

STATE OF GEORGIA

COUNTY OF GWINNETT

ORDINANCE O-83-08

AN ORDINANCE TO AMEND CHAPTER 58 OF THE CODE OF THE CITY OF BERKELEY LAKE, GEORGIA, ENTITLED "SEPTIC SYSTEMS," TO AMEND SECTION 58-6 TO INCREASE THE MAXIMUM FINE FOR VIOLATION FROM \$500 TO \$1000; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR A REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF BERKELEY LAKE that Chapter 58 of the Code of the City of Berkeley Lake, Georgia is hereby amended by deleting Section 58-6 entitled "Violations," in its entirety and substituting in lieu thereof a new Section 58-6 as follows:

Section 58-6. Violations.

- (a) Failure to have required inspections and servicing performed before the deadline provided in the "Notice for Service Due" letter, and according to section 58-2 shall constitute a violation. Failure to submit the statement of inspection and service report according to section 58-2(5) shall constitute a separate violation of said section. Each violation is subject to penalty.
- (b) Violations pertaining to required inspections and servicing and/or reporting may be punishable by a fine not exceeding \$1,000.00 or imprisonment for 60 days, or both. Violations pertaining to required inspections and servicing accrue every 90 days and are deemed separate violations of this chapter, until such time as the requirements established in section 58-2 are met.
- (c) Violations of section 58-5 may occur if necessary repairs to the malfunctioning system are not conducted within 30 days, not reported properly, or are not performed by a certified repairman. Please review sections 58-2(2), (4)—(6) and 58-5.
- (d) Violations pertaining to malfunctioning systems may be punishable by a fine not exceeding \$1,000.00 or imprisonment for 60 days, or both. In addition, malfunctioning septic systems must be repaired within 30 days from the date of

notification of violation. Failure to correct the malfunctioning system by the end of the 30th day shall be construed to be a separate violation of this chapter.

Severability

If any article, section, subsection, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

Repeal of Conflicting Provisions

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Effective Date

This ordinance shall be effective upon its adoption by the Council of the City of Berkeley Lake.

SO ORDAINED, this 15th day of May, 2008.

LOIS SALTER, MAYOR
CITY OF BERKELEY LAKE

ATTEST:

TOM ROZIER
City Administrator

First Read: April 17, 2008
Second Read and Adoption: May 15, 2008