

AN ORDINANCE TO AMEND THE CODE OF BRYAN COUNTY, GEORGIA, SUBPART A “GENERAL ORDINANCES” CHAPTER 30 “UTILITIES” ARTICLE I – “IN GENERAL” SECTION 30-1 “DEFINITIONS” IN ORDER TO REPEAL AND REPLACE THE DEFINITION OF EQUIVALENT RESIDENTIAL UNIT; TO AMEND ARTICLE II “WATER SYSTEM” SECTION 30-22 “WATER SERVICE” SUBPARAGRAPH (A) TO REVISE THE APPLICATION PROCESS; TO AMEND SUBPARAGRAPHS (B)-(E) TO CLARIFY PAYMENT OF WATER CONNECTION FEES AND INSTALLATION OF NEW INFRASTRUCTURE; TO ADD SUBPARAGRAPH (F), STANDARD UNIT WATER DEMANDS/SEWER FLOWS; AND TO DELETE SECTION 30-23(G)(4) – “WATER LINE SERVICES INSIDE RESIDENTIAL SUBDIVISIONS, INDUSTRIAL SITES AND COMMERCIAL SITES”; TO AMEND ARTICLE III “SEWER SYSTEM” IN ORDER TO RENAME SECTION 30-105; AND TO AMEND SECTION 30-105 BY ADDING SUBPARAGRAPH (C) – “SEWER CAPITAL RECOVERY FEE”; BY ADDING SUBPARAGRAPH (D) TO ADDRESS INSTALLATION OF NEW INFRASTRUCTURE; BY ADDING SUBPARAGRAPH (E) TO REQUIRE SEWER METERS; AND BY ADDING SUBPARAGRAPH (F) ESTABLISHING THE COUNTY’S FIRST RIGHT OF REFUSAL FOR SEWER SERVICE; TO ADD ARTICLE IV – “WATER AND SEWER SERVICE AREA” AND TO PROVIDE FOR ALL OTHER MATTERS RELATED THERETO.

SECTION ONE

WHEREAS, Bryan County adopted a Utilities Ordinance (Chapter 30 of the Code of Ordinances of Bryan County) addressing water and sewer services in unincorporated Bryan County in 2007;

WHEREAS; since 2007, Bryan County has experienced tremendous growth in South Bryan and as result constructed water and sewer infrastructure to provide public utility services to property owners (residential and commercial) in South Bryan;

WHEREAS, North Bryan County has started to develop with industrial uses and will continue to develop properties with industrial, commercial, and residential uses due to the construction and operation of the Hyundai automobile manufacturing facility;

WHEREAS, as a result of the existing development and anticipated development, Bryan County has constructed and maintained and will continue to construct and maintain water and sewer infrastructure in order to meet the demands of the users located in the north and south areas of Bryan County;

WHEREAS, in order to maintain the required level of service and comply with all federal, state, and local laws regarding water quality and sewage treatment, Bryan County requires adequate financial resources to maintain the integrity of the public water and sewer systems to protect the health, safety, and welfare of residents and visitors to Bryan County;

WHEREAS, the Bryan County Board of Commissioners has determined the best method for ensuring the financial integrity of the water and sewer system and ensure Bryan County constructs and maintains the necessary public utilities’ infrastructure is to charge connection fees to those property owners/users connecting to Bryan County’s water and sewer system; and

WHEREAS, the Bryan County of Commissioners has further determined it is in the best interests of the public health, safety and welfare to revise certain sections of Chapter 30 in order to be consistent with other Bryan County ordinances and to address changes in Bryan County water and sewer operations.

NOW THEREFORE BE IT RESOLVED, Chapter 30 –“Utilities” - of the Code of Bryan County, Georgia is hereby amended as follows:

SECTION TWO

CHAPTER 30 – UTILITIES ARTICLE I- IN GENERAL

Section 30-1 – Definitions- Equivalent Residential Unit (ERU) is hereby repealed in its entirety and replaced to read as follows:

‘Equivalent Residential Unit (ERU). Water consumption of 300 gallons per day or a floor space less than 3,500 square feet shall be the equivalent of one residential unit.’

CHAPTER 30 ARTICLE II – WATER SYSTEM

Section 30-22 – Water service, subparagraph(a) shall be amended to read as follows:

‘Any developer, builder or consumer desiring to be provided water services by the utility shall make an application to the applicable department of Bryan County and provide all such information and fees required by Bryan County.’

Section 30-22 – Water service, subparagraphs(b)-(e) shall be amended and subparagraph (f) shall be added to read as follows:

- ‘(b) *A Water Capital Recovery Fee (CRF).*
- (1) A Water CRF, as established by the Board of Commissioners pursuant to Sec. 30-29, and in effect at the time of request of service, shall be paid to Bryan County prior to the connection of any service line to the County’s water system.
 - (2) The determination of a proposed use’s ERUs shall be based on estimated water consumption as shown in the “Standard Unit Water Demands/Sewer Flows” Table (Sec. 32-22(f)).
 - (3) If a property owner/developer has entered into a Water and Sewer Service Agreement or similar agreement, prior to the date of adoption of this ordinance, the Water CRF shall be charged and collected in accordance with the terms and conditions of such agreement.
 - (4) In the event that a metered service changes use e.g., a single family residence is converted to a business, a clothing store is converted to a restaurant, or a warehouse is converted to a manufacturing facility, such that the new use will increase the water consumption as calculated in subparagraph (b)(2), a Water CRF shall be calculated using the current CRF rate multiplied by the difference of the new use ERUs and the prior use ERUs. The County, however, shall not be required to refund previously paid ERUs should the new use’s revised ERU calculation result in a lower demand.
 - (5) Should it be determined during plan review and/or subsequent building operations/renovations that actual metered water consumption rates are greater than 15 percent of the initial approved water demand loadings submitted to the Engineering Director, Bryan County can require additional Water CRFs corresponding to the average annual water consumption as metered. The

County, however, shall not be obligated to refund Water CRFs if the actual water consumption is determined to be lower than the estimated consumption at the time of connection/payment of Water CRF.

- (6) The Engineering Director shall have final authority in determining the Water CRF for a proposed use/development. Appeals of the Engineering Director’s decision shall be in accordance with Division 6 “Appeals to Staff Decisions” of Chapter 114.
- (c) If existing infrastructure is unavailable to service new construction, the property owner/developer shall install or pay for the required infrastructure (service line) to service the property. If excess capacity is available for others to be serviced by the same infrastructure, the property owner/developer shall pay their pro-rata share of the cost of the new service line.
- (d) The property owner shall pay the required meter fees as adopted by the Board of Commissioners.
- (e) The County shall have first right of refusal to provide water service to any development in the County service delivery area. Any development that applies for sewer service by the County shall also be required to apply for water service by the County. Should the County refuse to provide water service to a proposed development/property, the property owner may utilize a private well, as approved by applicable state and local agencies, or obtain service from a private utility subject to State and County approvals.
- (f) ERUs shall be calculated based on the Standard Unit Water Demands/Sewer Flows table. If the table does not provide approximations for water/sewer use for a particular development type, the Project Engineer shall submit a proposed water and sewer demand calculation to the Engineering Director for review and approval.

Standard Unit Water Demands / Sewer Flows

Type of Development	Percentage of Total Building Footprint	Water Consumption (GPD/unit)	Equivalent Resident Units per Unit (ERUs/Unit)
<i>Residential</i>			
Single-Family Dwelling Unit			
≤3,500 SF Building Area		300 gpd / unit	1.00
3,500 SF to 6,000 SF		400 gpd / unit	1.33
>6,000 SF		TBD (contact Engineering Director)	
Apartment, One Bedroom		100 gpd / unit	0.33
Apartment, Two Bedroom		150 gpd / unit	0.50

Type of Development	Percentage of Total Building Footprint	Water Consumption (GPD/unit)	Equivalent Resident Units per Unit (ERUs/Unit)
Apartment, Three Bedroom		300 gpd / unit	1.00
Boarding/Rooming House ¹		100 gpd / room	0.33
Add per laundry / dish washing machine		500 gpd / machine	1.67
Cottages, Season Occupancy		50 gpd / person	0.17
Dormitory		80 gpd / room	0.27
Hotel/Motel, No Kitchen		100 gpd / room	0.33
<i>Commercial</i>			
Airport ¹			
Per Terminal Gate		200 gpd / gate	0.667
Add Per Employee		10 gpd / employee	0.033
Add Per Passenger		4 gpd / passenger	0.013
Automotive Repair Shop / Tire Shop		60 gpd / bay	0.20
Bakery		15 gpd / 100 SF	0.05
Banks		30 gpd / 200 SF	0.10
Barber Shop		30 gpd / chair	0.10
Beauty Salon		60 gpd / chair	0.20
Bowling Alley		30 gpd / lane	0.10
Car Dealerships ¹			
Office/Showroom		160 gpd / 1,000 SF	0.533

Type of Development	Percentage of Total Building Footprint	Water Consumption (GPD/unit)	Equivalent Resident Units per Unit (ERUs/Unit)
Add Parts, Service, Warehouse		30 gpd / 1,000 SF	0.10
Car Wash ¹			
Add Hand Wash		400 gpd / location	1.33
Add Wand Wash		125 gpd / bay	0.42
Add Automated System		7,000 gpd / site	23.33
Coffee Shop		100 gpd / 200 SF	0.333
Convenience Store		350 gpd / 1,000 SF	1.17
Country Club, Recreation Facility		25 gpd / member	0.083
Department Store		3 gpd / 1,000 SF	0.01
Drug Store		700 gpd / store	2.33
Fitness Center		6 gpd / 100 SF	0.02
Food Service w/ Restrooms and Kitchen ¹			
Restaurant, <24 hr/day operation ¹		20 gpd / seat	0.067
Cafeteria, <24 hr/day operation ¹		35 gpd / seat	0.117
Restaurant, 24 hr/day operation ¹		25 gpd / seat	0.083
Drive-In Restaurant ¹		50 gpd / car space	0.17
Dining Hall ¹		7 gpd / meal served	0.023
Carry-Out Only ¹		20 gpd / 100 SF	0.067
Add per laundry / dish washing machine		500 gpd / machine	1.67
Grocery Store		5 gpd / 100 SF	0.017

Type of Development	Percentage of Total Building Footprint	Water Consumption (GPD/unit)	Equivalent Resident Units per Unit (ERUs/Unit)
Laundry			
Self-Service		135 gpd / machine	0.45
Commercial		950 gpd / machine	3.17
Medical & Healthcare ¹			
Physician's Office, Clinic, Veterinary, Dental, Dialysis		150 gpd / 1,000 SF	0.50
Dental Office, Add		60 gpd / chair	0.20
Veterinary, Add		10 gpd / animal boarding or kennel	0.033
Medical & Healthcare (cont.) ¹			
Hospital		250 gpd / bed	0.833
Nursing Home, Assisted Living		150 gpd / bed	0.50
Mental Health, Drug Rehabilitation		75 gpd / bed	0.25
Nail Salon		40 gpd / chair	0.133
Offices, Small Stores, Business, Administration Buildings		200 gpd / 1,000 SF	0.33
Seafood Market		120 gpd / 100 SF	0.40
Service Stations ¹			
Per Employee		10 gpd / employee	0.033
Add per gas pump		200 gpd / gas pump	0.67
Add for car wash		800 gpd / car wash	2.67
Tavern, Bar, Cocktail Lounge – No Meals		10 gpd / seat	0.033

Type of Development	Percentage of Total Building Footprint	Water Consumption (GPD/unit)	Equivalent Resident Units per Unit (ERUs/Unit)
<i>Institutional</i>			
Assembly Hall		3 gpd / seat	0.01
Camps Children, Overnight, Central Facilities Construction, Migrant Labor Day type, no meals		50 gpd / person	0.17
		50 gpd / person	0.17
		20 gpd / person	0.067
Church, Without Day Care		2 gpd / seat	0.007
Correctional Institution / Prison		100 gpd / bed	0.33
Day Care Center with Meals		8 gpd / person	0.027
Kitchen for Day Care, Kindergarten		10 gpd / person	0.033
Library		60 gpd / 1,000 SF	0.20
Parks Mobile Home Park Picnic Areas (With Toilets) Day-Use (With Toilets) RV Park		200 gpd / site	0.67
		10 gpd / person	0.033
		5 gpd / person	0.017
		100 gpd / lot	0.33
Schools Kindergarten, No Meals		10 gpd / person	0.033

Type of Development		Percentage of Total Building Footprint	Water Consumption (GPD/unit)	Equivalent Resident Units per Unit (ERUs/Unit)
Day, Restrooms, Cafeteria			20 gpd / person	0.067
Day, Restrooms, Gym, Cafeteria			25 gpd / person	0.083
Stadium, Ball Park, Racetracks			2 gpd / seat	0.007
Swimming and Bathing Facilities, Public			10 gpd / person	0.033
Theatre			2 gpd / seat	0.007
Visitor Center			6 gpd / person	0.02
Industrial^{2 & 3}				
Warehouse (<750,000 SF total building footprint)	Warehouse / Storage	97%	3 gpd / 1,000 SF	0.01
	Office	3%	200 gpd / 1,000 SF	0.667
Warehouse (≥750,000 SF total building footprint)	Warehouse / Storage	98%	3 gpd / 1,000 SF	0.01
	Office	2%	200 gpd / 1,000 SF	0.667
E-Commerce / Fulfillment Center		100%	25 gpd / Employee	0.083
Process Manufacturing		100%	300 gpd / 1,000 SF	1.00
Light Manufacturing		100%	115 gpd / 1,000 SF	0.383
Assembly / Technology		100%	75 gpd / 1,000 SF	0.25

1. Additional water consumption shall be added per unit, as depicted in the sub-categories labelled "Add." These additional demands, plus the base demand, shall be used to calculate the total ERU's / unit.
2. Larger industrial buildings shall be split by usage type (i.e. warehouse and office space). If the table does not provide approximations for water/sewer use for a particular development type, the estimated water/sewer usage shall be determined by the Project Engineer and must then be verified and accepted by Bryan County.
3. The percentage of total building footprint for each usage type is based on approximate historical data for the region. These percentages may differ between developments and between buildings, but for the purposes of determination of capacity request and Capital Recovery Fees only the values listed above shall be used for industrial warehousing. '2

Section 30-23 – Waterline extensions - subparagraph(g)(4) is hereby repealed in its entirety.

CHAPTER 30 – UTILITIES -ARTICLE III – SEWER SYSTEM

Section 30 -105 – Sewer Service Charges shall be renamed to read as follows:

‘Sec. 30-105. – Sewer Connection Fees and Service Charges.’

Section 30-105 – Sewer Service Charges, shall be amended to add subparagraph (c) and shall read as follows:

‘(c) *Sewer Capital Recovery Fee.*

- (1) A Sewer Capital Recovery Fee (CRF), as established by the Board of Commissioners pursuant to Sec. 30-29 and in effect at the time of requested service, shall be paid to the County prior to connection of any service line to the County’s sanitary sewer system. Total Sewer CRF shall be equivalent to the residential units for water consumption as determined in Section 30-22(b).
 - (2) If a property owner/developer has entered into a Water and Sewer Service Agreement or similar agreement prior to the date of adoption of this ordinance, the Sewer CRF shall be charged and collected in accordance with the terms and conditions of such agreement.
 - (3) In the event that a metered service changes use, e.g., a single family residence is converted to a business, a clothing store is converted to a restaurant, or a warehouse is converted to a manufacturing facility such that the new use will increase the water consumption as calculated in Section 30-22(b), a Sewer CRF shall be calculated using the current Sewer CRF rate multiplied by the difference of the new use ERUs and the prior use ERUs. The County, however, shall not be required to refund previously paid ERUs should the new use’s revised ERU calculation result in a lower demand
 - (4) If the Engineering Director determines during plan review or subsequent building operations/renovations that actual metered water consumptions rates are greater than 15 percent of the initial approved water demand loadings and the Engineering Director requires additional Water CRF as provided for in Sec. 30-22(b)(5), the property owner/developer shall pay the additional corresponding Sewer CRF. The County, however, shall not be obligated to refund Sewer CRF if the actual water consumption is determined to be lower than the estimated consumption at the time of connection/payment of Sewer CRF.
 - (5) The Engineering Director shall have final authority in determining the Sewer CRF for a proposed use/development. Appeals of the Engineering Director’s decision shall be in accordance with Division 6 “Appeals to Staff Decisions” of Chapter 114.’
- (d) If existing infrastructure is unavailable to service new construction, the property owner/developer shall install or pay for the required infrastructure (service line) to service the property. If excess capacity is available for others to be serviced by the same infrastructure, the property owner/developer shall pay their pro-rata share of the cost of the new service line.
- (e) The property owner shall pay the required meter fees as adopted by the Board of Commissioners.

(f) The County shall have first right of refusal to provide sewer service to any development in the County service delivery area. Any development that applies for sewer service by the County shall also be required to apply for water service by the County. Should the County refuse to provide sewer service to a proposed development/property, the property owner may utilize a private on-site wastewater treatment system (e.g. on-site septic system), as approved by the County Department of Public Health, or obtain service from a private utility subject to State and County approvals.

(Sec. 30-124-150 is reserved.)

CHAPTER 30 – ARTICLE IV

Article IV – Water and Sewer Service Areas is hereby added to Chapter 30 and reads as follows:

‘ARTICLE IV – WATER AND SEWER SERVICE AREA

Sec. 30-151 – Establishment of Bryan County Water and Sewer Service Area

The County’s Water and Sewer Service Area is the geographical area identified in the Service Delivery Strategy entered into by Richmond Hill, Pembroke, and Bryan County whereby establishing the geographic boundaries each respective entity shall provide local government services.

Sec. 30-152 – Water and Sewer Subareas/districts

The County may establish subareas/districts within the Water and Sewer Service Area. Such districts shall be created upon adoption of a resolution by the Board of Commissioners establishing subarea/district boundaries.

Sec.30-153 – Additional Capital Recovery Fees

Within established subareas/districts, the County may charge additional Water and Sewer CRFs. Such fees shall be established as provided for in Sec. 30-29 – Rate Schedule and calculated pursuant to Sec. 30-22(b) – Water Capital Recovery Fee and Sec. 30-105(c) – Sewer Capital Recovery Fee. The Engineering Director shall maintain the Water and Sewer Service Area map, including subarea/district boundaries, and such map shall identify areas with additional Water and Sewer CRFs.

SECTION THREE

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

SECTION FOUR

If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

SECTION FIVE

This ordinance shall become effective immediately upon its adoption by the Bryan County Board of Commissioners.

SO ORDAINED, this 13th day of September, 2022.



Chairman Carter Infinger
Bryan County Board of Commissioners

ATTEST



Lori Tyson
County Clerk

First Reading: August 9, 2022
Second Reading : September 13, 2022