

**A RESOLUTION/ORDINANCE OF THE CITY COMMISSION OF THE  
CITY OF BUFORD TO ADOPT A WASTEWATER ALLOCATION SCHEME  
FOR FUTURE DEVELOPMENT IN THE CITY OF BUFORD AND  
PROPERTIES SERVED BY THE CITY'S SYSTEM;  
AND OTHER PURPOSES**

**Section 1: Purpose and Findings.**

(a) The City of Buford's land use has grown substantially in recent years encompassing industrial, commercial and residential development. With the increase in growth has come a drastic and dramatic increase in the volume of wastewater treatment which is required to be treated by the City's plants.

(b) Federal and state regulations along with other variables outside the City's purview restrains the City from obtaining additional capacity to treat wastewater and severely undermine the prospects of such future treatment which will be necessitated in light of the City's growth patterns and Future Land Use Plan 2012. (See Report authored by Charles C. Corbin, Jr., P.E., P.L.S., Keck & Wood, Inc., City of Buford Engineer which analyzes *future* demand and capacity. Said report is incorporated herein by reference.)

(c) Regulation of the future allocation of wastewater treatment is necessary for the welfare of the City and its inhabitants along with the financial viability and integrity of the wastewater system. Accordingly, it is the intention of the City to establish regulations and a scheme governing future wastewater allocation which will:

- (1) Promote and protect the public health, safety, and general welfare.
- (2) Enhance the economy and the business and industry of the City by establishing the reasonable, orderly, equitable, and effective means to allocate wastewater treatment.
- (3) To assist in uniform and balanced future development to serve the needs of the community and City's tax digest.

**Section 2: Definitions**

- (1) *Future Land Use Plan*: The City of Buford Future Land Use Plan and Map -2012, Keck & Wood, 2000.
- (2) *Commercial*: Zoning categories and parcels consisting of C-2 General Business and O-1 classifications
- (3) *Industrial*: Zoning categories and parcels consisting of M-1 and M-2 Industrial classifications.
- (4) *Low Density Residential*: Zoning categories and parcels consisting of RA-200, R-110, and R-100 classification.

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**Section 5: Compliance**

Upon issuance of a Certificate of Occupancy, the City shall monitor the water consumption of the project/development for a period of time necessary to establish the normal usage pattern of the facility. Should the daily average usage be greater than the maximum daily wastewater generation allowance established for the project/development, the facility shall be assessed a fine for exceeding ordinance limits. Such fine shall be determined by subtracting the daily average usage from the maximum daily wastewater generation allowance and multiplying the result by \$12.00 per gallon. An administrative fee of \$1,500.00 shall also be due and payable.

**Section 6: Appeal**

If the proposed project/development exceeds the maximum daily wastewater generation allowance set forth above and the City maintains present capacity for the project, the applicant may petition the City of Buford for a waiver of said restrictions. Upon review by the City staff and City Engineer, the application and recommendation shall be presented to the City Commission for consideration. Technical factors to be considered by the City Engineer shall include:

- (a) Current performance of the City's wastewater treatment facilities;
- (b) Character and nature of wastewater to be discharged compared to the provisions of the City's Sewer Ordinance;
- (c) Current daily flow at the City's treatment plant which would receive the flow from the project;
- (d) Impact of additional flow on receiving treatment plant's ability to achieve NPDES permit limits, and
- (e) Available hydraulic capacity of sewers and other sewer system components.

If wastewater treatment capacity is available and the project is in accordance with the City's Comprehensive Plan and if the capacity is not greater than ten percent (10%) of the total available capacity, the City Commission may authorize the additional portion of daily wastewater volume. If such waiver is granted by the City Commission, the applicant shall remit a one-time fee of \$10.00 for each gallon of additional volume over the maximum daily wastewater generation allowance.

**Section 7: Effective Date/Moratorium**

That certain moratorium enacted on February 24, 2000 for projects exceeding 10,000 gallons a day is hereby repealed on February 24, 2001 and this ordinance shall be given full force and effect on February 24, 2001.

- (5) *Medium Density Residential*: Zoning categories and parcels consisting of RM-6, and RMD classification.
- (6) *High Density Residential*: Zoning categories and parcels consisting of RM-8 and greater classifications.
- (7) *Peak to average* ratio: The ratio of the maximum wastewater discharge rate to the monthly average daily discharge rate.

**Section 3: Maximum Daily Wastewater Generation Allowance**

Properties located within the corporate limits of the City of Buford on the effective date of this ordinance and those properties outside the corporate limits which are served by the City's system on the effective date of this ordinance will be assigned a maximum daily wastewater generation allowance based on the land use of the property indicated on the City's adopted Future Land Use Plan or its current zoning. The allowances will consist of:

Commercial	400 gallons per acre
Industrial	750 gallons per acre
Low Density Residential	400 gallons per acre
Medium Density Residential	1,200 gallons per acre
High Density Residential	1,600 gallons per acre

Properties not located within the corporate limits of the City of Buford on the effective date of this ordinance and those properties outside the corporate limits which are not served by the City's system on the effective date of this ordinance will be assigned a maximum daily wastewater generation allowance of zero gallons per acre.

A petitioner of a future land development shall maintain an average wastewater generation at or below the established allowance set forth above. The peak to average ratio must not exceed 3.0.

**Section 4: Determination of Daily Average Usage**

City of Buford water meter readings shall be determinative and govern *daily average* usage. Nothing herein shall prevent the developer from installing and maintaining a meter, provided however that such meter shall be of a type approved by the City of Buford and shall measure water consumed on site and not returned to the City's wastewater system. Annual calibration of such meter by an independent entity shall be part of the developer's ongoing responsibility.