

ORDINANCE 2005- 4

AN ORDINANCE TO ESTABLISH A RESERVOIR MANAGEMENT PLAN FOR THE CITY OF DAHLONEGA PURSUANT TO REQUIREMENTS OF THE STATE OF GEORGIA ENVIRONMENT PROTECTION DIVISION RULES

Whereas, the State of Georgia requires that local municipalities owning small water supply reservoirs adopt Reservoir Management Plans, as described in the Georgia Department of Natural Resources, Environmental Protection Division Rules, Chapter 391-3-16.01; and

Whereas, the City of Dahlonega (City) wishes to ensure that the Yahoola Reservoir is used and has available capacity for municipal raw water storage and intake; and

Whereas, Public access to the Reservoir needs to be restricted to areas and under conditions specified by the City, for protection of water quality in the Reservoir; now, therefore:

Be it hereby ordained by the City Council of Dahlonega, and it is so ordained by the authority thereof that the following Reservoir Management Plan (Plan) is hereby adopted. The effective date of this resolution shall be 8 - 1 -, 2005. The resolution shall remain in effect until such time as it is repealed or superseded by a subsequent Plan.

Definitions

Buffer means a natural or enhanced vegetated area with no or limited minor land disturbances, such as trails and picnic areas.

Corridor means all land within the buffer areas.

Impervious Surface means a man-made structure or surface that prevents the infiltration of storm water into the ground below the structure or surface. Examples include buildings, roads, driveways, parking lots, decks, swimming pools, or patios.

Reservoir Boundary means the edge of a water supply reservoir defined by its normal pool elevation. The reservoir boundary of the Yahoola Reservoir shall be at approximately 1238 NGVD (National Geodetic Vertical Datum, formerly known as mean sea level).

Reservoir Property means all of the water supply reservoir plus adjacent lands owned by the City.

Perennial Stream means a stream that flows throughout the whole year as indicated on a USGS Quad map.

Utility means public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel facilities, telephone lines, roads, driveways, bridges, river/lake access facilities, storm water systems, railroads, and other utilities identified by the City.

Prohibitions

As required in the State Criteria for Water Supply Watersheds (§ 391-3-16.01 8.(b)1.), the general public shall be prohibited from the following on property within the boundaries of the Reservoir:

- Public access, except in the two existing parking areas on Morrison Moore Parkway
- Wading, swimming or bathing
- Littering or dumping
- Boats with gasoline-powered motors
- Building boat docks
- Discharge of any pollutant
- Fishing, except between the hours of 6:00 a.m. and 11:00 p.m., year round by individuals holding a valid State of Georgia fishing license.

Buffer Restrictions

There shall be a Reservoir buffer zone around the entire Reservoir boundary. The buffer distance around the Reservoir shall be one hundred fifty (150) feet horizontally from the Reservoir Boundary, with the exception of City facilities. The buffer zone around the Reservoir is located entirely within land owned either *in whole or in part by the City*.

Buffer zones that are cleared of trees and shrubs should be planted with native trees and shrubs. The City is encouraged to maintain buffer vegetation without the use of chemical fertilizers or pesticides of any type.

Where buffer areas are also wetlands, the City must approve any land-disturbing activity; and the proper permit from the US Army Corps of Engineers under Section 404 of the Clean Water Act must be obtained prior to the initiation of such activities. In areas designated as wetland restoration and/or preservation areas by the Corps, no disturbance generally will be permitted.

The City reserves the right to expel persons engaged in unlawful, dangerous, or disruptive activities on Reservoir properties. In addition, any violation of this ordinance shall be punishable as for a misdemeanor with imprisonment not to six months and a fine not to exceed \$1000.00.

It is so ordained this 1st day of August, 2005.



Mayor



Attest: City Clerk