

ORDINANCE NO. __25-011__

AN ORDINANCE TO AMEND THE CITY OF AUBURN
CODE OF ORDINANCES REGARDING
ONSITE SEWAGE MANAGEMENT FOR GWINNETT COUNTY PROPERTIES

WHEREAS, the City of Auburn has established regulations for on site sewage management, water supply, and watershed protection; and

WHEREAS, the Gwinnett County Government has requested that the City update certain uniform regulations related to the operation and maintenance of onsite sewer and septic systems for properties located within Gwinnett County; and

WHEREAS, the rules and regulations promulgated and adopted by Gwinnett County promote the best interest of the health, safety and welfare of the citizens and encourage proper maintenance and preparation of onsite sewer management systems;

NOW THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the following Section 15.04.210 Gwinnett County Onsite Sewer Management be and is adopted as follows:

1.

Section 15.04.210 Gwinnett County Onsite Sewer Management

- (a) *Rules and regulations of the state department of public health; adopted.* The regulations of the county board of health, adopted by resolution February 12, 2024, based upon rules of the state's department of public health, as referenced in chapter 511-3-1, as now or hereafter amended, as now or hereafter amended, and having been adopted by resolution of the board of commissioners on May 14, 2024, as the health regulations governing on-site sewage management systems for the county are made a part of this Code as though fully set out at length in this section. Copies of the on-site sewage management systems regulations are on file in the office of the clerk of the board of commissioners.
- (b) *Rules and regulations of the state department of public health; enforcement.*
 - (1) The rules and regulations cited in subsection (a) of this section shall be enforced by the county board of health as a duly adopted ordinance of the county and City of Auburn.
 - (2) Violations of this section may be prosecuted upon citations issued by officers of the county police department, the county department of water resources, or by designated employees of the county board of health or City Code Enforcement. Any person violating any provision in these regulations shall be guilty of violating a duly adopted ordinance of the county, and upon conviction by a court of competent jurisdiction shall be punished either by a fine not to exceed \$1,000.00, or by confinement in the county jail for a total term not to exceed 60 days, or both. The court shall have the power and authority to place any person found guilty of a violation of this regulation on probation and to suspend or modify any fine or sentence. As a condition of

such suspension, the court may require payment of restitution or impose other punishment allowed by law.

(c) *New community sewage treatment systems prohibited.*

- (1) A community sewage treatment system shall mean a privately owned sewage treatment system which collects sewage from two or more residents or other establishments and which may consist of collector lines, pumps, sewage tanks and/or soil treatment units. Community sewage treatment systems are characterized by having relatively few residents or establishments which contribute flow and are not staffed by qualified operators licensed by the state 24 hours a day, seven days a week.
- (2) New community sewage treatment systems are prohibited in the county and the City of Auburn, notwithstanding any and all provisions of Ga. Comp. R. & Regs., chapter 511-3-1 that may otherwise allow such systems to be permitted.
- (3) Upon the effective date of the ordinance from which this section is derived, no new community sewage treatment facilities that may be permitted in any municipality in the county shall be permitted to send sewage flows to the POTW.

(d) *Authority to disconnect water service.*

- (1) The director of the county department of water resources (DWR director), the DWR director's designee, the City Administrator or his designee is authorized to disconnect water service from any property where a pattern of repeated refusal to repair a failed septic tank system has resulted in harm to public health, safety, welfare, the environment or the public interest, as set forth herein. Three bacteriological tests showing 200 or more colony forming units of fecal coliform bacteria taken from affected surface water shall be presumptive evidence of harm to public health, safety, welfare, the environment or the public interest.
- (2) The DWR director, City Administrator or designee is authorized to work with the county health department, an agency of the state, to coordinate measures to protect public health, safety, welfare, the environment or the public interest from contamination caused by failed septic tanks.
- (3) The DWR director, City Administrator or designee is directed to work with the county health department and with the owners of property affected by failed septic tanks to repair the maximum possible number of such systems, giving due regard to protecting health, safety, welfare, the environment or the public interest.
- (4) Upon following the notification procedures established by the county health department directing a property owner of the need to repair a failed septic tank system, the DWR director, City Administrator or designee is authorized to disconnect water service connected to that failing septic tank system whether

or not the property owner has paid any civil penalties or whether or not the property owner or occupant is current with any bills from the City or County sewer utility.

2.

The City Administrator and City Clerk are further authorized to correct typographical errors in the text of this Ordinance and the existing City Code and to produce and publish a final codified version of the City Code with the amendments and revisions outlined herein.

3.

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional, or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

4.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

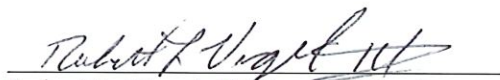
5.

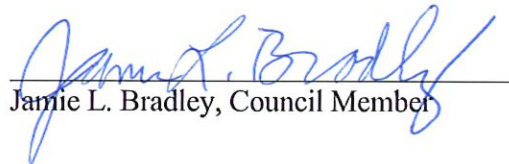
This Ordinance shall be effective immediately upon its adoption by the Mayor and City Council.

SO ORDAINED this 13 day of November, 2025.


Richard E. Roquemore, Mayor


Joshua Rowan, Council Member


Robert L. Vogel, III Council Member


Jamie L. Bradley, Council Member


Taylor J. Sisk, Council Member

ATTEST:


Brooke Haney, City Clerk