

CHAPTER 38

HEALTH AND SANITATION

ORDINANCE FOR ENFORCEMENT OF

CAMDEN COUNTY ENVIRONMENTAL HEALTH REGULATIONS

AN ORDINANCE ADOPTING AND ENACTING A CODE OF ENFORCEMENT OF RULES AND REGULATIONS OF THE **CAMDEN COUNTY BOARD OF COMMISSIONERS**; EXPRESS ADOPTION OF APPLICABLE RULES AND REGULATIONS; DELEGATION OF DUTIES OF IMPLEMENTATION AND ENFORCEMENT TO **CAMDEN COUNTY BOARD OF COMMISSIONERS**; PROVISION FOR CRIMINAL PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR PROVISION OF PROCEDURAL RIGHTS; ESTABLISHMENT OF JURISDICTION OF MAGISTRATE'S COURT OVER VIOLATORS OF THIS ORDINANCE.

ALL FOR THE PROTECTION AND PRESERVATION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE PEOPLE OF CAMDEN COUNTY, GEORGIA.

THIS ORDINANCE SHALL APPLY TO ALL INCORPORATED MUNICIPALITIES AND UNINCORPORATED AREAS WITHIN THE BOUNDARIES OF CAMDEN COUNTY. WHERE A MUNICIPALITY HAS LAWFULLY PASSED ENVIRONMENTAL ORDINANCES TO REGULATE AND ENFORCE IN AN EQUIVALENT OR MORE RESTRICTIVE MANNER, THE CAMDEN BOARD OF COMMISSIONERS AND/OR IT'S DULY AUTHOURIZED AGENT, SHALL COORDINATE REGULATION AND ENFORCEMENT WITH THAT MUNICIPALITY.

Article I. - Reserved

Article II. State Rules, Regulations

I. Rules and Regulations

There are currently in existence certain rules and regulations adopted by the Camden County Board of Health with the purpose of preserving the public health, safety, and welfare of citizens or those individuals found within the boundaries of Camden County, Georgia.

It shall be unlawful for any person, firm, corporation, or other entity to operate a food or tourist establishment, body art studio, septic system, water supply system or swimming pool, spa or recreational water park or approve a subdivision in Camden County without a valid permit or approval issued by the Camden Board of Health, in accordance to applicable Rules and Regulations.

It shall be unlawful for any person to operate a food or tourist establishment, body art studio, septic system, water supply system or swimming pool, spa or recreational park during any period of time that a permit for such operation has been suspended or revoked by the Camden Board of Health.

No building permit for the construction of any residence, building or other facility which is to be served by a septic tank shall be issued by or pursuant to the authority of the Camden Board of Commissioners unless a septic tank construction permit has been issued by the Camden County Board of Health.

Camden County must have a copy of the Existing On-site Sewage Management System Performance Evaluation Report as subsequently amended and updated from the Camden County Environmental Health Office before approving Curbside Trash Collection Service. The report must list the system as approved and the report will be good for a period of 5 years from date of issuance. This provision shall not apply to those

situations where service is being restored to a purchaser who had previously been disconnected due to nonpayment of utility bills.

Further, no business license or certificate of occupancy shall be issued for any public health regulated establishment or operation unless an approval by the Camden Board of Health has been issued.

This ordinance specifically incorporates by reference the provision of the following rules and regulations and fee schedules which are in force at the time of the adoption of this ordinance:

- A. Rules and Regulations and Guidance Manuals pertaining to Rabies Control adopted by the Department of Public Health (Chapter 511-2-7) and the Camden County Board of Health (Rabies Control Rules and Regulations) as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to Rabies Control;
- B. Rules and Regulations pertaining to Food Service adopted by the Department of Public Health and the Camden County Board of Health and being Chapter 511-6-1 as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to Food Service.
- C. Rules and Regulations pertaining to Tourist Accommodations adopted by the Department of Public Health and the Camden County Board of Health and being Chapter 511-6-2 as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to Tourist Accommodations;
- D. Rules and Regulations for On-Site Sewage Management Systems and Guidance Manual adopted by the Department of Public Health and the Camden County Board of Health and being Chapter 511-3-1 as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to On-Site Sewage Management Systems;
- E. Require that the minimum lot sizes recommended in Section M of the Manual for On-Site Sewage Management Systems be met for lots served by on-site

sewage management (septic) systems. These lot sizing requirements follow as Appendix 1;

- F. Rules and Regulations for Portable Sanitation adopted by the Department of Public Health and the Camden County Board of Health and being Chapter 511-3-6 as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to Portable Sanitation;
- G. Rules and Regulations pertaining to Drinking Water Supply adopted by the Camden County Board of Health as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to Drinking Water Supply;
- H. Rules and Regulations pertaining to Public and Semi-Public Swimming Pools, Spas, and Recreational Water Parks adopted by the Camden County Board of Health and policies of the Camden County Board of Health pertaining to Public and Semi-Public Swimming Pools, Spas, and Recreational Water Parks;
- I. Rules and Regulations pertaining to Body Art, to include but not limited to tattooing, adopted by the Camden County Board of Health and being rules and regulations for Body Art Studios and Artists as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to Body Art; and
- J. Camden County Environmental Health Fee Schedule approved by the Camden County Board of Health and adopted by the Camden County Commission as subsequently amended and updated, and policies and resolutions of the Camden County Board of Health pertaining to Fees
- K. Rules and Regulations pertaining to “Hand Watering” Gray Water Regulations adopted by the Department of Public Health and the Camden Board of Health as subsequently amended and updated, and policies of the Camden County Board of Health pertaining to “Hand Watering” Gray Water.
- L. Rules and Regulations pertaining to On-Site Sewage Area Fill/Mound Sod (Elevated Evaporation field) requirements as subsequently amended and updated by the Camden County Board of Health.

II. Implementation and Enforcement

The duty of implementation and enforcement of these regulations rest with the Camden County Board of Commissioners, City Council and/or Mayor, and by virtue of this ordinance is hereby expressly delegated to the Camden County Board of Health who is hereby charged with promulgation of sufficient procedures for insuring compliance with these rules and regulations by the citizens of Camden County or those individuals found within the boundaries of Camden County. The Camden County Board of Health is directed to implement procedures which will insure that the citizens of Camden County or those individuals found within the boundaries of Camden County will receive all procedural rights to which they are entitled under the laws of the State of Georgia:

- a) When the duly authorized agent of the Camden Board of Health determines that a violation of this ordinance exists, he shall send by regular mail, certified mail or personally deliver a written notice of the violation to the owner of the property or his representative, the tenant or his representative and any other party who has control or ownership of the property. The notice of violation may also be personally served or served notoriously by placing on or adjacent to the front door in a conspicuous location.
- b) The notice shall state the location of the property, the nature of the violation, a provision for remedying the violation and a timeframe for compliance. The notice shall also state that if the violation is not remedied within the timeframe, a citation for the violation may be issued to all parties controlling or owning the property.
- c) Following the expiration of the time set forth in the notice, the duly authorized agent of the Camden Board of Health shall re-inspect the property to determine if the violation still exists.
- d) If the violation has not been remedied at the time of re-inspection a citation may be issued by a code enforcement officer or law enforcement personnel pursuant to O.C.G.A 15-10-63. However, in lieu of a citation, an accusation may be drafted and personally served.

- e) If the environmental health district director, district program manager or district health director determines that an emergency exists such that there is imminent harm or peril to life or property, he may authorize the immediate issuance of a citation or accusation without the notice that is specified in subsection (a) of this section. Furthermore, lack of the notice letter specified in subsection ((b) of this section shall not invalidate a citation or accusation.

III. Violations and Penalties

Any violation of the rules and regulations hereby referenced shall be a violation of this ordinance and shall be a misdemeanor offense. Any violator shall be subject to the imposition of a fine not to exceed \$500.00 and/or imprisonment for a period not to exceed sixty (60) days or both. Any failure of payment of inspection or other environmental service fees listed within the fee schedule approved by the Camden County Board of Health and adopted by the Camden County Board of Commissioners within 60 days of the first notice may result in suspension of permit.

IV. Prosecutor

The Magistrate's Court of Camden County shall have jurisdiction over violators of this ordinance and all procedures for enforcement of such ordinance shall be as provided in Article 4, Chapter 10 of Title 15, Official Code of Georgia. Complaints of violation of any provision of this ordinance shall be brought before the magistrate's court by a designated representative of the Camden County Board of Health and shall be prosecuted through that court. A complaint shall be brought before the Magistrate's Court only after all notices and rights to a hearing before a Hearing Officer of the Board of Health (or their designee) have been provided and/or all applicable Camden Board of Health and/or Department of Public Health compliance procedures have been exhausted.

Appendix 1

Lot Sizing

To provide for the orderly and safe development of property utilizing on-site sewage management systems, the following criteria for establishing minimum lot sizes are recommended for use by County Boards of Health, which are authorized by Georgia statute in OCGA 31-3-5(b) (2) to establish minimum lot sizes. Larger lot sizes may be required to meet the requirements of this manual depending on the proposed development of the property. County Boards of Health and/or County Zoning Authorities may require larger minimum lot sizes; such establishment of larger minimum lot sizes will take precedence.

1. Lot size requirements are as follows for single family dwellings including but not limited to: manufactured or mobile homes, stick built homes, modular homes, etc., and individual lots in subdivisions or mobile home lots located in areas other than commercial mobile home parks. Area requirements for multiple dwellings on a single recorded lot, where not prohibited by local zoning, must be provided in multiples of the following minimum lot sizes for each dwelling to be constructed on the recorded lot. See Table MT-1 and subparagraphs 1A through 1F as follows.

Table MT-1
Minimum (Min) Lot Sizes, Minimum Lot Widths and Maximum (Max) Allowable Sewage Flow for the Type of Water Supply System.

	Type of Water Supply System	
	Non-public* (Individual)	Public
Min Lot Size	43,560 square feet	21,780 square feet
Min Lot Width	150 ft.	100 ft.
Max Sewage Flow	600 gpad**	1200 gpad

* In this context "Non-public" means an individual water supply system or any other water supply system, which is not a "public" water supply system.

** gpad = gallons per acre per day=gal/acre/day.

- A. The above minimum lot sizes are for the typical size home (3 or 4 Bedroom) with basic appurtenances such as: driveway, minimum number of trees, and water supply line. If larger homes, swimming pools, tennis courts or outbuildings, etc. are proposed to be constructed or if trees would interfere with installation of an on-site sewage management system, the County Board of Health will require larger lots to assure useable soil area.
- B. The County Board of Health may also require larger lot sizes when physical factors indicate the need to do so. These factors include, but are not limited to, the availability of sufficient unobstructed land areas for an approved on-site sewage management system and approved replacement system, slope greater than 5%, percolation rates higher than 45 minutes per inch, need for subsurface drainage or adverse topographic features.
- C. Lots shall be a minimum width of one hundred feet (100') or one hundred fifty feet (150') measured within the area where an approved on-site sewage management system and replacement system are to be located when served by a public water supply system or non-public water supply system, respectively.
- D. The following land areas are not considered as a part of a lot when calculating the required minimum lot size: right of ways of roads, easements (such as power line or pipe line) that exclude installation of an on-site sewage management system, soil conditions that exclude the installation of an on-site sewage management system, bodies of water, land within 50 feet of a lake, river, stream, wetland or other bodies of water and similar limiting factors.

- E. There must be an unobstructed area on each lot for installation of an approved on-site sewage management system and an area equal in size for a conventional system or larger area, as appropriate, for an approved replacement system; this will include sufficient area for necessary site modifications for installation of both the initial system and a replacement system. All pertinent County zoning setbacks and other space requirements must also be met.
- F. The maximum daily sewage flow for each lot or parcel of land shall not exceed 600 gpad when served by non-public or individual water supply system or 1200 gpad when served by public water supply system. When sewage flows exceed these quantities (600 or 1200 gpad as indicated) for a given dwelling structure, the minimum lot size or parcel of land shall be increased proportionally. Example: Assume a public water supply exists (so 1200 gpad maximum sewage flow allowed per minimum required land area of 21,780 square feet), and there is a proposed sewage flow of 5,000 gpd. To determine X= the square footage of the lot needed, use the following formula:

$$\begin{aligned}
 X &= \frac{5000 \text{ gal/day}}{1200 \text{ gal/acre/day}} \\
 &= 4.17 \text{ acre} \\
 &= 4.17 \text{ acres} \times 43560 \text{ ft}^2/\text{acre} \\
 &= 181,500 \text{ ft}^2 \text{ area of land needed.}
 \end{aligned}$$

Likewise, for a non-public (individual) water supply, to determine Y= the square footage of the lot needed for a proposed sewage flow of 5000 gpd, use the following formula:

$$\begin{aligned}
 Y &= \frac{5000 \text{ gal/day}}{600 \text{ gal/acre/day}} \\
 &= 8.33 \text{ acres} \\
 &= 8.33 \text{ acres} \times 43560 \text{ ft}^2/\text{acre} \\
 &= 363,000 \text{ ft}^2 \text{ area of land needed.}
 \end{aligned}$$

2. Lot sizing requirements are as follows for multi-family residential dwellings, all other non-single family dwellings and commercial structures, and this also includes mobile homes located in commercial mobile home parks. Paragraphs 1A through 1F above also apply to Table MT-2.

Table MT-2
Minimum (Min) Lot Sizes, Minimum Lot Widths and Maximum (Max) Allowable Sewage Flow for the Type of Water Supply System.

	Type of Water Supply System	
	Non-public* (Individual)	Public
Min Lot Size	43,560 square feet	21,780 Square Feet
Min Lot Width	150 ft.	100 ft.
Max Sewage Flow	600 gpad**	1200 gpad

* In this context "Non-public" means an individual water supply system or any other water supply system, which is not a "Public" water supply system.

** gpad=gallons per acre per day= gal/acre/day

Criteria for Protection of Groundwater Recharge Areas

Rules of the Department of Natural Resources, Environmental Protection Division, Chapter 391-3-16-.02 require the following minimum lot sizes in the State of Georgia Groundwater Recharge areas as defined by the above.

A) Subdivisions and Individual Lots

New homes served by septic tank and absorption field systems shall be on lots having the following minimum size limitations as identified in Table MT-1.

- 1.) 150 % of the subdivision minimum lot size of Table MT-1 if lot is within a high pollution susceptibility area;
- 2.) 125 % of the subdivision minimum lot size of Table MT-1 if lot is within a medium pollution susceptibility area;
- 3.) 110 % of the subdivision minimum lot size of Table MT-1 if lot is within a low susceptibility area.

B) Mobile Home Parks

New mobile home parks served by septic tanks and absorption field systems shall be on lots having the following size limitations as identified in Table MT-2.

- 1.) 150 % of the subdivision minimum lot size of Table MT-2 if lot is within a high pollution susceptibility area;
- 2.) 125 % of the subdivision minimum lot size of Table MT-2 if lot is within a medium pollution susceptibility area;
- 3.) 110 % of the subdivision minimum lot size of Table MT-2 if lot is within a low pollution susceptibility area.

C) If a local government requires a larger lot size than that required by (2A) above for homes or (2B) above for mobile homes, the larger lot size shall be used.

D) Local governments at their option may exempt from the requirements any lot of record prior to the date of adoption of the Rules of the Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-16-.02.

Article III. - Reserved

Adopted in lawful assembly October 2, 2018 by the Camden County Board of Commissioners.