the violations described therein within ten days, or such greater period as the Clayton County Director of Transportation and Development or his designee shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the Clayton County Director of Transportation and Development or his designee has taken one or more of the actions described above, the Clayton County Director of Transportation and Development or his designee may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

- (5) *Criminal penalties.* For intentional and flagrant violations of this article, the Clayton County Director of Transportation and Development or his designee may issue a citation to the applicant or other responsible person, requiring such person to appear in magistrate court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for six months or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(Ord. No. 04-39, § 1, 4-6-04)

ARTICLE VI. FLOODPLAIN MANAGEMENT*

DIVISION 1. GENERAL PROVISIONS

Sec. 38-121.1. Purpose and intent.

The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize

*Editor's note—Ord. No. 2007-38, § 1, adopted Feb. 20, 2007, amended art. VI in its entirety to read as herein set out. Formerly, said article pertained to similar subject matter. See the Code Comparative Table for a detailed analysis of inclusion.

public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed to:

- (1) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (2) Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
- (3) Control filling, grading, dredging and other development which may increase flood damage or erosion;
- (4) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
- (5) Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and
- (6) Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.2. Applicability.

This article shall be applicable to all areas of special flood hazard within Clayton County, Georgia.

(Ord. No. 2007-38, § 1, 2-20-07)

Sec. 38-121.3. Designation of ordinance administrator.

The Clayton County Water Authority or their designee is hereby appointed to administer and implement the provisions of this article and provide appropriate recommendations for permit ap-

**ILLEGAL DISCHARGE /
ILLEGAL CONNECTION
ORDINANCE**

**THIS SECTION REFERS TO:
CLAYTON COUNTY CODE BOOK
CHAPTER 38; ENVIRONMENT**

ARTICLE VII.

**ILLICIT DISCHARGE AND ILLEGAL
CONNECTION**

SECTION 38-130. FINDINGS

**DIVISION 1. GENERAL PROVISIONS
SECTIONS 38 – 131.1. THROUGH 38-131.5.**

**DIVISION 2. DEFINITIONS
SECTION 38-132.**

**DIVISION 3. PROHIBITIONS
SECTIONS 38-133.1. THROUGH 38-133.2.**

**DIVISION 4. INDUSTRIAL OR CONSTRUCTION
ACTIVITY DISCHARGES
SECTIONS 38-134.1.**

**DIVISION 5. ACCESS AND INSPECTION OF
PROPERTIES AND FACILITIES
SECTIONS 38-135.1.**

**DIVISION 6. NOTIFICATION OF ACCIDENTAL
DISCHARGES AND SPILLS
SECTION 38-136.1.**

**DIVISION 7. VIOLATIONS, ENFORCEMENT
AND PENALTIES
SECTIONS 38-137.1. THROUGH 38-137.9.**

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CLAYTON COUNTY CODE

Division 6. Variance Procedures

Sec. 38-126.0. Variance and appeal procedures.

Division 7. Violations, Enforcement and Penalties

Sec. 38-127.1. Enforcement.
Sec. 38-127.2. Notice of violation.
Sec. 38-127.3. Penalties.

Article VII. Illicit Discharge and Illegal Connection

Sec. 38-130. Findings.

Division 1. General Provisions

Sec. 38-131.1. Purpose and intent.
Sec. 38-131.2. Applicability.
Sec. 38-131.3. Compatibility with other regulations.
Sec. 38-131.4. Severability.
Sec. 38-131.5. Responsibility for administration.

Division 2. Definitions

[Sec. 38-132. Definitions.]

Division 3. Prohibitions

Sec. 38-133.1. Prohibition of illicit discharges.
Sec. 38-133.2. Prohibition of illegal connections.

Division 4. Industrial or Construction Activity Discharges

Sec. 38-134.1. Compliance with national pollutant discharge elimination system permit.

Division 5. Access and Inspection of Properties and Facilities

Sec. 38-135.1. Access for inspection and for inspection to determine compliance.

Division 6. Notification of Accidental Discharges and Spills

Sec. 38-136.1. Requirement to ensure discovery, containment, and cleanup of pollutants or non-stormwater discharges.

Division 7. Violations, Enforcement and Penalties

Sec. 38-137.1. Violations.
Sec. 38-137.2. Notice of violation.
Sec. 38-137.3. Appeal of notice of violation.
Sec. 38-137.4. Enforcement measures after appeal.
Sec. 38-137.5. Costs of abatement of the violation.
Sec. 38-137.6. Civil penalties.
Sec. 38-137.7. Criminal penalties.
Sec. 38-137.8. Violations deemed a public nuisance.
Sec. 38-137.9. Remedies not exclusive.

cant or other responsible person to take the necessary remedial measures to cure such violations.

- (4) *Civil penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days, or such greater period as the Clayton County Department of Transportation and Development shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the Clayton County Department of Transportation and Development has taken one or more of the actions described above, the Clayton County Department of Transportation and Development may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

- (5) *Criminal penalties.* For intentional and flagrant violations of this article, the Clayton County Department of Transportation and Development may issue a citation to the applicant or other responsible person, requiring such person to appear in Magistrate Court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
(Ord. No. 2007-38, § 1, 2-20-07)

ARTICLE VII. ILLICIT DISCHARGE AND ILLEGAL CONNECTION

Sec. 38-130. Findings.

It is hereby determined that:

Discharges to the Clayton County separate storm sewer system that are not composed

entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving waters;

These non-stormwater discharges occur due to spills, dumping and improper connections to the Clayton County separate storm sewer system from residential, industrial, commercial or institutional establishments.

These non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters.

The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These impacts can be minimized through the regulation of spills, dumping and discharges into the Clayton County separate storm sewer system;

Localities in the State of Georgia are required to comply with a number of state and federal laws, regulations and permits which require a locality to address the impacts of stormwater runoff quality and nonpoint source pollution due to improper non-stormwater discharges to the Clayton County separate storm sewer system;

Therefore, the Clayton County Board of Commissioners adopts this article to prohibit such non-stormwater discharges to the Clayton County separate storm sewer system. It is determined that the regulation of spills, improper dumping and discharges to the Clayton County separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.
(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 1. GENERAL PROVISIONS

Sec. 38-131.1. Purpose and intent.

The purpose of this article is to protect the public health, safety, environment and general

welfare through the regulation of non-stormwater discharges to the Clayton County separate storm sewer system to the maximum extent practicable as required by Federal law. This article establishes methods for controlling the introduction of pollutants into the Clayton County separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this article are to:

- (1) Regulate the contribution of pollutants to the Clayton County separate storm sewer system by any person;
- (2) Prohibit illicit discharges and illegal connections to the Clayton County separate storm sewer system;
- (3) Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the Clayton County separate storm sewer system; and,
- (4) To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this article.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-131.2. Applicability.

The provisions of this article shall apply throughout the unincorporated area of Clayton County.
(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-131.3. Compatibility with other regulations.

This article is not intended to modify or repeal any other ordinance, rule, regulation, other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-131.4. Severability.

If the provisions of any section, subsection, paragraph, subdivision or clause of this article shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this article.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-131.5. Responsibility for administration.

The Clayton County Director of Transportation and Development or his designee shall administer, implement, and enforce the provisions of this article.

(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 2. DEFINITIONS

[Sec. 38-132. Definitions.]

For purposes of this article, certain words and terms used herein shall be defined and interrupted as follows; all other terms as not defined shall have their customary dictionary definitions:

"*Accidental discharge*" means a discharge prohibited by this article which occurs by chance and without planning or thought prior to occurrence.

"*Clean Water Act*" means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

"*Construction activity*" means activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

"*Illicit discharge*" means any direct or indirect non-stormwater discharge to the Clayton County separate storm sewer system, except as exempted in section 38-133.1(1)—(3) of this article.

"*Illegal connection*" means either of the following:

- (a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- (b) Any pipe, open channel, drain or conveyance connected to the (municipal/county) separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

"*Industrial activity*" means activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26(b)(14).

"*National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit*" means a permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

"*Clayton County Separate Storm Sewer System*" means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, county streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is:

- (a) Owned or maintained by Clayton County;
- (b) Not a combined sewer; and
- (c) Not part of a publicly-owned treatment works.

"*Non-stormwater discharge*" means any discharge to the storm drain system that is not composed entirely of stormwater.

"*Person*" means, except to the extent exempted from this article, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the state, any interstate body or any other legal entity.

"*Pollutant*" means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building; structure; concrete and cement; and noxious or offensive matter of any kind.

"*Pollution*" means the contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

"*Premises*" mean any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

"*State waters*" means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drain-

age systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

"*Stormwater runoff*" or "*stormwater*" means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

"*Structural stormwater control*" means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 3. PROHIBITIONS

Sec. 38-133.1. Prohibition of illicit discharges.

No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the Clayton County separate storm sewer system any pollutants or waters containing any pollutants, other than stormwater.

The following discharges are exempt from the prohibition provision above:

- (1) Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;
- (2) Discharges or flows from fire fighting, and other discharges specified in writing by the Clayton County Director of Transporta-

tion and Development or his designee as being necessary to protect public health and safety;

- (3) The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State or the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the Clayton County separate storm sewer system.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-133.2. Prohibition of illegal connections.

The construction, connection, use, maintenance or continued existence of any illegal connection to the Clayton County separate storm sewer system is prohibited.

- (1) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (2) A person violates this article if the person connects a line conveying sewage to the Clayton County separate storm sewer system, or allows such a connection to continue.
- (3) Improper connections in violation of this article must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Clayton County Water Authority.
- (4) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation

from the Clayton County Director of Transportation and Development or his designee requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Clayton County Director of Transportation and Development or his designee.

(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 4. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES

Sec. 38-134.1. Compliance with national pollutant discharge elimination system permit.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Clayton County Director of Transportation and Development or his designee prior to allowing discharges to the Clayton County separate storm sewer system.

(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 5. ACCESS AND INSPECTION OF PROPERTIES AND FACILITIES

Sec. 38-135.1. Access for inspection and for inspection to determine compliance.

The Clayton County Director of Transportation and Development or his designee shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this article.

- (1) If a property or facility has security measures in force which require proper iden-

tification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of Clayton County Department of Transportation and Development.

- (2) The owner or operator shall allow a representative of Clayton County ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.
- (3) Clayton County shall have the right to set up on any property or facility such devices as are necessary in the opinion of the Clayton County Director of Transportation and Development or his designee to conduct monitoring and/or sampling of flow discharges.
- (4) Clayton County may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to the Clayton County Director of Transportation and Development or his designee. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.
- (5) Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the Clayton County Director of Transportation and Development or his designee and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
- (6) Unreasonable delays in allowing Clayton County access to a facility is a violation of this article.

(7) If Clayton County has been refused access to any part of the premises from which stormwater is discharged, and the Clayton County Director of Transportation and Development or his designee is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this article or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the Clayton County Director of Transportation and Development or his designee may seek issuance of a search warrant from any court of competent jurisdiction.

(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 6. NOTIFICATION OF ACCIDENTAL DISCHARGES AND SPILLS

Sec. 38-136.1. Requirement to ensure discovery, containment, and cleanup of pollutants or non-stormwater discharges.

Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the Clayton County separate storm sewer system, state waters, or waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

Said person shall notify the authorized enforcement agency in person, by phone or facsimile no later than 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Clayton County Director of Transportation and Develop-

ment or his designee within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

Failure to provide notification of a release as provided above is a violation of this article.

(Ord. No. 04-40, § 1, 4-6-04)

DIVISION 7. VIOLATIONS, ENFORCEMENT AND PENALTIES

Sec. 38-137.1. Violations.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. Any person who has violated or continues to violate the provisions of this article, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

In the event the violation constitutes an immediate danger to public health or public safety, Clayton County is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. Clayton County is authorized to seek costs of the abatement as outlined in section 38-137.5.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.2. Notice of violation.

Whenever the Clayton County Director of Transportation and Development or his designee finds

that a violation of this article has occurred, Clayton County may order compliance by written notice of violation.

- (a) The notice of violation shall contain:
- (1) The name and address of the alleged violator;
 - (2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
 - (3) A statement specifying the nature of the violation;
 - (4) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
 - (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,
 - (6) A statement that the determination of violation may be appealed to the Clayton County Board of Commissioners by filing a written notice of appeal within 14 days of service of notice of violation.
- (b) Such notice may require without limitation:
- (1) The performance of monitoring, analyses, and reporting;
 - (2) The elimination of illicit discharges and illegal connections;
 - (3) That violating discharges, practices, or operations shall cease and desist;
 - (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - (5) Payment of costs to cover administrative and abatement costs; and,
 - (6) The implementation of pollution prevention practices.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.3. Appeal of notice of violation.

Any person receiving a notice of violation may appeal the determination of the Clayton County Director of Transportation and Development or his designee. The notice of appeal must be received within 30 days from the date of the Notice of Violation. Hearing on the appeal before the Clayton County Board of Commissioners or his/her designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the appropriate authority or their designee shall be final.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.4. Enforcement measures after appeal.

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within 14 days of the decision of the appropriate authority upholding the decision of the Clayton County Director of Transportation and Development or his designee, then representatives of Clayton County Department of Transportation and Development may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.5. Costs of abatement of the violation.

Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within 14 days of such notice. If the amount due is not paid within 30 days after receipt of the notice, or if an appeal is taken, within 30 days after a decision on said appeal, the charges shall become a special assess-

ment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to Clayton County by reason of such violation.
(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.6. Civil penalties.

In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within 30 days, or such greater period as the Clayton County Director of Transportation and Development or his designee shall deem appropriate, after the Clayton County Department of Transportation and Development has taken one or more of the actions described above, the Clayton County Director of Transportation and Development or his designee may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.7. Criminal penalties.

For intentional or flagrant violations of this article, Clayton County may issue a citation to the alleged violator requiring such person to appear in magistrate court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for six months or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.8. Violations deemed a public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this article is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.
(Ord. No. 04-40, § 1, 4-6-04)

Sec. 38-137.9. Remedies not exclusive.

The remedies listed in this article are not exclusive of any other remedies available under any applicable federal, state or local law and Clayton County may seek cumulative remedies.

Clayton County may recover attorney's fees, court costs, and other expenses associated with enforcement of this article, including sampling and monitoring expenses.
(Ord. No. 04-40, § 1, 4-6-04)

**ARTICLE VIII. CLAYTON COUNTY
STREAM BUFFER PROTECTION
ORDINANCE**

DIVISION 1. GENERALLY

Sec. 38-140. Title.

This article shall be known as the "Clayton County Stream Buffer Protection Ordinance".
(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-141.1 Findings.

Whereas, Clayton County finds that buffers adjacent to streams provide numerous benefits including:

- Protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources;
- Removing pollutants delivered in urban stormwater;
- Reducing erosion and controlling sediment;
- Protecting and stabilizing stream banks;
- Providing for infiltration of stormwater runoff;
- Maintaining base flow of streams;
- Contributing organic matter that is a source of food and energy for the aquatic ecosystem;
- Providing tree canopy to shade streams and promote desirable aquatic habitat;
- Providing riparian wildlife habitat;
- Furnishing scenic value and recreational opportunity; and

**STREAM BUFFER
PROTECTION
ORDINANCE**

**THIS SECTION REFERS TO:
CLAYTON COUNTY CODE BOOK
CHAPTER 38; ENVIRONMENT**

ARTICLE VIII.

**CLAYTON COUNTY STREAM
BUFFER PROTECTION ORDINANCE**

**DIVISION 1. GENERALLY
SECTIONS 38 – 140. THROUGH 38-142.**

**DIVISION 2. APPLICABILITY
SECTION 38-143. THROUGH 38-150.2.**

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WEBSITE (MuniCode) FOR ANY UPDATES
www.co.clayton.ga.us**

ENVIRONMENT

Article VIII. Clayton County Stream Buffer Protection Ordinance

Division 1. Generally

- Sec. 38-140. Title.
- Sec. 38-141:1 Findings.
- Sec. 38-141.2. Purposes.
- Sec. 38-142. Definitions.

Division 2. Applicability

- Sec. 38-143. Applicability.
- Sec. 38-143.1. Grandfather provisions.
- Sec. 38-143.2. Exemptions.
- Sec. 38-144. Land development requirements.
- Sec. 38-144.1. Buffer and setback requirements.
- Sec. 38-144.2. Variance procedures.
- Sec. 38-145. Compatibility with other buffer regulations and requirements.
- Sec. 38-146. Additional information requirements for development on buffer zone properties.
- Sec. 38-147. Responsibility.
- Sec. 38-148. Inspection.
- Sec. 38-149. Violations, enforcement and penalties.
- Sec. 38-149.1 Notice of violation.
- Sec. 38-149.2. Penalties.
- Sec. 38-150. Administrative appeal and judicial review.
- Sec. 38-150.1. Administrative appeal.
- Sec. 38-150.2. Judicial review.

ment against the property and shall constitute a lien on the property for the amount of the assessment.

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**ARTICLE VIII. CLAYTON COUNTY
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- Protecting and stabilizing stream banks;
- Providing for infiltration of stormwater runoff;
- Maintaining base flow of streams;
- Contributing organic matter that is a source of food and energy for the aquatic ecosystem;
- Providing tree canopy to shade streams and promote desirable aquatic habitat;
- Providing riparian wildlife habitat;
- Furnishing scenic value and recreational opportunity; and

Providing opportunities for the protection and restoration of greenspace.
(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-141.2. Purposes.

It is the purpose of this article to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:

Create buffer zones along the streams of Clayton County, Georgia for the protection of water resources; and

Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-142. 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:

Buffer means, with respect to a stream, a natural or enhanced vegetated area (established by section 38-144.1., buffer and setback requirements), lying adjacent to the stream.

Impervious cover means any manmade paved, hardened or structural surface regardless of material. Impervious cover includes but is not limited to rooftops, buildings, streets, roads, decks, swimming pools and any concrete or asphalt.

Land development means any land change, including but not limited to clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

Land development activity means those actions or activities which comprise, facilitate or result in land development.

Land disturbance means any land or vegetation change, including, but not limited to,

clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or any other installation of impervious cover.

Land disturbance activity means those actions or activities which comprise, facilitate or result in land disturbance.

Floodplain means any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood.

Parcel means any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Permit means the permit issued by the Clayton County Director of Transportation and Development or his designee required for undertaking any land development activity.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county, or other political subdivision of the state, any interstate body or any other legal entity.

Protection area, or stream protection area means, with respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Riparian means belonging or related to the bank of a river, stream, lake, pond, or impoundment.

Setback means, with respect to a stream, the area established by section 38-144.1., buffer and setback requirements extending beyond any buffer applicable to the stream.

Stream means any stream, beginning at:

- (a) The location of a spring, seep, or groundwater outflow that sustains streamflow; or
- (b) A point in the stream channel with a drainage area of 25 acres or more; or

- (c) Where evidence indicates presence of a stream in a drainage area of other than 25 acres, the Clayton County Director of Transportation and Development or his designee may require field studies to verify the existence of a stream.

Stream bank means the sloping land that contains the stream channel and the normal flows of the stream.

Stream channel means the portion of a watercourse that contains the base flow of the stream.

Watershed means the land area that drains into a particular stream.

(Ord. No. 2005-34, § 2, 3-15-05; Ord. No. 2005-87, § 1(a), 8-16-05)

DIVISION 2. APPLICABILITY

Sec. 38-143. Applicability.

This article shall apply to all land development activity on property containing a stream protection area as defined in section 38-142, definitions, of this article. These requirements are in addition to, and do not replace or supercede, any other applicable buffer requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

(Ord. No. 2005-34, § 2, 3-15-05; Ord. No. 2005-87, § 1(b), 8-16-05)

Sec. 38-143.1. Grandfather provisions.

This article shall not apply to the following activities:

- (a) Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this article.
- (b) Existing development and on-going land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn

maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer requirements.

- (c) Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this article.
- (d) Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two years of the effective date of this article.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-143.2. Exemptions.

The following specific activities are exempt from this article. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

- (a) Activities for the purpose of building one of the following:
 - (i) A stream crossing by a driveway, transportation route or utility line; public water supply intake or public wastewater outfall structures;
 - (ii) Intrusions necessary to provide access to a property;
 - (iii) Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks; unpaved foot trails and paths;
 - (iv) Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.
- (b) Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such

impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in (a), above.

- (c) Land development activities within a right-of-way existing at the time this article takes effect or approved under the terms of this article.
- (d) Within an easement of any utility existing at the time this article takes effect or approved under the terms of this article, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
- (e) Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the Clayton County Department of Transportation and Development on the next business day after commencement of the work. Within ten days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the Clayton County Director of Transportation and Development or his designee to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.
- (f) Forestry and silviculture activities on land that is zoned for forestry, silviculture or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer that would otherwise be prohibited, then no other land disturbing activity other than normal forest management practices will be allowed on the entire

property for three years after the end of the activities that intruded on the buffer.

After the effective date of this article, it shall apply to new subdividing and platting activities.

Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to section 38-144.2, variance procedures below.

(Ord. No. 2005-34, § 2, 3-15-05; Ord. No. 2005-87, § 1(c), 8-16-05)

Sec. 38-144. Land development requirements.

Sec. 38-144.1. Buffer and setback requirements.

All land development activity subject to this article shall meet the following requirements:

- (a) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- (b) An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
- (c) No septic tanks or septic tank drain fields shall be permitted within the buffer or setback.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-144.2. Variance procedures.

Variations from the above buffer and setback requirements may be granted in accordance with the following provisions:

- (a) Where a parcel was platted prior to the effective date of this article, and its shape, topography or other existing physical condition prevents land development consistent with this article, and the Clayton

County Department of Transportation and Development finds and determines that the requirements of this article prohibit the otherwise lawful use of the property by the owner, the Clayton County Board of Commissioners may grant a variance from the buffer and setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.

- (b) Except as provided above, the Clayton County Board of Commissioners shall grant no variance from any provision of this article without first conducting a public hearing on the application for variance and authorizing the granting of the variance by an affirmative vote of the Clayton County Board of Commissioners. The Clayton County Board of Commissioners shall give public notice of each such public hearing in a newspaper of general circulation within Clayton County. The Clayton County Board of Commissioners shall require that the applicant post a sign giving notice of the proposed variance and the public hearing. The sign shall be of a size and posted in such a location on the property as to be clearly visible from the primary adjacent road of right-of-way.
- (c) Variances will be considered only in the following cases:
 - (i) When a property's shape, topography or other physical conditions existing at the time of the adoption of this article prevents land development unless a buffer variance is granted.
 - (ii) Unusual circumstances would create an extreme hardship.
- (d) Variances will not be considered when, following adoption of this article, actions of any property owner of a given property have created conditions of a hardship on that property.
- (e) At a minimum, a variance request shall include the following information:
 - (i) A site map that includes locations of all streams, wetlands floodplain boundaries and other natural features, as determined by field survey;
 - (ii) A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (iii) A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
 - (iv) Documentation of unusual hardship should the buffer be maintained;
 - (v) At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
 - (vi) A calculation of the total area and length of the proposed intrusion;
 - (vii) A stormwater management site plan, if applicable; and
 - (viii) Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.
- (f) The following factors will be considered in determining whether to issue a variance:
 - (i) The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (ii) The locations of all streams on the property, including along property boundaries;
 - (iii) The location and extent of the proposed buffer or setback intrusion; and,

- (iv) Whether alternative designs are possible which require less intrusion or no intrusion;

- (v) The long-term and construction water-quality impacts of the proposed variance;
 - (vi) Whether issuance of the variance is at least as protective of natural resources and the environment.
- (Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-145. Compatibility with other buffer regulations and requirements.

This article is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this article should be considered minimum requirements, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

Examples of existing legislation and regulations as of July 2002 include:

- (1) The Metropolitan River Protection Act and Chattahoochee Corridor Plan;
- (2) DNR Part 5 Criteria for small (under 100 square miles) Water Supply Watersheds; and
- (3) DNR Part 5 Criteria for River Protection.

These examples represent only three of the stricter regulations that already exist.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-146. Additional information requirements for development on buffer zone properties.

Any permit applications for property requiring buffers and setbacks hereunder must include the following:

- (a) A site plan showing:
 - (i) The location of all streams on the property;
 - (ii) Limits of required stream buffers and setbacks on the property;

- (iii) Buffer zone topography with contour lines at no greater than five-foot contour intervals;
 - (iv) Delineation of forested and open areas in the buffer zone; and,
 - (v) Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback;
- (b) A description of all proposed land development within the buffer and setback; and,
 - (c) Any other documents that the Clayton County Director of Transportation and Development or his designee may reasonably deem necessary for review of the application and to insure that the buffer zone ordinance is addressed in the approval process.

All buffer and setback areas must be recorded on the final plat of the property following plan approval.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-147. Responsibility.

Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this article shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon Clayton County, its offices or employees, for injury or damage to persons or property.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-148. Inspection.

The Clayton County Director of Transportation and Development or his designee may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following the completion of the work. The permittee shall assist the Clayton County Director of Transportation and Development or his designee in making such inspections. The Clayton County Director of Transportation and Development or his designee shall

have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this article, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-149. Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this article or the requirements of an approved site plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-149.1 Notice of violation.

(a) If the Clayton County Director of Transportation and Development or his designee determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured the appropriate permit, therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

(b) The notice of violation shall contain:

- (i) The name and address of the owner or the applicant or the responsible person;

- (ii) The address or other description of the site upon which the violation is occurring;
- (iii) A statement specifying the nature of the violation;
- (iv) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this article and the date for the completion of such remedial action;
- (v) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
- (vi) A statement that the determination of violation may be appealed to the Clayton County Board of Commissioners by filing a written notice of appeal within 30 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours shall be sufficient).

(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-149.2. Penalties.

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Clayton County Director of Transportation and Development or his designee shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the Clayton County Director of Transportation and Develop-

ment or his designee may take any one or more of the following actions or impose any one or more of the following penalties:

- (a) *Stop work order.* The Clayton County Department of Transportation and Development may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.
- (b) *Withhold certificate of occupancy.* The Clayton County Department of Community Development may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (c) *Suspension, revocation or modification of permit.* The Clayton County Department of Transportation and Development may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Clayton County Department of Transportation and Development may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (d) *Civil penalties.* In the event the applicant or other responsible person fails to take

the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as the Clayton County Department of Transportation and Development shall deem appropriate) (except that in the event the violation constitutes and immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the Clayton County Department of Transportation and Development has taken one or more of the actions described above, the Clayton County Department of Transportation and Development may impose a penalty not to exceed \$1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

- (e) *Criminal penalties.* For intentional and flagrant violations of this article, the Clayton County Department of Transportation and Development may issue a citation to the applicant or other responsible person, requiring such person to appear in Magistrate court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-150. Administrative appeal and judicial review.

Sec. 38-150.1. Administrative appeal.

Any person aggrieved by a decision or order of the Clayton County Director of Transportation and Development or his designee, may appeal in writing within seven days after the issuance of such decision or order to the Clayton County Director of Transportation and Development and shall be entitled to a hearing before the Clayton County Board of Commissioners within 14 days of receipt of the written appeal.
(Ord. No. 2005-34, § 2, 3-15-05)

Sec. 38-150.2. Judicial review.

Any person aggrieved by a decision or order of the Clayton County Board of Commissioners, after exhausting all administrative remedies, shall have the right to appeal de novo to the Superior Court of Clayton County.

(Ord. No. 2005-34, § 2, 3-15-05)

RETAINING WALLS ORDINANCE

THIS SECTION REFERS TO:

**CLAYTON COUNTY CODE BOOK
CHAPTER 18; PART II
BUILDINGS AND BUILDING
REGULATIONS**

**ARTICLE II. BUILDING CODE
SECTION 18 – 30 (g)**

**SINGLE FAMILY RESIDENTIAL
DWELLING CONSTRUCTION
STANDARDS**

**TO PROVIDE FOR SPECIFIC
REQUIREMENTS FOR RETAINING
WALLS**

RETAINING WALLS are allowed in some settings - and are considered to be a structure and are not inspected or approved by the Land Development Section of the Transportation and Development Department. For Retaining Wall inspections you must contact the Clayton County Department of Community Development. A Professional Engineer must certify that all retaining walls are designed and installed for the appropriate application and they are not allowed within the Right-of-Way. (Refer to County Ordinance No. 2006-112 adopted August 15, 2006.)

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www.co.clayton.ga.us**

Chapter 18

BUILDINGS AND BUILDING REGULATIONS*

Article I. In General

Secs. 18-1—18-25. Reserved.

Article II. Building Code

- Sec. 18-26. Applicability.
- Sec. 18-26.1. Adoption; compliance.
- Sec. 18-27. Amendments, modifications and exceptions.
- Sec. 18-28. Buildings, commercial and industrial.
- Sec. 18-29. Fee schedule.
- Sec. 18-29.1. One- and two-family dwellings—Applicability.
- Sec. 18-29.2. Same—Adoption of CABO One- and Two-Family Dwelling Code; compliance.
- Sec. 18-30. Single-family residential dwelling construction standards.
- Sec. 18-31. Multi-family residential dwelling construction standards.
- Sec. 18-32. Penalties for violation.
- Secs. 18-33—18-50. Reserved.

Article III. Electrical Code

Division 1. Generally

- Sec. 18-51. Applicability—Generally.
- Sec. 18-51.1. Same—Safety.
- Sec. 18-51.2. Adoption; compliance.
- Sec. 18-52. Supplementary rules and regulations.
- Sec. 18-53. Responsibility for safety; disclaimer of county liability.
- Sec. 18-54. Penalty for chapter violation.
- Secs. 18-55—18-65. Reserved.

Division 2. Administration and Enforcement

- Sec. 18-66. General authority of director.
- Sec. 18-67. Chief electrical inspector's duties.
- Sec. 18-68. Electrical inspectors' duties.
- Sec. 18-69. Right of entry for inspection purposes.
- Sec. 18-70. Enforcement powers.
- Sec. 18-71. Records of permits, inspections, etc.
- Secs. 18-72—18-80. Reserved.

Division 3. Permits and Inspections

- Sec. 18-81. When permit required.

***Cross references**—Soil erosion and sedimentation control, § 38-26 et seq.; fire prevention and protection, ch. 42; floods, ch. 46; manufactured homes and trailers, ch. 58; trespassing on posted construction sites prohibited, § 62-4; planning, ch. 74; solid waste, ch. 78; streets, sidewalks and other public places, ch. 82; subdivisions, ch. 86; utilities, ch. 98; zoning, app. A.

State law references—Authority of city or county to provide codes, including building, housing, plumbing and electrical codes, Ga. Const. art. 9, sec. 2, par. 3(12); adoption and continuation of state minimum standard codes, O.C.G.A. § 8-2-21; statewide application of minimum standard codes, codes requiring adoption by municipality or county, O.C.G.A. § 8-2-25; enforcement of codes, O.C.G.A. § 8-2-26; providing of fire escapes by building owners, O.C.G.A. § 8-2-50; access to and use of public facilities by physically handicapped persons, O.C.G.A. § 30-3-1 et seq.; authority to repair, close or demolish unfit buildings or structures, O.C.G.A. § 41-2-7.

department of community development, he shall be subject to the penalty prescribed in this article:

- (1) Where work is commenced before a permit is obtained, the permit fee shall be doubled.
 - (2) On final inspection, any item not previously listed on the permit and fees paid will be charged at double the listed fees.
- (Code 1973, § 2-6-3; Ord. No. 01-49, § 1, 5-15-01)

Sec. 18-29.1. One- and two-family dwellings—Applicability.

Except where general provisions contained within this article may otherwise conflict with specific provisions contained within the County Code of Ordinances, this article shall provide minimum requirements to safeguard life or limb, health, and public welfare and the protection of property as it relates to these safeguards by regulating and controlling the design, construction, prefabrication, equipment or appliance installation, quality of materials, use and occupancy location and repair of detached one- or two-family dwellings, not more than three stories in height in the unincorporated area of the county. (Ord. No. 95-109, § 1, 10-3-95)

Editor's note—Section 1 of Ordinance No. 95-109, adopted October 3, 1995, deleted § 18-29.1 in its entirety and added a new § 18-29.1 to read as set forth herein. Formerly, § 18-29.1 pertained to the Georgia State Minimum Standard One- and Two-Family Dwelling Code and derived from Ord. No. 94-108, § I, adopted Nov. 1, 1994.

Sec. 18-29.2. Same—Adoption of CABO One- and Two-Family Dwelling Code; compliance.

Except where such provisions may conflict with specific sections contained within the County Code of Ordinances, the CABO One- and Two-Family Dwelling Code (2000 edition), as published by the Southern Building Code of Congress International, Inc., and all amendments thereto, are hereby adopted by reference thereto and incorporated herein as part of the County Code of Ordinances. Accordingly, except where such general construction requirements may otherwise conflict with specific construction requirements contained within the County Code of Ordinances, all one- and two-dwelling structures or portions thereof

constructed after September 17], 2002, shall be constructed and otherwise conform in all respects to the minimum standards set forth in the CABO One- and Two-Family Dwelling Code (2000 edition).

(Ord. No. 95-109, § 1, 10-3-95; Ord. No. 00-17, § 1, 2-15-00; Ord. No. 2002-114, § 1, 9-17-02)

Sec. 18-30. Single-family residential dwelling construction standards.

(a) *Gutters.* Full length gutters and downspouts shall be required on single-family attached or detached dwellings. The assistant director of the community development department shall be empowered to waive this requirement if other water run-off control is provided, and the Code would be better served thereby.

(b) *Exterior siding.* Single-family attached or detached dwelling units utilizing vinyl siding or stucco siding must have $\frac{7}{16}$ OSB or $\frac{7}{16}$ Densglass Silver Residential sheathing under the vinyl or stucco on the first floor of the structure. Stucco must be Portland cement based stucco, installed over wire lathe with ten pound felt. Porous fillers, such as expanded plastic or foam may not be added to exterior stucco.

(c) *Flashing.* Flashing is required over windows and doors. Self-flashing windows and doors shall not require additional flashing. Window frames and door frames must be sealed on all sides against water leakage, utilizing any appropriate method of construction.

(d) *Garages.* All single-family attached or detached dwellings shall have attached or detached, two-car garages, enclosed on at least three sides, and be architecturally consistent with the home. In the RS-110, single family zoning district homes shall have a minimum of a one-car garage, provided that the garage does not open to the street. In any subdivision built to meet the RS-65 development requirements, each home shall have a minimum of a one-car garage. In the RS-180, RS-180A, RS-300, ER, and A, single-family zoning districts at least 33 percent of the homes built in any subdivision platted after the effective date of this amendment [August 19, 1999] shall have garages that do not face the street.

(e) *Roof pitch.* Each single-family dwelling shall have a minimum of five in 12 slope for roof pitch. Single-family homes built in the RS-110, RS-65, or RM zoning districts shall have at least one change in roof line. Single-family homes built in the RS-180, RS-180A, RS-300, ER, and A zoning districts must have at least two changes in roof line.

(f) *Facade requirements.* In all single-family zoning districts, or new single-family developments, at least 33 percent of the homes built in any subdivision platted after the effective date of this amendment [August 19, 1999] shall have front facades fully constructed of brick, stone, or stucco. This requirement shall not prohibit the construction of wall facades using windows, doors, or other substantial architectural features. An additional 33 percent of homes built in any subdivision platted after the effective date of this amendment must have front facades constructed with architectural accents made of brick, stone, or stucco. In any subdivision constructed to meet the RS-65 zoning district development restrictions, homes built within three feet of the property line must be fire-rated, irrespective of the distance to the adjacent house. No exterior wall may be sided with vinyl if that wall is within three feet of the property line. The community development department shall issue building permits to insure that there is an even distribution of building facade types throughout the subdivision's construction.

(g) Any retaining wall constructed more than three feet in height used to maintain a slope of one unit vertical in three units horizontal within 40 feet of any building will be constructed of material that will not deteriorate. All retaining walls constructed more than three feet in height from the lowest horizontal plain to the top of the highest retaining wall will be designed by a licensed engineer and all designs will be submitted to Clayton County Community Development and Clayton County Transportation and Development for their approvals prior to the construction of the wall. Upon completion of the construction of the wall a letter of compliance from the engineer of record stating the wall meets his design will be submitted to Clayton County Community Development for each lot that the wall will effect. All

retaining walls meeting the above criteria will have guards not less than 36 inches in height that do not allow passage of a sphere four inches in diameter. Required guards shall not be constructed with horizontal rails or other patterns that result in a ladder effect and all guards shall withstand a 200 live load applied in any direction at any point along the top. Drainage shall be provided around the retaining wall to relieve hydrostatic pressure. Drainage tiles, gravel or crushed stone drains, perforated pipe, or other approved systems or material(s) shall be installed at the area to be protected. Gravel or crushed stone drains shall extend at least one foot beyond the outside edge of the footing and six inches above the top of the footing and be covered with an approved filter membrane material. The top of the open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or perforated pipe shall be placed on a minimum of two inches of washed gravel or crushed rock at least one sieve size larger than the tile joint opening or perforation and covered with not less than six inches of the same material.

Exception: A drainage system is not required when the wall is installed on well-drained ground or sand gravel mixture soils according to the Unified Soil Classification System, Group I soils.

(Ord. No. 99-73, § 1, 7-20-99; Ord. No. 99-89, § 1, 8-19-99; Ord. No. 2004-85, § 1, 6-1-04; Ord. No. 2006-112, § 1, 8-15-06)

Editor's note—Ord. No. 99-73, § 1, adopted July 20, 1999, set out provisions for a new § 18-30 to read as herein set out. Formerly, said section pertained to the penalty for violation. See the Code Comparative Table.

Sec. 18-31. Multi-family residential dwelling construction standards.

(a) [*Applicability.*] This section shall apply to all multi-family apartments, duplex, townhouse, and condominium developments built in the RM, RMTH, and the RG-75 residential zoning districts. Single-family homes constructed in any residential zoning district shall be built to the construction standards as required in section 18-31, single-family residential dwelling construction standards.

STATE OF GEORGIA
COUNTY OF CLAYTON

ORDINANCE NO. 2006 - 112

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY PART II, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II. BUILDING CODE, SECTION 18-30. SINGLE-FAMILY RESIDENTIAL DWELLING CONSTRUCTION STANDARDS SO AS TO AMEND SAID SECTION TO ADD SUBSECTION (g) TO PROVIDE FOR SPECIFIC REQUIREMENTS FOR RETAINING WALLS; AND TO AMEND SECTION 18-31. MULTI-FAMILY RESIDENTIAL DWELLING CONSTRUCTION STANDARDS SO AS TO AMEND SAID SECTION TO ADD SUBSECTION (i) TO PROVIDE FOR SPECIFIC REQUIREMENTS FOR RETAINING WALLS; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED

Section 1. The *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, is hereby further amended by amending Part II, Chapter 18, Buildings and Building Regulations, Article II. Building Code, Section 18.30. Single-family residential dwelling construction standards. by adding to said section a new subsection, (g), to read as follows:

“(g) Any retaining wall constructed more than 3 feet in height used to maintain a slope of one unit vertical in three units horizontal within 40 feet of any building will be constructed of material that will not deteriorate. All retaining walls constructed more than 3 feet in

height from the lowest horizontal plain to the top of the highest retaining wall will be designed by a licenced engineer and all designs will be submitted to Clayton County Community Development and Clayton County Transportation and Development for their approvals prior to the construction of the wall. Upon completion of the construction of the wall a letter of compliance from the engineer of record stating the wall meets his design will be submitted to Clayton County Community Development for each lot that the wall will effect. All retaining walls meeting the above criteria will have guards not less than 36 inches in height that do not allow passage of a sphere 4 inches in diameter. Required guards shall not be constructed with horizontal rails or other patterns that result in a ladder effect and all guards shall withstand a 200 live load applied in any direction at any point along the top. Drainage shall be provided around the retaining wall to relieve hydrostatic pressure. Drainage tiles, gravel or crushed stone drains, perforated pipe, or other approved systems or material(s) shall be installed at the area to be protected. Gravel or crushed stone drains shall extend at least 1 foot beyond the outside edge of the footing and 6 inches above the top of the footing and be covered with an approved filter membrane material. The top of the open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or perforated pipe shall be placed on a minimum of 2 inches of washed gravel or crushed rock at least one sieve size larger than the tile joint

opening or perforation and covered with not less than 6 inches of the same material.

"EXCEPTION: A drainage system is not required when the wall is installed on well drained ground or sand gravel mixture soils according to the Unified Soil Classification System, Group I soils."

Section 2. The *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, is hereby further amended by amending Part II, Chapter 18, Buildings and Building Regulations, Article II. Building Code, Section 18.31. Multi-family residential dwelling construction standards. by adding to said section a new subsection, (i), to read as follows:

"(i) Any retaining wall constructed more than 3 feet in height used to maintain a slope of one unit vertical in three units horizontal within 40 feet of any building will be constructed of material that will not deteriorate. All retaining walls constructed more than 3 feet in height from the lowest horizontal plain to the top of the highest retaining wall will be designed by a licenced engineer and all designs will be submitted to Clayton County Community Development and Clayton County Transportation and Development for their approvals prior to the construction of the wall. Upon completion of the construction of the wall a letter of compliance from the engineer of record stating the wall meets his design will be submitted to Clayton County Community Development for each lot that the wall will effect. All retaining walls meeting the above criteria will have guards not less than 36 inches in height that do not allow passage of a sphere 4 inches

in diameter. Required guards shall not be constructed with horizontal rails or other patterns that result in a ladder effect and all guards shall withstand a 200 live load applied in any direction at any point along the top. Drainage shall be provided around the retaining wall to relieve hydrostatic pressure. Drainage tiles, gravel or crushed stone drains, perforated pipe, or other approved systems or material(s) shall be installed at the area to be protected. Gravel or crushed stone drains shall extend at least 1 foot beyond the outside edge of the footing and 6 inches above the top of the footing and be covered with an approved filter membrane material. The top of the open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or perforated pipe shall be placed on a minimum of 2 inches of washed gravel or crushed rock at least one sieve size larger than the tile joint opening or perforation and covered with not less than 6 inches of the same material.

"EXCEPTION: A drainage system is not required when the wall is installed on well drained ground or sand gravel mixture soils according to the Unified Soil Classification System, Group I soils."

Section 3. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

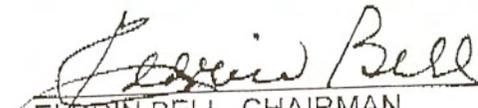
Section 4. If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full

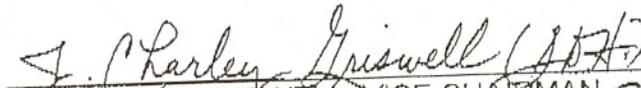
force and effect.

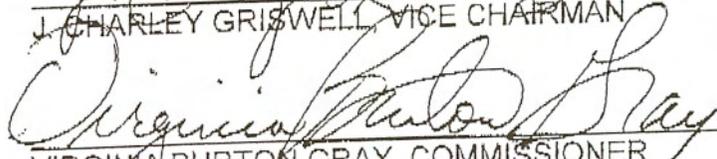
Section 5. This Ordinance shall become effective upon its approval by the Board of Commissioners.

SO ORDAINED, this the 15th day of August, 2006.

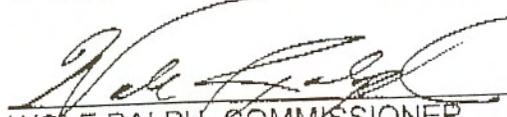
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


J. CHARLEY GRISWELL, VICE CHAIRMAN


VIRGINIA BURTON GRAY, COMMISSIONER

(Absent)
CARL RHODENIZER, COMMISSIONER


WOLE RALPH, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK

NPDES SECTION

Georgia Department of Natural Resources
Environmental Protection Division

National Pollutant Discharge Elimination System (NPDES)
General Permits for Construction Activity
GAR 100001, GAR 100002 & GAR 100003
Fee System

Permit Fee Authority:

The amendment to the Water Quality Control Rules, effective November 25, 2003, provides authority for a National Pollutant Discharge Elimination System (NPDES) permit fee for land disturbing activities conducted under the NPDES construction storm water general permits that were effective August 13, 2003. The purpose of these fees is to help EPD offset the costs of implementing and enforcing the new NPDES stormwater general construction permits, and to help local governments offset the cost of implementing and enforcing the revised land disturbing activity permits.

Calculating Fees:

Fees are assessed at a rate of \$80/disturbed acre, with half of this amount to be paid directly to the Local Issuing Authority (LIA), provided a LIA has jurisdiction where the project is occurring, and the other half directly to Georgia Environmental Protection Division (EPD). The Primary Permittee (only Primary Permittees pay this fee) will write two separate checks (one to the LIA and one to EPD) each for the amount of \$40/disturbed acre. These fees are **in addition to any local fees** that are currently collected for land disturbing activities by the LIA. Projects that are not regulated by a LIA will not submit an NPDES permit fee to a LIA, but will submit the entire fee amount (\$80/disturbed acre) to EPD.

For those projects that began prior to the effective date of the new NPDES general permits for construction activities (August 13, 2003), fees are based upon the amount of disturbed acreage present or planned on or after August 13, 2003. Any acreage that has undergone "Final Stabilization" (see Part I.B in the permits for a definition) prior to August 13, 2003 is not required to be included in the disturbed acreage calculation.

Fee Submittal Deadlines:

- Ongoing projects existing prior to August 13, 2003 that require coverage under the new NPDES general permits for construction activity, **and** projects which started between August 13, 2003 and December 31, 2003, will have until January 31, 2004 to submit their fees.
- Projects starting on or after January 1, 2004 will submit their fee when they submit the Notice of Intent (NOI) for coverage under the appropriate NPDES general construction permit.

Fee Form:

The NPDES permit fee submittal form is located at www.dnr.state.ga.us/dnr/environ under "EPD Forms". Scroll down to "Water Protection Branch" and then "Storm Water". This form will have instructions and the address of the payment center.

**** Do not send the check to the EPD District Office where the NOI is sent. Send the permit fee together with the fee submittal form to the address on the form. ****

If you should have any questions regarding the NPDES permit fee system, please contact the Water Protection Branch, NonPoint Source Program, Storm Water Unit at 404-675-6240.

December 2003

National Pollutant Discharge Elimination System
General Permit Fee Form
Georgia Dept. of Natural Resources
Environmental Protection Division



Please print or type this form.
Submit original and payment to:

EPD-Construction Land Disturbance Fees
P. O. Box 932858
Atlanta, Georgia 31193-2858

Make check payable to:
Department of Natural Resources – EPD (DO NOT MAIL CASH)

(Complete the following information)

Primary Permittee _____
Permittee Address _____

Project Name _____
Location / Address _____

Contact Telephone _____

County _____
City _____

Acres Disturbed in an area with a local issuing authority _____ x \$40 per acre = _____
Do not include fees payable to local issuing authorities.

Acres Disturbed in an area with no local issuing authority _____ x \$80 per acre = _____

Acres Disturbed by an entity exempt from local issuing authority regulation pursuant to statute _____ x \$80 per acre = _____

TOTAL FEE SUBMITTED = _____

Check Number _____

Submitted By:

Signature: _____

Date: _____

Print Name: _____

Title: _____

ATTACH CHECK HERE

VOID IF SUBMITTED WITHOUT PAYMENT

National Pollutant Discharge Elimination System
General Permit Fee Form
Georgia Department of Natural Resources
Environmental Protection Division



Please Print or Type this form.

Submit Original and Payment to: Clayton County Transportation & Development
Land Development Section
7960-A North McDonough Street
Jonesboro, Ga. 30236

Make Check Payable to: Clayton County Board of Commissioners (Do Not Mail Cash)

Primary Permittee: _____

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Contact Name: _____ Contact Number: _____

Project Name: _____

Land Disturbance Permit Number: _____ Project Location: _____

Acres Disturbed in area with a Local Issuing Authority _____ X \$40.00 Per Acre = \$ _____

This fee is in addition to the plan review / Land Disturbance Permit Fee.

Submitted By:

Signature: _____ Date: _____

Print Name: _____ Title: _____

Attach Check Here

Void If Submitted Without Payment

For Office Use Only: Fee Submitted: _____ Date Received: _____



For Official Use Only

NOTICE OF INTENT

**State of Georgia
Environmental Protection Division
For Coverage Under NPDES General Permit
To Discharge Storm Water Associated With Construction Activity**

PRIMARY PERMITTEE

Coverage Desired (Check Only One)

GAR 100001-Stand Alone GAR 100002-Infrastructure GAR 100003-Common Development

I. SITE/OWNER/OPERATOR INFORMATION

Site Project Name: _____

GPS Location of Construction Exit: _____

Street Address: _____

City(if applicable): _____ County: _____

Subdivision Name: _____

Owner's Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Operator's Name: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Facility Contact: _____ Phone: _____

II. SITE ACTIVITY INFORMATION

Start Date: _____ Completion Date: _____ Estimated Disturbed Acreage: _____

Type Construction Activity: Commercial Industrial Municipal Linear
 Utility Residential/Subdivision Development

Number of Secondary Permittees: _____

III. RECEIVING WATER INFORMATION

A. Name of Initial Receiving Water(s): _____

Trout Stream Warm Water Fisheries Stream

B. Name of Municipal Storm Sewer System Owner/Operator: _____

Name of Receiving Water(s): _____

Trout Stream Warm Water Fisheries Stream

C. Sampling of Outfall(s) Sampling of Receiving Stream(s) Trout Stream

Number of Outfalls: _____ Appendix B NTU Value: _____ Surface Water Drainage Area: _____

IV. ATTACHMENTS. (Check those that apply.)

Indicate below the items attached to this Notice of Intent:

- _____ Location map showing the receiving stream(s), outfall(s) or combination thereof to be monitored.
- _____ Erosion, Sedimentation and Pollution Control Plan (if project is greater than 50 acres or if project in areas without local Issuing Authorities regardless of acreage).
- _____ List of known secondary permittees.
- _____ Schedule for the timing of the major construction activities.

V. CERTIFICATIONS. (Owner or Operator or both to initial as applicable.)

_____ I certify that the receiving water(s) or the outfall(s) or a combination of receiving water(s) and outfall(s) will be monitored in accordance with the Erosion, Sedimentation and Pollution Control Plan.

_____ I certify that the Erosion, Sedimentation, and Pollution Control Plan (Plan) has been prepared in accordance with Part IV of the General NPDES Permit GAR100001, GAR 100002 or GAR 100003, the Plan will be implemented, and that such Plan will provide for compliance with this permit.

_____ I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner's Printed Name: _____

Title: _____

Signature: _____

Date: _____

Operator's Printed Name: _____

Title: _____

Signature: _____

Date: _____

Instructions
Notice of Intent - Primary Permittee
For Storm Water Discharges
Associated With Construction Activity
To Be Covered Under The NPDES General Permit
Who must file a Notice of Intent (NOI) Form

This Notice of Intent must be typed. Any NOI that contains illegible information will not be accepted, will be returned, and the site will not be granted Permit coverage. All information on this NOI must be submitted to be a valid Notice. Any information requested on the NOI that is not applicable to the owner and operator or to the site must be marked "N/A".

The Owner and Operator of an activity that has a discharge of storm water from a site where construction activities occur must apply for a National Pollutant Discharge Elimination System (NPDES) Permit. The Georgia Environmental Protection Division has issued this General NPDES Permit for storm water discharges from construction activities with an effective date of August 12, 2003. The Permit is available for review at EPD's offices and on EPD's web page at www.dnr.state.ga.us/dnr/environ/. It is highly recommended that the permittee read and understand the terms and conditions of the Permit prior to submitting a NOI for coverage under this Permit. Contact EPD at the Regional Office or District Office shown on the next page for assistance in completing this NOI.

Where to file NOI Forms -- The NOI and attachments must be sent to the Regional Office or District Office shown on the next page. Please submit only the first two pages of this document plus your attachments, if necessary.

Section I. Site / Primary Permittee Information

Enter the information required. The site/project name is the physical location of the construction activity. Should the site lack a street address, sufficiently describe the facility location so that it can be found by district personnel. If additional space is needed, attach the description to the notice.

The facility contact is the person who the primary permittee has assigned the responsibility for the daily on-site operational control. Please do not leave any blanks in this section.

Section II. Site Activity Information

The start date and completion date are expected for the construction activity for which this NOI is applicable.

Estimated disturbed acreage is the total number of acres, **to the nearest 1/10 acre**, that will be disturbed under this NOI (this includes disturbances by the primary and all secondary permittees.)

Section III. Receiving Water Information

If the facility discharges storm water directly or indirectly (but not through a MS4) to the receiving water(s), enter the name(s) of the receiving water(s) and indicate whether the water(s) is a trout stream or a warm water fisheries stream. Attach to this notice a written description and a map of the location of the receiving water(s).

If the storm water discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., city name or county name) and the name of the receiving water at the point of discharge from the MS4. A MS4 is defined as a conveyance or system of conveyances (including: roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a city or county which is designed or used for collecting or conveying storm water. It may be necessary to contact the city or county that operates the MS4 to determine the name of the receiving waters. Indicate whether the receiving water(s) is a trout stream or a warm water fisheries stream.

Section IV. Certifications

All applicants must sign this certification. Permittees shall initial next to the applicable certification statements on the line provided. Federal and State statutes provide specific requirements as to whom is authorized to sign Notice of Intents. Signing of a Notice of Intent by others is not a valid submittal. Please be aware Federal and State statutes provide severe penalties for submitting false information on this application form. Federal and State regulations require this application to be signed as follows:

- For a corporation: by a responsible corporate officer;
- For a partnership or sole proprietorship: by a general partner or the proprietor; or
- For a municipality, state, Federal or other public facility: by either a principal executive officer or ranking elected official.

GEORGIA EPD DISTRICT OFFICES

All Notice of Intents, Notice of Terminations, Erosion, Sedimentation and Pollution Control Plans, Comprehensive Monitoring Programs, certifications, reports, and any other information shall be sent to the following District offices of EPD:

A. For facilities/sites located in the following counties: Bibb, Bleckley, Chattahoochee, Crawford, Dooly, Harris, Houston, Jones, Lamar, Macon, Marion, Meriwether, Monroe, Muscogee, Peach, Pike, Pulaski, Schley, Talbot, Taylor, Troup, Twiggs, Upson

Information shall be submitted to: West Central District Office
Georgia Environmental Protection Division
2640 Shurling Drive
Macon, GA 31211-3576
(478) 751-6612

B. For facilities/sites located in the following counties: Burke, Columbia, Emanuel, Glascock, Jefferson, Jenkins, Johnson, Laurens, McDuffie, Montgomery, Richmond, Screven, Treutlen, Warren, Washington, Wheeler, Wilkinson

Information shall be submitted to: East Central District Office
Georgia Environmental Protection Division
1885-A Tobacco Road
Augusta, GA 30906-8825
(706) 792-7744

C. For facilities/sites located in the following counties: Baldwin, Banks, Barrow, Butts, Clarke, Elbert, Franklin, Greene, Hall, Hancock, Hart, Jackson, Jasper, Lincoln, Madison, Morgan, Newton, Oconee, Oglethorpe, Putnam, Stephens, Taliaferro, Walton, Wilkes

Information shall be submitted to: Northeast District Office
Georgia Environmental Protection Division
745 Gaines School Road
Athens, GA 30605-3129
(706) 369-6376

D. For facilities/sites located in the following counties: Clayton, Coweta, DeKalb, Fayette, Gwinnett, Heard, Henry, Rockdale, Spalding

Information shall be submitted to: Mountain District - Atlanta Satellite
Georgia Environmental Protection Division
4244 International Parkway, Suite 114
Atlanta, GA 30354-3906
(404) 362-2671

E. For facilities/sites located in the following counties: Bartow, Carroll, Catoosa, Chattooga, Cherokee, Cobb, Dade, Dawson, Douglas, Fannin, Floyd, Forsyth, Fulton, Gilmer, Gordon, Habersham, Haralson, Lumpkin, Murray, Paulding, Pickens, Polk, Rabun, Towns, Union, Walker, White, Whitfield

Information shall be submitted to: Mountain District - Cartersville Office
Georgia Environmental Protection Division
P.O. Box 3250
Cartersville, GA 30120-1705
(770) 387-4900

F. For facilities/sites located in the following counties: Appling, Atkinson, Bacon, Brantley, Bryan, Bulloch, Camden, Candler, Charlton, Chatham, Clinch, Coffee, Effingham, Evans, Glynn, Jeff Davis, Liberty, Long, McIntosh, Pierce, Tattnall, Toombs, Ware, Wayne

Information shall be submitted to: Coastal District- Brunswick Office
Georgia Environmental Protection Division
One Conservation Way
Brunswick, GA 31520-8687
(912) 264-7284

G. For facilities/sites located in the following counties: Baker, Ben Hill, Berrien, Brooks, Calhoun, Clay, Colquitt, Cook, Crisp, Decatur, Dodge, Dougherty, Early, Echols, Grady, Irwin, Lanier, Lee, Lowndes, Miller, Mitchell, Quitman, Randolph, Seminole, Stewart, Sumter, Telfair, Terrell, Thomas, Tift, Turner, Webster, Wilcox, Worth

Information shall be submitted to:

Southwest District Office
Georgia Environmental Protection Division
2024 Newton Road
Albany, GA 31701-3576
912) 430-4144

General Permit
No. GAR100003

**State of Georgia
Department of Natural Resources
Environmental Protection Division**

**Authorization To Discharge Under The
National Pollutant Discharge Elimination System
Storm Water Discharges Associated With Construction Activity
For Common Developments**

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the "State Act," the Federal Clean Water Act, as amended (33 U.S.C.1251 et seq.), hereinafter called the "Clean Water Act," and the Rules and Regulations promulgated pursuant to each of these Acts, new and existing storm water point sources within the State of Georgia that are required to have a permit, upon submittal of a Notice of Intent, are authorized to discharge storm water associated with construction activity to the waters of the State of Georgia in accordance with the limitations, monitoring requirements and other conditions set forth in Parts I through VI hereof.

This permit shall become effective on August 13, 2003.

This permit and the authorization to discharge shall expire at midnight, July 31, 2008.

Signed this 13th day of August 2003.



Assistant Director,
Environmental Protection Division

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Part I. COVERAGE UNDER THIS PERMIT

A. Permit Area.

This permit regulates point source discharges of storm water to the waters of the State of Georgia from construction activities, as defined in this permit.

B. Definitions. All terms used in this permit shall be interpreted in accordance with the definitions as set forth in the Georgia Water Quality Control Act (Act) and the Georgia Rules and Regulations for Water Quality Control Chapter 391-3-6 (Rules), unless otherwise defined in this permit:

1. "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted to prevent or reduce the pollution of waters of Georgia. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
2. "Blanket NOI" means a Notice of Intent to be used by utility companies and/or utility contractors acting as secondary permittees that covers all construction activities in common developments during the calendar year for which the NOI is submitted.
3. "Buffer" means the area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.
4. "Commencement of Construction" means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.
5. "Common Development" means a contiguous area where multiple, separate, and distinct construction activities may be taking place at different times on different schedules under one plan of development or sale.
6. "Construction Activity" means the disturbance of soils associated with clearing, grading, excavating, filling of land, or other similar activities which may result in soil erosion. Construction activity does not include agricultural and silvicultural practices.
7. "CPESC" means Certified Professional in Erosion and Sediment Control with current certification by Certified Professional in Erosion and Sediment Control Inc., a corporation registered in North Carolina, which is also referred to as CPESC or CPESC, Inc.
8. "CWA" means Federal Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972).
9. "Design Professional" means a professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by Certified Professional in Erosion and Sediment Control Inc.
10. "Director" means the Director of the Environmental Protection Division or an authorized representative.
11. "Division" means the Environmental Protection Division of the Department of Natural Resources.
12. "Erosion" means the process by which land surface is worn away by the action of wind, water, ice or gravity.

13. "Filling" means the placement of any soil or solid material either organic or inorganic on a natural ground surface or an excavation.
14. "Final Stabilization" means that all soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region. Final stabilization applies to each phase of construction.
15. "General Contractor" means the operator of the common development or site.
16. "Impossible" means the monitoring location(s) are either physically or legally inaccessible, or access would cause danger to life or limb.
17. "Individual Builder" means an Owner or Operator within a common development who is not a primary permittee.
18. "Local Issuing Authority" means the governing authority of any county or municipality which is certified pursuant to Official Code of Georgia Section 12-7-8(a).
19. "Mass Grading" means the movement of earth by mechanical means to alter the gross topographic features (elevations, slopes, etc.) to prepare a site for final grading and the construction of facilities (buildings, roads, parking, etc.).
20. "Nephelometric Turbidity Unit (NTU)" means a numerical unit of measure based upon photometric analytical techniques for measuring the light scattered by fine particles of a substance in suspension.
21. "NOI" means Notice of Intent to be covered by this permit (see Part II).
22. "NOT" means Notice of Termination (see Part VI).
23. "Operator" means the entity that has the primary day-to-day operational control of those activities at the facility necessary to ensure compliance with Erosion, Sedimentation and Pollution Control Plan and permit conditions.
24. "Other Water Bodies" means ponds, lakes, marshes and swamps which are waters of the State.
25. "Outfall" means the location where storm water, in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.
26. "Owner" means the legal title holder to the real property on which is located the facility or site where construction activity takes place.
27. "Permittee" means any entity that has submitted a Notice of Intent.
28. "Phase" or "Phased" means sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing the entire construction site.
29. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure or container from which pollutants are or may be discharged. This term also means sheetflow which is later conveyed via a point source to waters of the State. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

30. "Primary Permittee" means the Owner or the Operator or both of a tract of land for a common development.
31. "Primary Trout Waters" means streams supporting a self-sustaining population of Rainbow, Brown, or Brook Trout as indicated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6 at www.dnr.state.ga.us/dnr/environ.
32. "Proper design" and "properly designed" means designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the State Soil and Water Conservation Commission up until the date of NOI submittal.
33. "Qualified Personnel" means a person who has successfully completed an erosion and sediment control short course eligible for continuing education units, or an equivalent course approved by EPD and the State Soil and Water Conservation Commission. After December 31, 2006, a Qualified Person means a person who has successfully completed the appropriate certification course approved by the State Soil and Water Conservation Commission.
34. "Receiving Water(s)" means waters of the State supporting warm water fisheries, or waters of the State classified as trout streams, into which the runoff of storm water from a construction activity will actually discharge, either directly or indirectly.
35. "Secondary Permittee" means an individual builder, utility company, or utility contractor that conducts a construction activity within a common development.
36. "Secondary Trout Waters" means streams with no evidence of natural trout reproduction but capable of supporting trout throughout the year as indicated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6 at www.dnr.state.ga.us/dnr/environ.
37. "Sediment" means solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by, wind, water, ice, or gravity as a product of erosion.
38. "Sedimentation" means the action or process of forming or depositing sediment.
39. "Sheetflow" means runoff which flows over the ground surface as a thin, even layer, not concentrated in a channel.
40. "Site" or "Construction Site" means a facility of any type on which construction activities are occurring or are to occur which may result in the discharge of pollutants from a point source into the waters of the State.
41. "Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.
42. "Structural Erosion and Sediment Control Practices" means measures for the stabilization of erosive or sediment producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss.
43. "Sub-contractor" means an entity employed or retained by the permittee to conduct any type of construction activity at a site or common development. Sub-contractors are not permittees unless they meet the definition of either a primary, secondary or tertiary permittee.
44. "Surface Water Drainage Area" means the hydrologic area starting from the lowest downstream point where the storm water from the construction activity enters the receiving water(s) and following the receiving water(s) upstream to the highest elevation of land that divides the direction of water flow. This boundary will connect back

with the storm water entrance point. Boundary lines follow the middle of the highest ground elevation or halfway between contour lines of equal elevation.

45. "Tertiary Erosion Control Plan" (TEC plan) means a site specific plan prepared for a tertiary permittee's lot(s) by qualified personnel in accordance with Part VI.A.2.(i). of this permit.

46. "Tertiary Permittee" means either the Owner or Operator of a remaining lot within a surface water drainage area of a common development where the primary permittee has submitted a Notice of Termination in accordance with Part VI.A.2.(i). of this permit.

47. "Trout Streams" means waters of the State classified as either primary trout waters or secondary trout waters, as designated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6 at www.dnr.state.ga.us/dnr/enviro.

48. "USGS Topographic Map" means a current quadrangle, 7½ minute series map prepared by the United States Department of the Interior, Geological Survey.

49. "Utility Company or Utility Contractor" means, for purposes of this Permit, an entity or sub-contractor that is responsible, either directly or indirectly, for the construction, installation, and maintenance of conduits, pipes, pipelines, cables, wires, trenches, vaults, manholes, and similar structures or devices for the conveyance of natural gas (or other types of gas), liquid petroleum products, electricity, telecommunications (telephone, data, television, etc.), water or sewage.

50. "Vegetative Erosion and Sediment Control Practices" means measures for the stabilization of erosive or sediment producing areas by covering the soil with: (1) permanent seeding, sprigging or planting, producing long-term vegetative cover; (2) temporary seeding, producing short-term vegetative cover; or (3) sodding, covering areas with a turf of perennial sod forming grass.

51. "Waters Supporting Warm Water Fisheries" means all waters of the State that sustain, or has the potential to sustain, aquatic life but excluding trout waters and man-made conveyances primarily intended to transport storm water.

52. "Waters of Georgia" or "Waters of the State" means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, and all other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the state which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

C. Eligibility.

1. **Construction Activities.** This permit authorizes, subject to the conditions of this permit:

a. all discharges of storm water associated with common plans of development or sale, or other construction activity where the primary permittee chooses to use secondary permittees, that will result in land disturbance equal to or greater than one (1) acre occurring on or before, and continuing after, the effective date of this permit, (henceforth referred to as existing storm water discharges from construction activities) except for discharges identified under Part I.C.3. Storm water discharges from construction activities involving less than one (1) acre and which are part of a larger common development (i.e., greater than one (1) acre; henceforth referred to as existing common development) occurring on or before, and continuing after, the effective date of this permit are authorized subject to the conditions of this permit; and

b. all discharges of storm water associated with common plans of development or sale, or other construction activity where the primary permittee chooses to use secondary permittees, that will result in land disturbance equal to or greater than one (1) acre occurring after the effective date of this permit,

(henceforth referred to as storm water discharges from construction activities), except for discharges identified under Part I.C.3. Storm water discharges from construction activities involving less than one (1) acre and which are part of a larger common development (i.e., greater than one (1) acre) are authorized subject to the conditions of this permit.

2. Mixed Storm Water Discharges. This permit may only authorize a storm water discharge from a construction site or construction activities that is mixed with a storm water discharge from an industrial source or activity other than construction where:

- a. the industrial source or activity other than construction is located on the same site as the construction activity and is an integral part of the construction activity;
- b. the storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and
- c. storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring are covered by a different NPDES general permit or individual permit authorizing such discharges and the discharges are in compliance with a different NPDES permit.

3. Limitations on Coverage. The following storm water discharges from construction sites are not authorized by this permit:

- a. storm water discharges associated with an industrial activity that originate from the site after construction activities have been completed and the site has undergone final stabilization;
- b. discharges that are mixed with sources of non-storm water other than discharges which are identified in Part III.A.2. of this permit and which are in compliance with Part IV.D.6. (non-storm water discharges) of this permit;
- c. storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit. Such discharges may be authorized under this permit after an existing permit expires provided the existing permit did not establish numeric limitations for such discharges; and
- d. storm water discharges from construction sites that the Director (EPD) has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard.

4. Compliance with Water Quality Standards. No discharges authorized by this permit shall cause violations of Georgia's in-stream water quality standards as provided by the Rules and Regulations for Water Quality Control, Chapter 391-3-6-.03.

D. Authorization.

1. Any person desiring coverage under this permit as either a primary permittee, a secondary permittee or a tertiary permittee must submit a Notice of Intent (NOI) to the EPD and the NOI must be received by the EPD in accordance with the requirements of Part II, using NOI forms provided by the EPD (or an exact photocopy thereof), in order for storm water discharges from construction sites to be authorized. A Notice of Intent for secondary permittee coverage can be submitted either concurrently with or after the submittal of a Notice of Intent by the primary permittee.

2. Unless notified by the Director to the contrary, a permittee (either primary, secondary or tertiary) who submits an NOI in accordance with the requirements of this permit is authorized to discharge storm water from construction sites under the terms and conditions of this permit fourteen (14) days after the date that the NOI is postmarked. The Director may deny coverage under this permit and require submittal of an application for an

individual NPDES permit based on a review of the NOI or other information. Should the Director deny coverage under this permit, coverage under this permit is authorized until the date specified in the notice of denial by the Director.

3. Where a new primary or secondary permittee is to begin work on-site after an NOI for the facility/site has been submitted, that new primary or secondary permittee must submit a new NOI in accordance with Part II. A secondary permittee is not required to submit a new NOI or re-submit an NOI when a new primary permittee is named.

E. Continuing Obligations of Permittees. Unless and until responsibility for a site covered under this permit is properly terminated according to the terms of the permit, the initial permittee remains responsible for compliance with all applicable terms of the permit and for any violations of said terms.

Part II. NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification.

1. Except as provided in Part II.A.2., II.A.3. and II.A.5., Owners or Operators or both who intend to obtain coverage under this general permit for storm water discharges from a construction site (where construction activities begin after issuance of this permit), shall submit a Notice of Intent (NOI) in accordance with the requirements of this Part at least fourteen (14) days prior to the commencement of construction activities.

2. For sites where construction activities, subject to this permit, are occurring on or before the effective date of this permit, the Owner or Operator or both shall submit an NOI in accordance with the requirements of this part no later than sixty (60) days after the effective date of this permit.

3. A discharger is not precluded from submitting an NOI in accordance with the requirements of this part after the dates provided in Parts II.A.1. or II.A.2. of this permit. In such instances, EPD may bring an enforcement action for failure to submit an NOI in a timely manner or for any unauthorized discharges of storm water associated with construction activity that have occurred on or after the dates specified in Part II.A.1. and II.A.2.

4. Where an Owner or an Operator or both changes after an NOI has been filed, the subsequent Owner or Operator or both must file a new NOI in accordance with this Part, not later than seven (7) days before beginning work at the facility/site. A secondary permittee is not required to submit a new NOI or re-submit an NOI when a new primary permittee is named.

5. For sites where construction activities will result in land disturbance equal to or greater than one (1) acre that are required as a result of storm- or emergency-related repair work, the Owner or Operator or both shall notify the appropriate EPD district office within three (3) days of commencement of said construction activities. The Owner or Operator or both shall submit the NOI to the appropriate EPD district office as soon as possible after the storm- or emergency-related event but no later than fourteen (14) days after the commencement of construction activities and shall submit the Plan in accordance with Part IV.A.8.

B. Notice of Intent Contents.

1. Primary Permittee. A single Notice of Intent for the primary permittee (i.e. one NOI signed by the Owner or the Operator or both) shall be signed in accordance with Part V.G. of this permit and shall include the following information:

- a. The site/project name, GPS location of a construction exit in the form degrees/minutes/seconds as determined by GPS unit, subdivision name (if applicable), city (if applicable) and county of the construction site for which the notification is submitted. The site location information must sufficient to accurately locate the construction site;

b. The Operator's legal name, address, and telephone number; or the Owner's legal name, address, and telephone number;

c. The name and telephone number of the individual to whom the permittee has assigned the responsibility for the daily operational control (i.e., construction superintendent, etc.) of the site;

d. The name of the initial receiving water(s) or if unnamed the first named blue line stream indicated on the appropriate USGS Topographic map, and when the discharge is through a municipal separate storm sewer system (MS4), the name of the local government operating the municipal separate storm sewer system and the name of the receiving water(s) which receives the discharge from the MS4, and the permittee's determination of whether the receiving water(s) supports warm water fisheries or is a trout stream as indicated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6.

e. An estimate of project start date and completion date, a schedule for the timing of the various construction activities, the number of acres of the site on which soil will be disturbed and the surface water drainage area (if applicable). For projects that began on or before the effective date of this permit, the start date must be the actual start date of construction;

f. A certification that an Erosion, Sedimentation and Pollution Control Plan (Plan) has been prepared in accordance with Part IV of this permit, and that such Plan provides for compliance with this permit provided however, that for construction activities that began on or before the effective date of this permit, the certification shall state that a Plan will be prepared in accordance with Part IV of this permit, and that such Plan will provide for compliance with this permit;

g. An estimate of the number of secondary permittees, if applicable;

h. The type of construction activity category (from those listed on the NOI) conducted at the site;

i. The location of the receiving water(s) or outfall(s) or a combination of receiving water(s) and outfall(s) to be monitored on a map or drawing of appropriate scale. When it is determined by the primary permittee that some or all of the outfall(s) will be monitored, the applicable nephelometric turbidity unit (NTU) selected from Appendix B (i.e. based upon the size of the facility or common development and the surface water drainage area) must be shown for each outfall to be monitored. The following certification shall be signed in accordance with Part V.G. of this permit:

"I certify that the receiving water(s) or the outfall(s) or a combination of receiving water(s) and outfall(s) will be monitored in accordance with the Erosion, Sedimentation and Pollution Control Plan."

j. For construction activities disturbing more than 50 acres, which began after the effective date of this permit, include a single copy of the Erosion, Sedimentation, and Pollution Control Plan;

k. NOIs may be submitted for separate phases of projects with a total planned disturbance greater than 5.0 acres, provided that each phase shall not be less than 1.0 acre. Phased NOIs shall include all documentation required by this permit for each phase, including applicable fees, and

l. Any other information specified on the NOI in effect at the time of submittal.

2. Secondary Permittee. The Notice of Intent for each secondary permittee shall be signed in accordance with Part V.G. of this permit. The Notice of Intent shall include the following information:

- a. The site/project name, site location, subdivision name (if applicable), lot number (if applicable), city (if applicable) and county of the construction site for which the notification is submitted. The site location must be sufficient to accurately locate the construction site;
- b. The secondary permittee's legal name, address, and telephone number;
- c. The name and address of each primary permittee (as shown on the primary permittee's NOI);
- d. If this submittal is by a utility sub-contractor, the legal name, address and the telephone number of the utility sub-contractor;
- e. The name and telephone number of the individual to whom the secondary permittee has assigned the responsibility for the daily operational control of the site;
- f. The name of the initial receiving water(s) or if unnamed, the first named blue line stream indicated on the appropriate USGS Topographic map, and when the discharge is through a municipal separate storm sewer system (MS4), the name of the local government operating the municipal separate storm sewer system and the name of the receiving water(s) which receives the discharge from the MS4, and the permittee's determination of whether the receiving water(s) supports warm water fisheries or is a trout stream as indicated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6.
- g. An estimate of project start date and completion date of the construction activity by the entity making this submission, and an estimate of the number of acres of the site on which soil will be disturbed by the entity making this submission. For projects that began on or before the effective date of this permit, the start date must be the actual start date of construction;
- h. A certification that the provisions of the primary permittee's Erosion, Sedimentation and Pollution Control Plan applicable to the secondary permittee's activities will be adhered to while conducting any construction activity at this site. (A copy of the Plans should **not** be included with the NOI submission by the secondary permittee);
- i. The type of construction activity category (from those listed on the NOI) conducted at the site for this submission;
- j. Any other information specified on the NOI in effect at the time of submittal; and
- k. As an alternative to submitting a project specific NOI in accordance with subparts a. through j. above, a utility company may submit an annual Blanket Notice of Intent covering all construction activities within common developments statewide on or before January 15 of the year in which coverage is desired, except for calendar year 2003 in which case the Blanket NOI shall be submitted within sixty (60) days of the permit effective date, but in no case less than seven (7) days before commencement of construction activities. The Blanket NOI will contain the information contained in subparts b, d, h and i above. A copy of the Blanket NOI or equivalent written contact information shall be provided to the primary permittee not more than seven (7) days prior to the commencement of construction activities by the secondary permittee at each site. The primary permittee shall provide appropriate means for posting this information or otherwise making it publicly accessible.

3. Tertiary Permittee. The Notice of Intent for each tertiary permittee shall be signed in accordance with Part V.G. of this permit and shall include the following information:

- a. The site/project name, site location, subdivision name (if applicable), city (if applicable) and county of the construction site for which the notification is submitted. The site location information must accurately locate the construction site;

- b. The Operator's legal name, address, and telephone number;
- c. The Owner's legal name, address, and telephone number;
- d. The name and telephone number of the individual to whom the permittee has assigned the responsibility for the daily operational control (i.e., construction superintendent, etc.) of the site;
- e. The name of the initial receiving water(s) or if unnamed, the first named blue line stream indicated on the appropriate USGS Topographic map, and when the discharge is through a municipal separate storm sewer system (MS4), the name of the local government operating the municipal separate storm sewer system and the name of the receiving water(s) which receives the discharge from the MS4, and the permittee's determination of whether the receiving water(s) supports warm water fisheries or is a trout stream as indicated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6;
- f. An estimate of project start date and completion date;
- g. A certification that a Tertiary Erosion Control Plan (TEC plan) has been prepared in accordance with Part VI.A.2.(i). of this permit and that such TEC plan provides for compliance with this permit; and
- h. Any other information specified on the NOI in effect at the time of submittal.

4. Primary Permittee at Existing 1 - 5 Acre Sites. For construction activities that began on or before the effective date of this permit which have planned disturbances between 1.0 and 5.0 acres, that have already passed mass grading and that will reach final stabilization within 180 days of the effective date of this permit, a single Notice of Intent for the primary permittee (i.e., one NOI signed by the Owner or the Operator or both) shall be signed in accordance with Part V.G. of this permit and shall include the following information:

- a. The site/project name, GPS location of a construction exit in the form degrees/minutes/seconds as determined by GPS unit, subdivision name (if applicable), city (if applicable) and county of the construction site for which the notification is submitted. The site location information must be sufficient to be able to locate the construction site;
- b. The Operator's legal name, address, and telephone number; or the Owner's legal name, address, and telephone number;
- c. The name and telephone number of the individual to whom the permittee has assigned the responsibility for the daily operational control (i.e., construction superintendent, etc.) at the site;
- d. The name of the initial receiving water(s) or if unnamed, the first named blue line stream indicated on the appropriate USGS Topographic map, and when the discharge is through a municipal separate storm sewer system (MS4), the name of the local government operating the municipal separate storm sewer system and the name of the receiving water(s) which receives the discharge from the MS4, and the permittee's determination of whether the receiving water(s) supports warm water fisheries or is a trout stream as indicated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6;
- e. The project start date and an estimate of the completion date, a schedule for the timing of the various construction activities, the number of acres of the site on which soil will be disturbed, and the surface water drainage area (if applicable);
- f. An estimate of the number of secondary permittees, if applicable;
- g. The type of construction activity category (from those listed on the NOI) conducted at the site;

h. If the primary permittee makes the following certification there shall be no requirement to amend the Plan or implement an amended Plan. The following certification shall be signed in accordance with Part V.G. of this permit:

I certify that the construction activity for which I am submitting this NOI:

1. has been mass graded, and
2. is in compliance with the existing approved Erosion and Sedimentation Control Plan, and
3. that any applicable fees will be submitted, and
4. shall reach final stabilization within 180 days* of the effective date of the permit.

*If the construction activity for which the primary permittee has made the certification above will not meet the definition of final stabilization within 180 days of the effective date of the permit, the Plan shall be amended and submitted to EPD and the permittee shall comply with all requirements of this permit on the 181st day; and

i. Any other information specified on the NOI in effect at the time of submittal.

C. Notice of Intent Submittal. NOIs are to be submitted by *return receipt certified mail* (or similar service) to both the appropriate District office of the EPD according to the schedule in Appendix A of this permit and to the local Issuing Authority in jurisdictions authorized to issue a Land Disturbance Activity permit for the permittee's construction site pursuant to O.C.G.A. 12-7-1, et seq. If an electronic submittal service is provided by EPD then the NOI may be submitted electronically so long as a paper copy is also submitted by return receipt or similar service.

D. Fees. Any applicable fees shall be submitted by the **Primary Permittee** in accordance with Rules and Regulations for Water Quality Control (Rules) promulgated by the Board of Natural Resources. By submitting an NOI for coverage under this permit the primary permittee agrees to pay any fees required, now or in the future, by such Rules authorized under O.C.G.A. Section 12-5-23(a)(5)(A), which allows the Board of Natural Resources to establish a fee system. Fees may be assessed on land disturbing activity proposed to occur on or after the effective date of this permit and shall be paid in accordance with such Rules.

E. Renotification. Upon issuance of a new or different general permit for some or all of the storm water discharges covered by this permit, the permittee is required to notify the EPD of their intent to be covered by the new or different general permit. The permittee must submit a new Notice of Intent in accordance with the notification requirements of the new or different general permit.

PART III. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, PERMIT VIOLATIONS AND OTHER LIMITATIONS

A. Prohibition on Non-Storm Water Discharges.

1. Except as provided in Part I.C.2. and III.A.2., all discharges covered by this permit shall be composed entirely of storm water.

2. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharge is explicitly listed in the Erosion, Sedimentation and Pollution Control Plan and is in compliance with Part IV.D.6.: discharges from fire fighting activities; fire hydrant flushing; potable water sources including water line flushing; irrigation drainage; air conditioning condensate; springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials or pollutants.

B. Releases in Excess of Reportable Quantities.

1. The discharge of hazardous substances or oil in the storm water discharge(s) from a site shall be prevented. This permit does not relieve the permittee of the reporting requirements of Georgia's Oil or Hazardous Material Spills or Releases Act (O.C.G.A. §§12-14-2, et seq.), 40 CFR Part 117 and 40 CFR Part 302. Where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either Georgia's Oil or Hazardous Material Spills or Releases Act (O.C.G.A. §§12-14-2, et seq.), 40 CFR 117 or 40 CFR 302 occurs during a 24 hour period, the permittee is required to notify EPD at (404) 656-4863 or (800) 241-4113 and the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of Georgia's Oil or Hazardous Material Spills or Releases Act (O.C.G.A. §§12-14-2, et seq.), 40 CFR 117 and 40 CFR 302 as soon as he/she has knowledge of the discharge.
2. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

C. Management Practices and Permit Violations.

1. Best management practices, as set forth in this permit, are required for all construction activities, and must be implemented in accordance with the design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted to prevent or reduce the pollution of waters of Georgia. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with Part III.C.3. and Part III.C.4.
2. Failure to properly design, install, or maintain best management practices shall constitute a violation of this permit for each day on which such failure occurs. BMP maintenance as a result of the permittee's routine inspections shall not be considered a violation for the purposes of this paragraph. If during the course of the permittee's routine inspection BMP failures are observed which have resulted in sediment deposition into Waters of the State, the permittee shall correct the BMP failures and shall submit a summary of the violations to EPD in accordance with Part V.A.2. of this permit.
3. A discharge of storm water runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation for each day on which such discharge results in the turbidity of receiving water(s) being increased by more than ten (10) nephelometric turbidity units for waters classified as trout streams or more than twenty-five (25) nephelometric turbidity units for waters supporting warm water fisheries, regardless of a permittee's certification under Part II.B.1.i.
4. When the permittee has elected to monitor outfall(s), the discharge of storm water runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation for each day on which such condition results in the turbidity of the discharge exceeding the value selected from Appendix B applicable to the facility or common development. As set forth therein, the nephelometric turbidity unit (NTU) value shall be selected from Appendix B based upon the size of the facility or common development, the surface water drainage area and whether the receiving water(s) supports warm water fisheries or is a trout stream as indicated in the Rules and Regulations for Water Quality Control, Chapter 391-3-6 at www.dnr.state.ga.us/dnr/enviro.

Part IV. EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN

An Erosion, Sedimentation and Pollution Control Plan (Plan) shall be designed, installed and maintained for the phase or phases of the common development covered by this permit. The Erosion, Sedimentation and Pollution Control Plan must be prepared by a design professional as defined by this permit. After December 31, 2006, all persons involved in Plan preparation shall have completed the appropriate certification course, pursuant to 12-7-19 (b), approved by the State Soil and Water Conservation Commission. The design professional preparing the Plan must include in the Plan and sign in accordance with Part V.G. of this permit the following certification:

"I certify that the permittee's Erosion, Sedimentation and Pollution Control Plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the storm water outfalls and that the designed system of best management practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit No. GAR 100003."

The Plan shall include any additional certifications regarding the design professional's site visit in accordance with the Rules for Erosion and Sedimentation Control promulgated by the Board of Natural Resources.

The Plan shall include, as a minimum, best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and O.C.G.A. 12-7-6, as well as the following:

(i). Except as provided in Part IV.(iii). below, no construction activities shall be conducted within a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director has determined to allow a variance that is at least as protective of natural resources and the environment in accordance with the provisions of O.C.G.A. 12-7-6, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (1) stream crossings for water lines or (2) stream crossings for sewer lines;

(ii). No construction activities shall be conducted within a 50 foot buffer, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as 'trout streams' except when approval is granted by the Director for alternate buffer requirements in accordance with the provisions of O.C.G.A. 12-7-6, or where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as 'trout streams' which discharge an average annual flow of 25 gallons per minute or less shall have a 25 foot buffer or they may be piped, at the discretion of the permittee, pursuant to the terms of a rule providing for a general variance promulgated by the Board of Natural Resources including notification of such to EPD and the local issuing authority of the location and extent of the piping and prescribed methodology for minimizing the impact of such piping and for measuring the volume of water discharged by the stream. Any such pipe must stop short of the downstream permittee's property, and the permittee must comply with the buffer requirement for any adjacent trout streams. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (1) stream crossings for water lines or (2) stream crossings for sewer lines; and

(iii). Except as provided above, for buffers required pursuant to Part IV.(i). and (ii)., no construction activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Between the time final stabilization of the site is achieved and upon the submittal of a Notice of Termination, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed.

The Erosion, Sedimentation and Pollution Control Plan shall identify all potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site or common development. In addition, the Plan shall describe and the applicable permittee shall ensure the implementation of practices which will be used to reduce the pollutants in storm water discharges associated with construction activity at the site and to assure compliance with the terms and conditions of this permit. The applicable permittee must implement and maintain the provisions of the Plan required under this part as a condition of this permit.

Except as provided in Part IV.A.2. and Part IV.A.3., a single Erosion, Sedimentation and Pollution Control Plan for a common development must be prepared by the primary permittee for all sites within the common development whether or not all of the sites within the common development are owned or operated by a single entity or by multiple entities. The Erosion, Sedimentation and Pollution Control Plan must address the best management practices for the phase or phases of the common development which includes all sites (i.e., individual home lots, out-parcels, etc) regardless of who owns or operates the individual sites.

For construction that commences after the effective date of this permit, the primary permittee must provide a copy of the Plan or applicable portions of the Plan to each secondary permittee prior to the secondary permittee conducting any construction activity. Any revisions to the Plan must be provided to the secondary permittees in a timely manner. A written acknowledgment of receipt of the Plan must be made by the secondary permittee and a copy of such be retained in the primary permittee's records in accordance with Part IV.E. of this permit. If the primary permittee changes after the Plan is prepared and implemented, any subsequent primary permittee must ensure that the Plan complies with all terms and conditions of this permit and that each secondary permittee is provided with any revisions to the Plan made by the new primary permittee. A written acknowledgment of receipt of the Plan or amendments to the Plan must be made by the secondary permittee and a copy of such be retained in the new primary permittee's records in accordance with Part IV.E.3. of this permit.

A. Deadlines for Plan Preparation and Compliance.

1. Except as provided in Part IV.A.2., Part IV.A.3., Part IV.A.4. and Part IV.A.8 the Erosion, Sedimentation and Pollution Control Plan shall be completed prior to submitting the NOI and prior to conducting any construction activity by any permittee.
2. For construction activities that began on or before the effective date of this permit and were subject to regulation under the previous general permit, the primary and all secondary permittee(s) shall either continue to operate under their existing Plan and Comprehensive Monitoring Program (CMP) with the exception of the CMP's turbidity sampling requirements, but must comply with the sampling requirements of Part IV.D.5. of this permit, or shall continue to operate under their existing Plan and CMP, with the exception of the CMP's turbidity sampling requirements, until the Plan is amended and is in compliance with this permit. If the Plan is to be amended, the primary permittee and all secondary permittee(s) shall be responsible for preparing and implementing an amended Plan, if applicable, for their applicable portion of the site or facility in accordance with this permit within sixty (60) days of the effective date of the permit.
3. For construction activities disturbing 250 acres or greater that began on or before the effective date of this permit and were not subject to regulation under the previous general permit, the primary permittee and all secondary permittee(s), shall be responsible for preparing an amended Plan for their applicable portion of the site or facility in accordance with this permit within sixty (60) days, and shall implement the applicable Plan within ninety (90) days of the effective date of this permit.
4. For construction activities that began on or before the effective date of this permit which have planned disturbances between 1.0 and 5.0 acres that have already passed mass grading, there shall be no requirement to amend the Plan or implement an amended Plan if the primary permittee submits an NOI in accordance with Part II.B.4.
5. For construction activities that begin after the effective date of this permit, the primary permittee shall be required to prepare the Plan for that phase of the common development that corresponds with the NOI being

submitted and the primary and all secondary permittee(s) shall implement the applicable portion of the Plan on or before the day construction activities begin.

6. Additional Plan Submittals.

a. In order for EPD to review Plans for deficiencies in identification of waters of the State or stream buffer variance requirements both of the following submissions are required, regardless of site size:

(i) for all projects which begin after the effective date of this permit, in a jurisdiction where there is no certified local issuing authority, a single copy of the Plan must be submitted to EPD's Water Protection Branch concurrent with the NOI submittal to the appropriate EPD District office.

(ii) for all projects which begin after the effective date of this permit, in a jurisdiction where there is no certified local issuing authority, a single copy of the NOI and a single copy of the Plan shall also be submitted to the appropriate local Soil and Water Conservation District Office for their records.

b. For sites that are equal to or greater than 50 acres of disturbed area, regardless of the existence of a certified local issuing authority in the jurisdiction, one of the following submissions is also required:

(i) for all projects which begin after the effective date of this permit a single copy of the NOI and a single copy of the Plan shall be submitted to the appropriate EPD District Office.

(ii) for all projects which began on or before the effective date of this permit single copy of the NOI and a single copy of the Plan, if amended, shall be submitted to the appropriate EPD District Office.

7. For common developments that begin construction activity after the effective date of this permit, the primary permittee must retain the design professional who prepared the Erosion, Sedimentation and Pollution Control Plan, except when the primary permittee has requested in writing and EPD has agreed to an alternate design professional, to inspect the installation of the control measures (BMPs) which the design professional designed within seven (7) days after the initial construction activities commence. For construction activities where construction began on or before the effective date of this permit, this inspection is to occur within seven (7) days after the Plan has been implemented. The design professional shall determine if these BMPs have been installed and are being maintained as designed. The design professional shall report the results of the inspection to the primary permittee within seven (7) days and the permittee must correct all deficiencies within two (2) business days of receipt of the inspection report from the design professional unless weather related site conditions are such that additional time is required.

8. For storm- or emergency-related repair work, the permittee shall implement appropriate BMPs and qualified personnel (provided by the primary permittee) shall inspect at least once every seven (7) calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater. If the storm- or emergency-related repair work will not be completed within sixty (60) days of commencement of construction activity, a single copy of the Plan shall be submitted to EPD and the permittee shall comply with all requirements of this permit on the sixty-first (61st) day.

B. Signature and Plan Review.

1. The Erosion, Sedimentation and Pollution Control Plan shall be signed in accordance with Part V.G., and be retained on the site (or, if not possible, at a readily accessible location) which generates the storm water discharge in accordance with Part IV.E. of this permit. The primary permittee shall ensure, as provided for elsewhere in this permit, that each secondary permittee is provided with a copy of the Plan and that the secondary permittee understands their role in implementing the Plan. The secondary permittee shall sign the Plan or the portion of the Plan applicable to their site in accordance with Part V.G. and the Plan or applicable portion thereof shall be retained on the site or be readily available at a designated alternate location from the date of project initiation to the date of final stabilization.

2. The primary permittee shall make Plans available upon request to the EPD; to designated officials of the local government reviewing soil erosion and sediment control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with construction activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the local government operating the municipal

separate storm sewer system. A secondary or tertiary permittee shall make the Plan, portion of the Plan or the TEC plan applicable to their site available upon request to the EPD; to the local government reviewing soil erosion and sediment control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with construction activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the local government operating the municipal separate storm sewer system. The Plan or TEC plan must be submitted to EPD or to the local government within three business days of such notification or within an alternate time frame established by EPD.

3. EPD may notify the primary, secondary or tertiary permittee at any time that the Plan or the TEC plan does not meet one or more of the minimum requirements of this Part. Within seven (7) days of such notification (or as otherwise provided by EPD), the primary or tertiary permittee shall make the required changes to the Plan or TEC plan, as appropriate, and shall submit to EPD either the amended Plan, TEC plan or a written certification that the requested changes have been made. For sites commencing construction on or before the effective date of this permit, EPD may notify the secondary permittee at any time that the Plan does not meet one or more of the minimum requirements of this permit. Within seven (7) days of such notification (or as otherwise provided by EPD), the secondary permittee shall implement the required changes to the Plan and shall submit to EPD either the amended Plan or a written certification that the requested changes have been made. For sites commencing construction after the effective date of this permit, when EPD notifies a secondary permittee of any Plan deficiencies, the secondary permittee must notify the primary permittee within 24-hours of the deficiencies. The primary permittee must amend the Plan in accordance with this paragraph to address those deficient BMPs within seven (7) days of being notified by the secondary permittee. When the Plan is amended, the primary permittee must notify and provide a copy of the amendment to any and all affected secondary permittees within this seven (7) day period. The secondary permittees must implement any new Plan requirements within 48-hours of notification by the primary permittee.

C. Keeping Plans Current. The primary, secondary or tertiary permittees, as applicable, who began construction on or before the effective date of this permit shall amend their Plan or TEC plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on BMPs with a hydraulic component, i.e., those BMPs where the design is based upon rainfall intensity, duration and return frequency of storms or on the potential for the discharge of pollutants to the waters of Georgia and which has not otherwise been addressed in the Plan or TEC plan, if the Plan or TEC plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part IV.D.2 of this permit, or if the Plan or TEC plan proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with construction activity. Amendments to the Plan must be certified by a design professional as provided in this permit. For construction commencing after the effective date of this permit, secondary permittees must notify the primary permittee within 24-hours of becoming aware of any suspected BMP designed deficiencies which are not effective in controlling the discharge of pollutants from the secondary permittee's site. The primary permittee must evaluate whether these deficiencies exist within 48-hours of such notice, and if these deficiencies are found to exist must amend the Plan in accordance with this paragraph to address those deficient BMPs within seven (7) days of being notified by the secondary permittee. When the Plan is amended, the primary permittee must notify and provide a copy of the amendment to all affected secondary permittees within this seven (7) day period. The secondary permittee(s) must implement any new Plan requirements affecting their site(s) within 48-hours of notification by the primary permittee. Notwithstanding the foregoing, the primary or tertiary permittee remains responsible for insuring that the Plan or the TEC plan, as appropriate, meets the requirements of this permit.

D. Contents of Plan. The Erosion, Sedimentation and Pollution Control Plan shall include, as a minimum, best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

1. Site description. Each Plan shall provide a description of pollutant sources and other information as indicated:

- a. A description of the nature of the construction activity;
- b. A description and chart or timeline of the intended sequence of major activities which disturb soils for major portions of the site (i.e., initial perimeter BMPs, clearing and grubbing activities, excavation activities, grading activities, utility activities, immediate and final stabilization activities);
- c. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
- d. An estimate of the runoff coefficient or peak discharge flow of the site prior to the construction activities and after construction activities are completed and existing data describing the soil or the quality of any discharge from the site;
- e. A site map indicating drainage patterns and approximate slopes anticipated after major grading activities, areas of soil disturbance, an outline of areas which are not to be disturbed, the location of major structural and nonstructural controls identified in the Plan, the location of areas where stabilization practices are expected to occur, surface waters (including wetlands), and locations where storm water is discharged to a surface water;
- f. Identify the receiving water(s) and areal extent of wetland acreage at the site; and
- g. For Plans prepared by a primary permittee for a common development, a list of the names and addresses of all secondary permittees must be included in the Plan and be amended as appropriate. These amendments are not subject to the design professional certification requirements specified in Part IV.C.

2. Controls. Each Plan shall include a description of appropriate controls and measures that will be implemented at the construction site including: (1) initial perimeter control BMPs, (2) intermediate grading and drainage BMPs, and (3) final BMPs. The Plan will include appropriate staging and access requirements for construction equipment. The Plan will clearly describe for each major activity identified in Part IV.D.1.b. appropriate control measures and the timing during the construction process that the measures will be implemented. The description and implementation of controls shall address the following minimum components:

a. Erosion and sediment controls.

(1). Stabilization measures. A description of interim and permanent stabilization measures, including site-specific scheduling of the implementation of the measures. Site plans should ensure that existing vegetation is preserved and that disturbed portions of the site are stabilized. Stabilization measures may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be included in the Plan. Except as provided in paragraphs IV.D.2.(a).(1).(a). and (b). below, stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.

(a). Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by snow cover or other adverse weather conditions, stabilization measures shall be initiated as soon as practicable.

(b). Where construction activity will resume on a portion of the site within 21 days from when activities ceased, (i.e., the total time period that construction activity is temporarily ceased is less than 21 days) then stabilization measures do not have to be initiated on that portion of site by the 14th day after construction activity temporarily ceased.

(2). Structural practices. A description of structural practices to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA.

(3). Sediment basins. For common drainage locations a temporary (or permanent) sediment basin providing at least 1800 cubic feet (67 cubic yards) of storage per acre drained, or equivalent control measures, shall be provided until final stabilization of the site. The 1800 cubic feet (67 cubic yards) of storage area per acre drained does not apply to flows from off-site areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. For drainage locations where a temporary sediment basin providing at least 1800 cubic feet (67 cubic yards) of storage per acre drained, or equivalent controls is not attainable, sediment traps, silt fences, or equivalent sediment controls are required for all side slope and down slope boundaries of the construction area. When the sediment fills to a volume at most of 22 cubic yards per acre for each acre of drainage area, the sediment shall be removed to restore the original design volume. This sediment must be properly disposed. Sediment basins may not be appropriate at some construction projects. Careful consideration must be used to determine when a sediment basin is not to be used and a written rationale explaining the decision not to use sediment basins must be included in the Plan.

(4). High performance BMPs. The use of infiltration trenches, seep berms, sand filters, dry wells, polyacrylamide, etc. for minimizing point source discharges except for large rainfall events is encouraged.

b. Storm water management. A description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Operators are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with construction activity have been eliminated from the site.

(1). Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff on-site; and sequential systems (which combine several practices). The Plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed pre-development levels.

(2). Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel for the purpose of providing a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are

maintained and protected [e.g. no significant changes in the hydrological regime of the receiving water(s)].

c. Other controls.

(1). Waste disposal. Solid materials, including building materials, shall not be discharged to waters of the State, except as authorized by a Section 404 permit.

(2). Off-site vehicle tracking of dirt, soils, and sediments and the generation of dust shall be minimized or eliminated to the maximum extent practical. The Plan shall include the best management practice to be implemented at the site or common development.

(3). All permittees shall ensure and demonstrate that their Plan is in compliance with applicable State and local waste disposal, sanitary sewer or septic system regulations.

(4). The Plan shall include best management practices for the remediation of all petroleum spills and leaks as appropriate.

3. Inspections.

a. Primary Permittee.

(1). Each day when any type of construction activity has taken place at a primary permittee's site, qualified personnel provided by the primary permittee shall inspect: (a) all areas at the primary permittee's site where petroleum products are stored, used, or handled for spills and leaks from vehicles and equipment; (b) all locations at the primary permittee's site where vehicles enter or exit the site for evidence of off-site sediment tracking; and (c) measure rainfall once each twenty-four hour period at the site. These inspections must be conducted until a Notice of Termination is submitted.

(2). Qualified personnel (provided by the primary permittee) shall inspect at least once every seven (7) calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater the following: (a) disturbed areas of the primary permittee's construction site that have not undergone final stabilization; (b) areas used by the primary permittee for storage of materials that are exposed to precipitation that have not undergone final stabilization; and (c) structural control measures. Erosion and sediment control measures identified in the Plan applicable to the primary permittee's site shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). For areas of a site that have undergone final stabilization, the permittee must comply with Part IV.D.3.a.(3). These inspections must be conducted until a Notice of Termination is submitted.

(3). Qualified personnel (provided by the primary permittee) shall inspect at least once per month during the term of this permit (i.e., until a Notice of Termination is received by EPD) the areas of the site that have undergone final stabilization. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and the receiving water(s). Erosion and sediment control measures identified in the Plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s).

(4). Based on the results of each inspection, the site description and the pollution prevention and control measures identified in the Erosion, Sedimentation and Pollution Control Plan, the Plan shall be revised as appropriate not later than seven (7) calendar days following each inspection.

Implementation of such changes shall be made as soon as practical but in no case later than seven (7) calendar days following each inspection. The primary permittee must amend the Plan in accordance with Part IV.D.3.b.(4). when a secondary permittee notifies the primary permittee of any Plan deficiencies.

(5). A report (i.e., not individual inspection forms) summarizing the scope of each inspection and the name(s) of personnel making each inspection, the date(s) of each inspection, major observations relating to the implementation of the Erosion, Sedimentation and Pollution Control Plan and actions taken in accordance with Part V.A.6.a.(4) of the permit shall be made and retained at the site or be readily available at a designated alternate location until the entire site or that portion of a construction project that has been phased has undergone final stabilization and a Notice of Termination is submitted to EPD. Such reports shall identify any incidents of non-compliance. Where the report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the Erosion, Sedimentation and Pollution Control Plan and this permit. The report shall be signed in accordance with Part V.G. of this permit.

b. Secondary Permittee.

(1). Each day when any type of construction activity has taken place at a secondary permittee's site, qualified personnel provided by the secondary permittee shall inspect: (a) all areas used by the secondary permittee where petroleum products are stored, used, or handled for spills and leaks from vehicles and equipment; and (b) all locations at the secondary permittee site where that permittee's vehicles enter or exit the site for evidence of off-site sediment tracking. These inspections must be conducted until a Notice of Termination is submitted. This paragraph is not applicable to utility companies and utility contractors if they are secondary permittees.

(2). Qualified personnel (provided by the secondary permittee) shall inspect at least once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater the following:(a) disturbed areas of the secondary permittee's construction site that have not undergone final stabilization; (b) areas used by the secondary permittee for storage of materials that are exposed to precipitation that have not undergone final stabilization; and (c) structural control measures. Erosion and sediment control measures identified in the Plan applicable to the secondary permittee's site shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). For areas of a site that have undergone final stabilization, the permittee must comply with Part IV.D.3.b.(3). These inspections must be conducted until a Notice of Termination is submitted. This paragraph is not applicable to utility companies and utility contractors if they are secondary permittees performing only service line installations.

(3). Qualified personnel (provided by the secondary permittee) shall inspect at least once per month during the term of this permit (i.e., until a Notice of Termination is received by EPD) the areas of their sites that have undergone final stabilization. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and the receiving water(s). Erosion and sediment control measures identified in the Plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). This paragraph is not applicable to utility companies and utility contractors if they are secondary permittees.

(4). Based on the results of each inspection, the secondary permittee must notify the primary permittee within 24-hours of any suspected BMP design deficiencies. The primary permittee must evaluate whether these deficiencies exist within 48-hours of such notice, and if these deficiencies

are found to exist must amend the Plan in accordance with Part IV.C. of this permit to address those deficient BMPs within seven (7) days of being notified by the secondary permittee. When the Plan is amended, the primary permittee must notify and provide a copy of the amendment to all affected secondary permittee(s) within this seven (7) day period. The secondary permittees must implement any new Plan requirements affecting their site(s) within 48-hours of notification by the primary permittee.

(5). A report (i.e., not individual inspection forms) summarizing the scope of the inspection and the name(s) of personnel making each inspection, the date(s) of each inspection, major observations relating to the implementation of the Erosion, Sedimentation and Pollution Control Plan and actions taken in accordance with Part IV.D.3.b.(4). of the permit shall be made and retained at the site or be readily available at a designated alternate location until the entire site has undergone final stabilization and a Notice of Termination is submitted to EPD. Such reports shall identify any incidents of non-compliance. Where the report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the Erosion, Sedimentation and Pollution Control Plan and this permit. The report shall be signed in accordance with Part V.G. of this permit. This paragraph is not applicable to utility companies and utility contractors if they are secondary permittees performing only service line installations.

c. Tertiary Permittee.

(1). Each day when any type of construction activity has taken place at a tertiary permittee's site, qualified personnel provided by the tertiary permittee shall inspect: (a) all areas used by the tertiary permittee where petroleum products are stored, used, or handled for spills and leaks from vehicles and equipment; and (b) all locations at the tertiary permittee site where that permittee's vehicles enter or exit the site for evidence of off-site sediment tracking. These inspections must be conducted until a Notice of Termination is submitted. This paragraph is not applicable to utility companies and utility contractors performing only service line installations.

(2). Qualified personnel (provided by the tertiary permittee) shall inspect at least once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater the following:(a) disturbed areas of the tertiary permittee's construction site that have not undergone final stabilization; (b) areas used by the tertiary permittee for storage of materials that are exposed to precipitation that have not undergone final stabilization; and (c) structural control measures. Erosion and sediment control measures identified in the Plan applicable to the tertiary permittee's site shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). For areas of a site that have undergone final stabilization, the permittee must comply with Part IV.D.3.c.(3). These inspections must be conducted until a Notice of Termination is submitted. This paragraph is not applicable to utility companies and utility contractors performing only service line installations.

(3). Qualified personnel (provided by the tertiary permittee) shall inspect at least once per month during the term of this permit (i.e., until a Notice of Termination is received by EPD) the areas of their sites that have undergone final stabilization. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and the receiving water(s). Erosion and sediment control measures identified in the Plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). This paragraph is not applicable to utility companies and utility contractors performing only service line installations.

(4). Based on the results of each inspection, the site description and the pollution prevention and control measures identified in the Tertiary Erosion Control Plan, the Plan shall be revised as

appropriate not later than seven (7) calendar days following each inspection. Implementation of such changes shall be made as soon as practical but in no case later than seven (7) calendar days following the inspection.

(5). A report summarizing the scope of the inspection and the name(s) of personnel making each inspection, the date(s) of each inspection, major observations relating to the implementation of the Tertiary Erosion Control Plan and actions taken in accordance shall be made and retained at the site or be readily available at a designated alternate location until the entire site has undergone final stabilization and a Notice of Termination is submitted to EPD. Such reports shall identify any incidents of non-compliance. Where the report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the Tertiary Erosion Control Plan and this permit. The report shall be signed in accordance with Part V.G. of this permit. This paragraph is not applicable to utility companies and utility contractors if they are secondary permittees performing only service line installations.

4. Maintenance. A description of procedures to ensure the timely maintenance of vegetation, erosion and sediment control measures and other protective measures identified in the site plan in good and effective operating condition.

5. Sampling Requirements. This permit requires the monitoring of nephelometric turbidity in receiving water(s) or outfalls in accordance with this permit. This sub-section is not applicable to secondary permittees. The following procedures constitute EPD's guidelines for sampling turbidity.

a. *Sampling Requirements* shall include the following:

(1). A USGS topographic map, a topographic map or a drawing (referred to as a topographic map) that is a scale equal to or more detailed than a 1:24000 map showing the location of the site or the common development; (a) the location of all perennial and intermittent streams and other water bodies as shown on a USGS topographic map, and all other perennial and intermittent streams and other water bodies located during mandatory field verification, into which the storm water is discharged and (b) the receiving water and/or outfall sampling locations. When the permittee has chosen to use a USGS topographic map and the receiving water(s) is not shown on the USGS topographic map, the location of the receiving water(s) must be hand-drawn on the USGS topographic map from where the storm water(s) enters the receiving water(s) to the point where the receiving water(s) combines with the first blue line stream shown on the USGS topographic map;

(2). The analytical method used to collect and analyze the samples including quality control/quality assurance procedures. This narrative must include precise sampling methodology for each sampling location;

(3). When the permittee has determined that some or all outfalls will be monitored, a rationale must be included for the NTU limit(s) selected from Appendix B. This rationale must include the size of the facility or common development, the calculation of the size of the surface water drainage area, and the type of receiving water(s) (i.e. trout stream or supporting warm water fisheries); and

(4). Any additional information EPD determines necessary to be part of the Plan. EPD will provide written notice to the permittee of the information necessary and the time line for submittal.

b. *Sample Type.* All sampling shall be collected by "grab samples" and the analysis of these samples must be conducted in accordance with methodology and test procedures established by 40 CFR Part 136 (unless other test procedures have been approved); the guidance document titled "NPDES Storm Water

Sampling Guidance Document, EPA 833-B-92-001" and guidance documents that may be prepared by the EPD.

- (1). Sample containers should be labeled prior to collecting the samples.
- (2). Samples should be well mixed before transferring to a secondary container.
- (3). Large mouth, clean and rinsed glass or plastic jars should be used for collecting samples. The jars should be cleaned thoroughly to avoid contamination.
- (4). Manual, automatic or rising stage sampling may be utilized. Samples required by this permit should be analyzed immediately, but in no case later than 48 hours after collection. However, samples from automatic samplers must be collected no later than the next business day after their accumulation, unless flow through automated analysis is utilized. Dilution of samples is not required. Samples may be analyzed using a direct reading, properly calibrated turbidimeter. Samples are not required to be cooled.
- (5). Sampling and analysis of the receiving water(s) or outfalls beyond the minimum frequency stated in this permit must be reported to EPD as specified in Part IV.B.

c. Sampling Points.

(1). For construction activities the primary permittee must sample all receiving water(s), or all outfall(s), or a combination of receiving water(s) and outfall(s). Samples taken for the purpose of compliance with this permit shall be representative of the monitored activity and representative of the water quality of the receiving water(s) and/or the storm water outfalls using the following minimum guidelines:

- (a). The upstream sample for each receiving water(s) must be taken immediately upstream of the confluence of the first storm water discharge from the permitted activity (i.e., the discharge farthest upstream at the site) but downstream of any other storm water discharges not associated with the permitted activity. Where appropriate, several upstream samples from across the receiving water(s) may need to be taken and the arithmetic average of the turbidity of these samples used for the upstream turbidity value.
- (b). The downstream sample for each receiving water(s) must be taken downstream of the confluence of the last storm water discharge from the permitted activity (i.e., the discharge farthest downstream at the site) but upstream of any other storm water discharge not associated with the permitted activity. Where appropriate, several downstream samples from across the receiving water(s) may need to be taken and the arithmetic average of the turbidity of these samples used for the downstream turbidity value.
- (c). Ideally the samples should be taken from the horizontal and vertical center of the receiving water(s) or the storm water outfall channel(s).
- (d). Care should be taken to avoid stirring the bottom sediments in the receiving water(s) or in the outfall storm water channel.
- (e). The sampling container should be held so that the opening faces upstream.
- (f). The samples should be kept free from floating debris.

(g). Permittees do not have to sample sheetflow that flows onto undisturbed natural areas or areas stabilized by the project. For purposes of this section, stabilized shall mean, for unpaved areas and areas not covered by permanent structures, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region. Final stabilization applies to each phase of construction.

(h). All sampling pursuant to this permit must be done in such a way (including generally accepted sampling methods, locations, timing, and frequency) as to accurately reflect whether storm water runoff from the facility/site is in compliance with the standard set forth in Parts III.C.3. or III.C.4., whichever is applicable.

d. Sampling Frequency.

(1). The primary permittee must sample in accordance with the Plan at least once for each rainfall event described below. For a qualifying event, samples must be taken within forty-five (45) minutes of:

(a) the accumulation of the minimum amount of rainfall for the qualifying event, if the storm water discharge to a monitored receiving water or from a monitored outfall has begun at or prior to the accumulation, or

(b) the beginning of any storm water discharge to a monitored receiving water or from a monitored outfall, if the discharge begins after the accumulation of the minimum amount of rainfall for the qualifying event.

(2). However, where manual and automatic sampling are impossible (as defined in this permit), or are beyond the permittee's control, the permittee shall take samples as soon as possible, but in no case more than twelve (12) hours after the beginning of the storm water discharge.

(3). Sampling by the permittee shall occur for the following events:

(a). For each area of the site that discharges to a receiving stream, the first rain event that reaches or exceeds 0.5 inch and allows for monitoring during normal business hours* (Monday thru Friday, 8:00 AM to 5:00 PM and Saturday 8:00 AM to 5:00 PM when construction activity is being conducted by the Primary permittee) that occurs after all clearing and grubbing operations have been completed in the drainage area of the location selected as the sampling location;

(b). In addition to (a) above, for each area of the site that discharges to a receiving stream, the first rain event that reaches or exceeds 0.5 inch and allows for monitoring during normal business hours* that occurs either 90 days after the first sampling event or after all mass grading operations have been completed in the drainage area of the location selected as the sampling location, whichever comes first;

(c). At the time of sampling performed pursuant to (a) and (b) above, if BMPs are found to be properly designed, installed and maintained, no further action is required. If BMPs in any area of the site that discharges to a receiving stream are not properly designed, installed and maintained, corrective action shall be defined and implemented within 2 business days, and turbidity samples shall be taken from discharges from that area of the

site for each subsequent rain event that reaches or exceeds 0.5 inch during normal business hours* until the selected turbidity standard is attained, or until post-storm event inspections determine that BMPs are properly designed, installed and maintained; and

(d). Existing construction activities, i.e., those that are occurring on or before the effective date of this permit, that have met the sampling required by (a.) above shall sample in accordance with (b.). Those existing construction activities that have met the sampling required by (b.) above shall not be required to conduct additional sampling other than as required by (c.) above.

*Note that the Permittee may choose to meet the requirements of (a) and (b) above by collecting turbidity samples from any rain event that reaches or exceeds 0.5 inch and allows for monitoring at any time of the day or week.

6. Non-storm water discharges. Except for flows from fire fighting activities, sources of non-storm water listed in Part III.A.2. of this permit that are combined with storm water discharges associated with construction activity must be identified in the Plan. The Plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

E. Reporting.

1. The applicable permittees are required to submit a summary of the monitoring results to the EPD at the address shown in Part II.C. by the fifteenth day of the month following the reporting period. Reporting periods are months during which samples are taken in accordance with this permit. Sampling results shall be in a clearly legible format. Upon written notification, EPD may require the applicable permittee to submit the sampling results on a more frequent basis. Sampling and analysis of any storm water discharge(s) or the receiving water(s) beyond the minimum frequency stated in this permit must be reported in a similar manner to the EPD. The sampling reports must be signed in accordance with Part V.G. Sampling reports must be submitted to EPD until such time as a NOT is submitted in accordance with Part VI.

2. Each permittee must retain copies of all monitoring results reported by that permittee in accordance with this Part. In addition to other record keeping requirements, the monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The name(s) of the individual(s) who performed the sampling and measurements;
- c. The date(s) analyses were performed;
- d. The time(s) analyses were initiated;
- e. The name(s) of the individual(s) who performed the analyses;
- f. References and written procedures, when available, for the analytical techniques or methods used.;
- g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results; and
- h. Results which exceed 1000 NTU shall be reported as "exceeds 1000 NTU."

3. Retention of Records.

a. Each primary permittee shall retain a copy of the Erosion, Sedimentation and Pollution Control Plan required by this permit at the construction site or the Plan shall be readily available at a designated

alternate location from the date of project initiation to the date of final stabilization. Primary permittees are encouraged to post copies of their NOI, Erosion, Sedimentation & Pollution Control Plan, sampling results, inspection reports, etc. on or in a permit board at the construction exit to facilitate inspections by local issuing authorities and EPD.

b. The secondary permittee must retain a copy of the Erosion, Sedimentation and Pollution Control Plan, or the applicable portion of the Erosion, Sedimentation and Pollution Control Plan for their activities at the construction site or the Plan shall be readily available at a designated alternate location from the date of the secondary permittee's project begins to the date of final stabilization. The tertiary permittee shall retain a copy of the Tertiary Erosion Control Plan and inspection reports required by this permit at the construction site or a readily available designated alternate location from the date of project initiation to the date of final stabilization.

c. Copies of all Notices of Intent, Notices of Termination, reports, plans, monitoring reports, monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, Erosion, Sedimentation and Pollution Control Plans, Tertiary Erosion Control Plans, records of all data used to complete the Notice of Intent to be covered by this permit and all other records required by this permit shall be retained by the permittee who either produced or used it for a period of at least three years from the date that the site is finally stabilized. These records must be maintained at the permittee's primary place of business once the construction activity has ceased at the permitted site. This period may be extended by request of the EPD at any time upon written notification to the permittee.

F. Report Submittal. All written correspondence required by this permit shall be submitted by *return receipt certified mail* (or similar service) to the appropriate District Office of the EPD according to the schedule in Appendix A of this permit.

Part V. STANDARD PERMIT CONDITIONS

A. Duty to Comply.

1. Each permittee must comply with all applicable conditions of this permit. Any permit noncompliance constitutes a violation of the Georgia Water Quality Control Act (O.C.G.A. §§12-5-20, et seq.) and is grounds for enforcement action; for permit termination; or for denial of a permit renewal application. Failure of a primary permittee or secondary permittee to comply with any applicable term or condition of this permit shall not relieve any other primary or secondary permittee from compliance with their applicable terms and conditions of this permit.

2. Each permittee must document in their records any and all known violations of this permit at his/her site within seven (7) days of his/her knowledge of the violation. A summary of these violations must be submitted to EPD by the permittee at the addresses shown in Part II.C. within fourteen (14) days of his/her discovery of the violation.

3. Penalties for violations of permit conditions. The Federal Clean Water Act and the Georgia Water Quality Control Act (O.C.G.A. §§12-5-20, et seq.) provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine or by imprisonment, or by both. The Federal Clean Water Act and the Georgia Water Quality Control Act also provide procedures for imposing civil penalties which may be levied for violations of the Acts, any permit condition or limitation established pursuant to the Acts, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director.

B. Continuation of the Expired General Permit. This permit expires on the date shown on the cover page of this permit. However, an expired general permit continues in force and effect until a new general permit is

issued, final and effective. Facilities that have not obtained coverage under the permit by the permit expiration date cannot become authorized to discharge under the continued permit.

C. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. Duty to Provide Information. The permittee shall furnish to the Director; a State or local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with construction activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the local government operating the municipal separate storm sewer system, any information which is requested to determine compliance with this permit. In the case of information submitted to the EPD such information shall be considered public information and available under the Georgia Open Records Act.

F. Other Information. When the permittee becomes aware that he/she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report required to be submitted to the EPD, the permittee shall promptly submit such facts or information.

G. Signatory Requirements. All Notices of Intent, Notice of Terminations, Erosion, Sedimentation and Pollution Control Plans, Tertiary Erosion Control Plans, reports, certifications or other information either submitted to the EPD or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed as follows:

1. All Notices of Intent shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this permit, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; or

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official.

2. All reports, certification statements, or other reports required by the permit and other information requested by the EPD shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described above and submitted to the EPD;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, Operator, superintendent,

or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position);

c. Changes to authorization. If an authorization under Part II.B. is no longer accurate because a different Operator has responsibility for the overall operation of the construction site, a new Notice of Intent satisfying the requirements of Part II.B. must be submitted to the EPD prior to or together with any reports, information, or applications to be signed by an authorized representative; and

d. *Certification.* Documents shall be signed by the party that contracts for the document and that party shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under the Georgia Hazardous Waste Management Act, O.C.G.A. § 12-8-60, et seq. or under Chapter 14 of Title 12 of the Official Code of Georgia Annotated; nor is the Operator relieved from any responsibilities, liabilities or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act or Section 106 of Comprehensive Environmental Response Compensation And Liability Act.

I. Property Rights. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

J. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

K. Other Applicable Environmental Regulations and Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act. Nothing in this permit, unless explicitly stated, exempts the permittee from compliance with other applicable local, state and federal ordinances, rules, regulations, and laws. Furthermore, it is not a defense to compliance with this permit that a local government authority has approved the permittee's Erosion, Sedimentation and Pollution Control Plan or failed to take enforcement action against the permittee for violations of the Erosion, Sedimentation and Pollution Control Plan, or other provisions of this permit.

No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

L. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the required plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by an permittee only when necessary to achieve compliance with the conditions of the permit.

M. Inspection and Entry. The permittee shall allow the Director or an authorized representative of EPA, EPD or to designated officials of the local government reviewing soil erosion and sediment control plans, grading plans, or storm water management plans; or, in the case of a construction site which discharges through a municipal separate storm sewer system, an authorized representative of the municipal operator of the separate storm sewer system receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit; and
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

N. Permit Actions. This permit may be revoked and reissued, or terminated for cause including but not limited to changes in the law or regulations. The filing of a request by the permittee for termination of the permit, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

Part VI. TERMINATION OF COVERAGE

A. Notice of Termination Eligibility. Notice of Termination, signed in accordance with Part V.G. of this permit, must be submitted:

1. For construction activities, by the primary permittee where the entire common development has undergone final stabilization and all storm water discharges associated with construction activity that are authorized by this permit have ceased. For construction activities where the primary permittee has elected to submit NOIs for separate phases of the common development, the phase or phases of the common development on the NOT shall correspond to the phase or phases on the NOI and shall have undergone final stabilization and all storm water discharges associated with construction activity that are authorized by this permit shall have ceased. The primary permittee must submit a Notice of Termination only after all construction activities have ceased, final stabilization has been implemented by the primary permittee and by all secondary permittee(s), and the site is in compliance with this permit.

2. For individual surface water drainage areas within construction activities with more than one surface water drainage area by the primary permittee where **all four (a., b., c. and d.)** of the following conditions have been met:

- a. the surface water drainage area has undergone final stabilization and all planned construction activity has been completed; **and**
- b. all storm water runoff in the surface water drainage area is coming from undisturbed or stabilized areas; **and**
- c. at least 90% of the lots in that surface water drainage area of the common development have been sold to an unrelated party, permanent structures completed and final stabilization achieved; **and**
- d. the remaining acreage to be disturbed on undeveloped lots within the surface water drainage area is less than one (1) acre.

After the filing of the Notice of Termination, the primary permittee shall notify by written correspondence to the subsequent legal title holder of each remaining lot(s) that these lot Owners or Operators will become tertiary permittees for purposes of this permit and these tertiary permittees will be responsible for off-site best management practices, as applicable.

(i). If a person purchases one or more of the remaining undeveloped lots within a surface water drainage area for the purpose of engaging in construction activity in which a Notice of Termination has been filed by the primary permittee, then the person shall file a Notice of Intent as a tertiary permittee (as set forth in Part II.B.3.). The tertiary permittee shall be required to create and implement a Tertiary Erosion Control Plan (TEC plan) to control storm water run-off from its individual lot. This TEC plan, created and implemented by qualified personnel, shall include all best management practices in the primary permittee's Erosion, Sedimentation and Pollution Control Plan, as applicable, to control storm water discharges from the tertiary permittee's lots and shall include any additional best management practices as required in this permit. The tertiary permittee shall be responsible for the installation and maintenance of these best management practices in accordance with this permit and any off-site best management practices, as applicable. EPD may notify the tertiary permittee at any time that the TEC plan does not meet one or more of the minimum requirements of the permit. The tertiary permittee must correct and implement any required changes to the TEC plan in accordance with Part IV.B.3. of this permit within the time frame established by EPD.

(ii). The tertiary permittee must submit a Notice of Termination when final stabilization has been achieved on an individual lot.

3. By the Owner or Operator or both when the Owner or Operator of the site changes. Where storm water discharges will continue after the identity of the Owner or Operator or both changes, the permittee must, prior to filing the Notice of Termination, notify any subsequent Owner or Operator or both of the permitted site as to the requirements of this permit;

4. By secondary permittees when their sites within a common development have undergone final stabilization, all storm water discharges from their construction activities have ceased, and their sites are in compliance with this permit; and

5. By secondary permittees working under a Blanket NOI postmarked no later than January 15 of the subsequent year in which the NOI was filed. The NOT shall contain the information contained in Part II. B. 2. a., b., c. and g.

B. Notice of Termination contents:

1. The permittee's legal name, address, telephone number;

2. When the NOT is submitted by a secondary permittee, the primary permittee's legal name, address, telephone number;

3. An indication as to whether the notifier is a primary, secondary or tertiary permittee;

4. The site/project name, site location, GPS location of a construction exit in the form degrees/minutes/seconds as determined by GPS unit, subdivision name (if applicable), city (if applicable) and county of the site for which the notification is submitted. This information must correspond to the similar information as provided on the NOI. Where a mailing address for the site is not available, the location can be described in narrative terms and county where the construction site is located;

5. The NPDES permit number for the storm water discharge associated with construction activity identified by the Notice of Termination;

6. A listing of the legal name, address, and telephone number of all secondary permittees at the site for which this notification is submitted, if applicable;

7. The name of the receiving water(s), and when the discharge is through a municipal separate storm sewer system (MS4), the name of the local government operating the municipal separate storm sewer system and the name of the receiving water(s) which receives the discharge from the MS4;

8. Any other information specified on the NOT in effect at the time of submittal; and
9. The following certification signed in accordance with Part V.G. (signatory requirements):

"I certify under penalty of law that either: (a) all storm water discharges associated with construction activity from the portion of the construction activity where I was an Owner or Operator have ceased or have been eliminated; (b) all storm water discharges associated with construction activity from the identified site that are authorized by General NPDES Permit No. GAR 100003 have ceased; (c) I am no longer an Owner or Operator at the construction site and a new Owner or Operator has assumed operational control for those portions of the construction site where I previously had ownership or operational control; or if I am a primary permittee filing this Notice of Termination under Part VI.A.4. of this permit, I will notify by written correspondence to the subsequent legal title holder of any remaining lots that these lot Owners or Operators will become tertiary permittees for purposes of this permit and I will provide these tertiary permittees with the primary permittee's Erosion, Sedimentation and Pollution Control Plan. I understand that by submitting this Notice of Termination, that I am no longer authorized to discharge storm water associated with construction activity by the general permit, and that discharging pollutants in storm water associated with construction activity to waters of Georgia is unlawful under the Georgia Water Quality Control Act and the Clean Water Act where the discharge is not authorized by a NPDES permit."

C. Notice of Termination Submittal. All Notices of Termination by this permit shall be submitted by *return receipt certified mail* (or similar service) to the appropriate District Office of the EPD according to the schedule in Appendix A of this permit and to the local Issuing Authority in jurisdictions authorized to issue a Land Disturbance Activity permit for the permittee's construction site pursuant to O.C.G.A. 12-7-1, et seq.

APPENDIX A

EPD DISTRICT OFFICES

All required correspondence, including but not limited to the Notice of Intent, Notice of Terminations, certifications, Erosion, Sedimentation and Pollution Control Plans and any other reports, shall be sent to the following District offices of EPD.

A. For facilities/sites located in the following counties: Bibb, Bleckley, Chattahoochee, Crawford, Dooly, Harris, Houston, Jones, Lamar, Macon, Marion, Meriwether, Monroe, Muscogee, Peach, Pike, Pulaski, Schley, Talbot, Taylor, Troup, Twiggs, Upson

Information shall be submitted to: West Central District Office
Georgia Environmental Protection Division
2640 Shurling Drive
Macon, GA 31211-3576
(478) 751-6612

B. For facilities/sites located in the following counties: Burke, Columbia, Emanuel, Glascock, Jefferson, Jenkins, Johnson, Laurens, McDuffie, Montgomery, Richmond, Screven, Treutlen, Warren, Washington, Wheeler, Wilkinson

Information shall be submitted to: East Central District Office
Georgia Environmental Protection Division
1885-A Tobacco Road
Augusta, GA 30906-8825
(706) 792-7744

C. For facilities/sites located in the following counties: Baldwin, Banks, Barrow, Butts, Clarke, Elbert, Franklin, Greene, Hall, Hancock, Hart, Jackson, Jasper, Lincoln, Madison, Morgan, Newton, Oconee, Oglethorpe, Putnam, Stephens, Taliaferro, Walton, Wilkes

Information shall be submitted to: Northeast District Office
Georgia Environmental Protection Division
745 Gaines School Road
Athens, GA 30605-3129
(706) 369-6376

D. For facilities/sites located in the following counties: Clayton, Coweta, DeKalb, Fayette, Gwinnett, Heard, Henry, Rockdale, Spalding

Information shall be submitted to: Mountain District - Atlanta Satellite
Georgia Environmental Protection Division
4244 International Parkway, Suite 114
Atlanta, GA 30354-3906
(404) 362-2671

E. For facilities/sites located in the following counties: Bartow, Carroll, Catoosa, Chattooga, Cherokee, Cobb, Dade, Dawson, Douglas, Fannin, Floyd, Forsyth, Fulton, Gilmer, Gordon, Habersham, Haralson, Lumpkin, Murray, Paulding, Pickens, Polk, Rabun, Towns, Union, Walker, White, Whitfield

Information shall be submitted to: Mountain District - Cartersville Office
Georgia Environmental Protection Division
P.O. Box 3250
Cartersville, GA 30120-1705
(770) 387-4900

F. For facilities/sites located in the following counties: Appling, Atkinson, Bacon, Brantley, Bryan, Bulloch, Camden, Candler, Charlton, Chatham, Clinch, Coffee, Effingham, Evans, Glynn, Jeff Davis, Liberty, Long, McIntosh, Pierce, Tattnall, Toombs, Ware, Wayne

Information shall be submitted to: Coastal District- Brunswick Office
Georgia Environmental Protection Division
One Conservation Way
Brunswick, GA 31520-8687
(912) 264-7284

G. For facilities/sites located in the following counties: Baker, Ben Hill, Berrien, Brooks, Calhoun, Clay, Colquitt, Cook, Crisp, Decatur, Dodge, Dougherty, Early, Echols, Grady, Irwin, Lanier, Lee, Lowndes, Miller, Mitchell, Quitman, Randolph, Seminole, Stewart, Sumter, Telfair, Terrell, Thomas, Tift, Turner, Webster, Wilcox, Worth

Information shall be submitted to: Southwest District Office
Georgia Environmental Protection Division
2024 Newton Road
Albany, GA 31701-3576
(912) 430-4144

H. For facilities/sites required to submit Plans required under Part IV.A.6.a.(i) of this Permit:

Information shall be submitted to: Water Protection Branch
Environmental Protection Division
4220 International Parkway, Suite 101
Atlanta, Georgia 30354
(404) 675-6240

I. For facilities/sites required to submit Plans required under Part IV.A.6.a.(ii) of this Permit:

Contact information may be obtained at: <http://www.gaswcc.org/>

APPENDIX B

Nephelometric Turbidity Unit (NTU) TABLES

Cold Water (Trout Stream)

Surface Water Drainage Area, square miles

| Site Size, acres | Surface Water Drainage Area, square miles | | | | | | | |
|---------------------|---|--------|----------|----------|----------|------------|------------|------|
| | 0-4.99 | 5-9.99 | 10-24.99 | 25-49.99 | 50-99.99 | 100-249.99 | 250-499.99 | 500+ |
| 1.00-10 | 25 | 50 | 75 | 150 | 300 | 500 | 500 | 500 |
| 10.01-25 | 25 | 25 | 50 | 75 | 150 | 200 | 500 | 500 |
| 25.01-50 | 25 | 25 | 25 | 50 | 75 | 100 | 300 | 500 |
| 50.01-100 | 20 | 25 | 25 | 35 | 59 | 75 | 150 | 300 |
| 100.01 + | 20 | 20 | 25 | 25 | 25 | 50 | 60 | 100 |

Warm Water (Supporting Warm Water Fisheries)

Surface Water Drainage Area, square miles

| Site Size, acres | Surface Water Drainage Area, square miles | | | | | | | |
|---------------------|---|--------|----------|----------|----------|------------|------------|------|
| | 0-4.99 | 5-9.99 | 10-24.99 | 25-49.99 | 50-99.99 | 100-249.99 | 250-499.99 | 500+ |
| 1.00-10 | 75 | 150 | 200 | 400 | 750 | 750 | 750 | 750 |
| 10.01-25 | 50 | 100 | 100 | 200 | 300 | 500 | 750 | 750 |
| 25.01-50 | 50 | 50 | 100 | 100 | 200 | 300 | 750 | 750 |
| 50.01-100 | 50 | 50 | 50 | 100 | 100 | 150 | 300 | 600 |
| 100.01 + | 50 | 50 | 50 | 50 | 50 | 100 | 200 | 100 |

To use these tables, select the size (acres) of the facility or common development. Then, select the surface water drainage area (square miles). The NTU matrix value arrived at from the above tables is the one to use in Part III.C.4.

Example 1: For a site size of 12.5 acres and a cold water drainage area of 37.5 square miles, the NTU value to use in Part III.C.4 is 75 NTU.

Example 2: For a site size of 51.7 acres and a warm water drainage area of 72 square miles, the NTU value to use in Part III.C.4 is 100 NTU.