

**AN ORDINANCE TO PROVIDE FOR WELLHEAD PROTECTION ZONES, TO PROVIDE FOR DEFINITIONS, ESTABLISHMENT OF WELLHEAD PROTECTION ZONES, PERMITTED USES WITHIN SUCH ZONES, PROHIBITED USES WITHIN SUCH ZONES, FOR ADMINISTRATION, AND FOR OTHER PURPOSES**

**BE IT ORDAINED** by the Mayor and Council of the City of Brooklet, Georgia, and it is hereby ordained by authority of the same, that the Code of Ordinances for the City of Brooklet be, and the same is hereby amended, by adding a new Article III on Wellhead Protection to Chapter 22 of the Code of Ordinances for the City of Brooklet, as follows:

**ARTICLE III. – WELLHEAD PROTECTION**

**Section 22-30.-Purpose.**

(a) The purpose of the Ordinance is to insure the provision of a safe and sanitary drinking water supply for the City by the establishment of wellhead protection zones surrounding the wellheads for all wells which are the supply sources for the City water system and by the designation and regulation of property uses and conditions which may be maintained within such zones.

**Section 22-31.-Definitions.**

When used in this Ordinance, the following words and phrases shall have the meanings given in this section.

(a) Hazardous waste or material – any waste or material which because of its quantity, concentration or physical, chemical, or infectious characteristics may:

(1) Cause or significantly contribute to an increase in mortality or an increase in the serious irreversible or reversible illness of incapacitation.

(2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported disposed of or otherwise managed.

(b) Sanitary landfill – A disposal site where solid wastes, including putrescible wastes, or hazardous wastes, are disposed of on land by placing earth cover thereon.

(c) Wellhead – The upper terminal of a well, including adapters, ports, seals, valves, and other attachments.

#### Section 22-32.-Establishment of Wellhead Protection Zone

There is hereby established a use district known as a Wellhead Protection Zone, identified, and described as all the area within a circle the center of which is the center of any City water supply wellhead and the radius of which is 589 feet for Well #1 (Lee St.), 650 feet for well #2 (Parker & RR St.), and 800 feet for Well #3 (Hwy. 80).

#### Section 22-33.-Permitted uses.

The following uses shall be permitted within Wellhead Protection Zones:

(a) Any use permitted within existing agricultural or single family residential districts, except that the minimum residential lot size for a lot any portion of which lies within the Wellhead Protection Zone shall not be less than one acre; and

(b) Any other open land use where any building located on the property is incidental and accessory to the primary open land use.

#### Section 22-34.-Prohibited uses.

The following uses or conditions shall be and are hereby prohibited within Wellhead Protection Zones, whether or not such use or condition may otherwise be ordinarily included as part of a use permitted under Section 22-33 of this Ordinance:

- (a) Surface use or storage of hazardous material, expressly including commercial use of agricultural pesticides or herbicides;
- (b) Septic tanks or drain fields appurtenant thereto;
- (c) Impervious surfaces other than roofs of buildings, streets, driveways, walkways serving buildings permitted under Section 22-33 of this Ordinance;
- (d) Sanitary landfills;
- (e) Hazardous waste disposal sites;
- (f) Storm water infiltration basins;
- (g) Underground storage tanks;
- (h) Sanitary sewer lines within 150 feet of a wellhead.

#### Section 22-35.-Administration

The policies and procedures for administration of any Wellhead Protection Zone established under this Ordinance, including without limitation those applicable to non-conforming uses, exceptions, enforcement and penalties, shall be the same as provided in the existing zoning ordinance for the City of Brooklet, as the same is presently enacted of may from time to time be amended.

#### SEVERABILITY

In the event any part or parts of this ordinance are determined by any court to be unconstitutional or unlawful, the portion or portions of this ordinance so determined shall be deemed stricken herefrom, and the remaining part or parts of this ordinance shall remain enforceable.

#### REPEALER

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**EFFECTIVE DATE**

This ordinance shall become effective upon adoption.

This 16<sup>th</sup> day of May, 2024.

CITY OF BROOKLET, GEORGIA

BY:  (SEAL)  
Mayor

ATTEST:

 (SEAL)  
Clerk

