

STATE OF GEORGIA
CITY OF GREENVILLE

ORDINANCE FOR ADOPTION OF THE GEORGIA
BUILDING AND HOUSING CODE FOR PLUMBING

ORDINANCE NO. 2020-001

ORDINANCE FOR ADOPTION OF THE GEORGIA CODE § 8-2-3 FOR BUILDINGAS AND HOUSING,
REGULATING AND GOVERNING THE STANDARD CODES TO REQUIRE THE INSTATLATION OF HIGH-
EFFICIENCY PLUMBING FIXTURES IN PERMITTED NEW CONSTRUCTION.

THE MAYOR AND CITY COUNCIL FOR THE CITY OF GREENVILLE HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That a certain document, copy on file in the City of Greenville, at the office of the City Clerk being marked and designated as Georgia Plumbing Code, as published by the State of Georgia, be and is hereby adopted as the Building and Housing Plumbing Code of the City of Greenville, in the State of Georgia for regulating and governing the installation of plumbing fixtures in all new constructions permitted on or after March 3, 2020.

SECTION 2. The following section is hereby added:

Chapter 6: Section 7: Plumbing Code (Adoption of State Codes)

SECTION 3. That the Plumbing Code of the City of Greenville and all other ordinances or part of ordinances in conflict herewith are hereby repealed.

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The City of Greenville hereby declares that It would have passed this ordinance, and each section, subsection, clauses or phrases thereof, irrespective of the fact that any one or more sections or subsections, sentences, clauses and phrases be declared unconstitutional.


SECTION 5. That nothing in this ordinance or in the Plumbing Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing, or under any act or ordinance hereby repealed as city in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SO ORDAINED AND EFFECTIVE, this 3rd day of March, 2020.

Approved:


Charlene R. Glover, Mayor

ATTEST:


Everlene W. Brooks, City Clerk

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Georgia Code Title 8. Buildings and Housing § 8-2-3

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(a) On or before July 1, 2012, the department, with the approval of the board, shall amend applicable state minimum standard codes to require the installation of high-efficiency plumbing fixtures in all new construction permitted on or after July 1, 2012.

(b) As used in this Code section, the term:

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

(2) "Department" means the Department of Community Affairs.

(3) "Lavatory faucet" means a faucet that discharges into a lavatory basin in a domestic or commercial installation.

(4) "Plumbing fixture" means a device that receives water, waste, or both and discharges the water, waste, or both into a drainage system. The term includes a kitchen sink, utility sink, lavatory, bidet, bathtub, shower, urinal, toilet, water closet, or drinking water fountain.

(5) "Plumbing fixture fitting" means a device that controls and directs the flow of water. The term includes a sink faucet, lavatory faucet, showerhead, or bath filler.

(6) "Pressurized flushing device" means a device that contains a valve that:

(A) Is attached to a pressurized water supply pipe that is of sufficient size to deliver water at the necessary rate of flow to ensure flushing when the valve is open; and

(B) Opens on actuation to allow water to flow into the fixture at a rate and in a quantity necessary for the operation of the fixture and gradually closes to avoid water hammer.

(7) "Toilet" means a water closet.

(8) "Water closet" means a fixture with a water-containing receptor that receives liquid and solid body waste and on actuation conveys the waste through an exposed integral trap into a drainage system and which is also referred to as a toilet.

(9) "WaterSense" means a voluntary program of the United States Environmental Protection Agency designed to identify and promote water efficient products and practices.

(c) The standards related to high-efficiency plumbing fixtures shall include without limitation, the following:

(1) A water closet or toilet that:

(A) Is a dual flush water closet that meets the following standards:

- (i) The average flush volume of two reduced flushes and one full flush may not exceed 1.28 gallons;
 - (ii) The toilet meets the performance, testing, and labeling requirements prescribed by the following standards, as applicable:
 - (I) American Society of Mechanical Engineers Standard A112.19.2-2008; and
 - (II) American Society of Mechanical Engineers Standard A112.19.14-2006 "Six-Liter Water Closets Equipped with a Dual Flushing Device"; and
 - (iii) Is listed to the WaterSense m Tank-Type High Efficiency Toilet Specification; or
- (B) Is a single flush water closet, including gravity, pressure assisted, and electro-hydraulic tank types, that meets the following standards:
- (i) The average flush volume may not exceed 1.28 gallons;
 - (ii) The toilet must meet the performance, testing, and labeling requirements prescribed by the American Society of Mechanical Engineers Standard A112.19.2/CSA B45.1 or A112.19.14; and
 - (iii) The toilet must be listed to the WaterSense m Tank-Type High Efficiency Toilet Specification;
- (2) A shower head that allows a flow of no more than an average of 2.5 gallons of water per minute at 60 pounds per square inch of pressure;
- (3) A urinal and associated flush valve that:
- (A) Uses no more than 0.5 gallons of water per flush;
 - (B) Meets the performance, testing, and labeling requirements prescribed by the American Society of Mechanical Engineers Standard A112.19.2/CSA B45.1;
 - (C) For flushing urinals, meets all WaterSense m specifications for flushing urinals; and
 - (D) Where nonwater urinals are employed, complies with American Society of Mechanical Engineers Standard A112.19.3/CSA B45.4 or American Society of Mechanical Engineers Standard A112.19.19/CSA B45.4. Nonwater urinals shall be cleaned and maintained in accordance with the manufacturer's instructions after installation. Where nonwater urinals are installed they shall have a water distribution line roughed-in to the urinal location at a minimum height of 56 inches (1,422 mm) to allow for the installation of an approved backflow prevention device in the event of a retrofit. Such water distribution lines shall be installed with shut-off valves located as close as possible to the distributing main to prevent the creation of dead ends. Where nonwater urinals are installed, a minimum of one water supplied fixture rated at a minimum of one water supply fixture unit shall be installed upstream on the same drain line to facilitate drain line flow and rinsing;
- (4) A lavatory faucet or lavatory replacement aerator that allows a flow of no more than 1.5 gallons of water per minute at a pressure of 60 pounds per square inch in accordance with American Society of Mechanical Engineers Standard A112.18.1/CSA B.125.1 and listed to the WaterSense m High-Efficiency Lavatory Faucet Specification; and
- (5) A kitchen faucet or kitchen replacement aerator that allows a flow of no more than 2.0 gallons of water per minute.

(d) To the extent that the standards set forth in this Code section exceed the National Energy Conservation Policy Act, as amended, and 10 C.F.R. 430.32 (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000547&refType=LQ&originatingDoc=1740a056099df11e7b64ee50c91f0a9>), the department is directed to petition the Department of Energy for a waiver of federal preemption pursuant to 42 U.S.C. Section 6297(d) (<https://1.next.westlaw.com/Link/Document/FullText?findType=Y&originatingContext=document&transitionType=DocumentItem&pubNum=1000546&refType=RB&originatingDoc=1740a056199df11e7b64ee50c91f0a9>).

(e) The department is directed to amend the applicable state minimum codes so as to permit counties and municipalities to provide by ordinance for an exemption to the requirements of subsection (c) of this Code section, relative to new construction and to the repair or renovation of an existing building, under the following conditions:

- (1) When the repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets, or shower heads within such existing building;
 - (2) When such plumbing or sewage system within such existing building, because of its capacity, design, or installation, would not function properly if the toilets, faucets, or shower heads required by this part were installed;
 - (3) When such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individual's personal residence; or
- (4) When units to be installed are:
- (A) Specifically designed for use by persons with disabilities;
 - (B) Specifically designed to withstand unusual abuse or installation in a penal institution; or

(C) Toilets for juveniles.

(f) The ordinances adopted by counties and municipalities pursuant to subsection (e) of this Code section shall provide procedures and requirements to apply for the exemption authorized by said subsection.

(g) Any person who installs any toilet, faucet, urinal, or shower head in violation of this Code section shall be guilty of a misdemeanor.

1) Before July 1, 2012, a city, county, or authority shall adopt and enforce the provisions of this Code section in order to be eligible to receive any of the following grants, loans, or permits:

(1) A water or waste-water facilities grant administered by the Department of Natural Resources or the Department of Community Affairs; or

(2) A water or waste-water facilities loan administered by the Georgia Environmental Finance Authority.

(i) After July 1, 2012, the sale of a gravity tank-type, flushometer-valve, or flushometer-tank toilet that uses more than an average of 1.28 gallons of water per flush is prohibited in this state.

(j) The provisions of this Code section shall not be construed to prohibit counties or municipalities from adopting and enforcing local ordinances which provide requirements which are more stringent than the requirements of this Code section.

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