



CITY of POOLER
— GEORGIA —

STATE OF GEORGIA }
 }
COUNTY OF CHATHAM }

ORDINANCE O2025-06.E
Stormwater Ordinance Regulations

AN ORDINANCE TO AMEND THE CITY OF POOLER CODE OF ORDINANCES CHAPTER 42, ENVIRONMENT, ARTICLE V – STORMWATER MANAGEMENT, DIVISION 1-STORMWATER MANAGEMENT: IN GENERAL, SECTION 42.157- PROHIBITION AND CHAPTER 74, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE I – IN GENERAL, SECTION 74-5– OBSTRUCTION OF DITCHES, CANALS, RIGHTS-OF-WAY TO ESTABLISH ILLICIT DISCHARGE AND DUMPING REGULATIONS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Pooler that the Code of Ordinances of the City of Pooler, Georgia are hereby amended as follows:

I

That CHAPTER 42 – ENVIRONMENT, Article V. Stormwater Management, Division 1- Stormwater Management: In General, Section 42.157- Prohibition be amended by deleting the strikethrough language and adding the underlined text as follows:

Sec. 42-157. - Prohibition.

(a) It is unlawful for any person to throw, drain, run or otherwise discharge to any component of the municipal/county separate storm sewer system or to cause, permit or suffer to be thrown, drained, run or allow to seep or otherwise discharge into such system all matter of any nature.

(b) No person shall throw, deposit, leave, drain, run or otherwise discharge to any ditch, canal, stream, channel, pond, lagoon, waterway, wetland, waters of the state, or any basin that regularly or periodically carries or stores water any refuse, rubbish, garbage, litter, vegetative debris including natural foliage, fecal matter, or other discarded or abandoned objects, articles, and accumulations so that the same may cause or contribute to pollution of the drainage system.

(c) Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, and other obstacles that would pollute, contaminate, obstruct, or materially impede the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

(d) A person must not discharge, cause or allow to flow from a storage system or other container, any pollutant into the municipal separate storm sewer system, channel, canal, ditch, stream, wetlands or waters of the state except in concentrations or quantities explicitly authorized by an approved National Pollutant Discharge Elimination System discharge permit, or by a plan for compliance, or that are consistent with the utilization of approved best management practices.

(e) A person must not connect any apparatus discharging any pollutant, in any quantity, to any part of the municipal separate storm sewer system, channel, canal, ditch, stream, wetlands or waters of the state except as explicitly authorized by an approved National Pollutant Discharge Elimination System discharge permit or by a plan for compliance, or as results from approved best management practices.

(f) A person must not improperly store, handle, or apply any pollutant in a manner that will cause its exposure to rainfall or runoff and discharge as point source pollution or nonpoint source pollution into the municipal separate storm sewer system, channel, canal, ditch, stream, wetlands or waters of the state except in concentrations and quantities authorized by an approved National Pollutant Discharge Elimination System discharge permit or by a plan for compliance, or as results from approved best management practices.

(~~g~~) The director may exempt the following from the prohibition set forth in subsection (a through f) of this section:

- (1) Water line flushing performed by a government agency, diverted stream flows, rising groundwaters and unpolluted groundwater infiltration.
- (2) Unpolluted pumped groundwater.
- (3) Discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands and street wash water.
- (4) Discharges or flows from firefighting.
- (5) Other unpolluted water.

(h) The city public works department and code enforcement officers shall administer, implement, and enforce the provisions of this section.

(~~e~~-i) In the event of an accidental discharge or an unavoidable loss to the municipal/county separate storm sewer system of any material or substance other than stormwater runoff, the person concerned shall inform the city department of public works and all other impacted entities immediately (not longer than two hours) of the nature, quantity and time of occurrence of the discharge. The person concerned shall take immediate steps to contain, treat or take other actions to minimize effects of the discharge on the municipal/county separate storm sewer system and receiving streams. The person shall also take immediate steps to ensure no recurrence of the discharge.

(j) Upon finding a violation of this section, the city may issue a notice of violation, stop order, or corrective order to any person causing or permitting the violation. Any person or entity in violation of any portion of this section may be cited and ordered to appear before the municipal court or other court of appropriate jurisdiction and, upon conviction, be subject to the penalties as set forth in Chapter 1, Section 1-12 of this Code. Each day's continued violation constitutes a separate offense.

II

That CHAPTER 74 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, Article I. In General, Section 74.5- Obstruction of Ditches, Canals, Rights-of-Way, be amended by adding the underlined text as follows:

Sec. 74-5. - Obstruction of ditches, canals, rights-of-way.

- A. It shall be unlawful for any person to obstruct or cause an obstruction to be placed in a ditch, right-of-way, canal, or gutter, whether running adjacent to a public street or road or other public right-of-way, or in any manner to cause a blockage of any drainage ditches, canals, rights-of-way, or waterways, which affects the drainage of surface water and which is maintained by the public departments and agencies of the city.
- B. No person shall create, cause, or allow to occur, the blockage of a watercourse that obstructs or materially impedes the natural flow of water without the written approval of the City.
- C. No person shall throw, deposit, leave, discharge, drain, run, maintain, keep, or permit to be thrown, deposited, left, discharged, drained, ran or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of any storm sewer system, ditch, canal, stream, channel, waterway, wetland or waters of the state, any refuse, rubbish, garbage, litter, vegetative debris including natural foliage, fecal matter, or other discarded or abandoned objects, articles, and accumulations so that the same may cause or contribute to pollution within the storm sewer system.
- D. The city public works department and code enforcement officers shall administer, implement, and enforce the provisions of this section.
- E. Upon finding a violation of this section, the city may issue a notice of violation, stop order, or corrective order to any person causing or permitting the violation. Any person or entity in violation of any portion of this section may be cited and ordered to appear before the municipal court or other court of appropriate jurisdiction and, upon conviction, be subject to the penalties as set forth in Chapter 1, Section 1-12 of this Code. Each day's continued violation constitutes a separate offense.

III

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

IV

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

V

This ordinance shall be effective immediately upon its adoption by the Mayor and City Council of Pooler, Georgia.

FIRST READING: _____ day of _____, _____

SECOND READING: _____ day of _____, _____

ADOPTED: _____ day of _____, _____

CITY OF POOLER, GEORGIA

Karen L. Williams, Mayor

ATTEST:

Kiley Fusco, Clerk of Council