

FIRST READING DATE: FEBRUARY 5, 2018

SECOND READING DATE: FEBRUARY 19, 2018

**ORD #2018-01**

**AN ORDINANCE OF THE CITY OF DAWSONVILLE, GEORGIA TO AMEND CURRENT ORDINANCE CHAPTER 6.5-51 REGARDING THE REGULATION OF SWIMMING POOLS, SPAS, AND RECREATIONAL WATER PARKS TO CONFORM WITH STATE REGULATIONS; FOR SEVERABILITY; AND FOR OTHER PURPOSES**

WHEREAS, the City has an interest in protecting, preserving, and promoting the health, safety and welfare of the citizens of the City of Dawsonville through the regulation of swimming pools, spas, and recreational water parks;

WHEREAS, Section 1.12(21) of the Charter of the City of Dawsonville provides that the City shall have the authority to prescribe standards of health and sanitation and to provide for the enforcement of such standards;

WHEREAS the City previously incorporated Dawson County's rules and regulations regarding swimming pools, spas, and recreational water parks;

WHEREAS the Dawson County Board of Health recently eliminated its local rules and regulations regarding swimming pools, spas, and recreational water parks and has adopted the Georgia Department of Public Health Rules of Swimming Pools, Spas and Recreational Water Parks;

WHEREAS the City has specifically drafted this ordinance to incorporate the statutes and regulations of the State of Georgia regarding swimming pools, spas, and recreational water parks, and any future local rules and regulations of the Dawson County Board of Health regarding the same;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE HEREBY ORDAINS as follows:

**SECTION ONE.** *Enactment of a new Section 6.5-51: Local board of health enactments.*

Section 6.5-51 of the Code of the City of Dawsonville is hereby enacted, which shall read as follows:

Sec. 6.5-51. - Local board of health enactments.

Pursuant to O.C.G.A. § 31-3-1, et seq., in addition to the above-referenced rules and regulations of the Georgia DHR, the City hereby adopts the state statutes and regulations as

amended from time to time and the local rules and regulations enacted by the Dawson County Board of Health, if any, on the following subjects:

- (1) Statutes, rules and regulations concerning tattoo and body art, enacted by resolution dated April 17, 2001, as amended and adopted by the Dawson County Commission on August 5, 2004, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.
- (2) Statutes, rules and regulations concerning swimming pools, spas and recreational water parks, including but not limited to Georgia Department of Public Health Rules and Regulations Public Swimming Pools, Spas and Recreational Water Parks Chapter 511-3-5, as the same may be amended from time to time, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.
- (3) Statutes, rules and regulations concerning rabies control, enacted by resolution dated April 9, 2001, as the same may be amended from time to time, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.
- (4) Statutes, rules and regulations concerning minimum lot size for on-site sewage disposal systems (septic tanks), enacted by resolution dated June 22, 2004, as the same may be amended from time to time, which are hereby set forth verbatim herein and adopted by the city upon lawful adoption of this chapter.

The above-mentioned statutes, rules, and regulations are hereby adopted by the City in accordance with state law, and are further hereby adopted and approved for enforcement as set forth herein.

Copies of those rules and regulations enacted by the Dawson County Board of Health (if any), and having been adopted by the city, are on file at the Dawson County Board of Health, where the same are available for inspection and copying by the public during regular business operating hours.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed. If any section, provision or clause of any part of this ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this ordinance would have been adopted had such invalid portion not been included herein.

This ordinance shall be effective upon passage by the Mayor and Council of the City of Dawsonville, Georgia.

*[Execution only on Following Page]*

**CITY OF DAWSONVILLE, GEORGIA**

By: \_\_\_\_\_  
Mike Eason, Mayor

\_\_\_\_\_  
Caleb Phillips, Council Member

\_\_\_\_\_  
Jason Power, Council Member

ATTESTED TO BY:

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Beverly Banister, City Clerk

\_\_\_\_\_  
Mark French, Council Member

\_\_\_\_\_  
Stephen Tolson, Council Member