

# Duluth



Nancy Harris, Mayor  
Jamin Harkness, Post 1  
Marline Thomas, Post 2

Lamar Doss, Post 3  
Manfred Graeder, Post 4  
Greg Whitlock, Post 5

**AGENDA  
SPECIAL CALLED MEETING  
MAYOR AND COUNCIL  
CITY OF DULUTH, GA  
3167 Main Street  
Duluth, GA 30096**

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**OCTOBER 23, 2023**

**CITY HALL – COUNCIL CHAMBERS**

**6:00 PM**

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**5:30 PM - AGENDA REVIEW** Main St. conference room

**6:00 PM - CALL TO ORDER** Mayor Harris or Mayor Pro tem Thomas

**I. PUBLIC COMMENTS**

*Sign-up sheet available.*

**II. PUBLIC HEARINGS**

1. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – SMITH  
3587 ROGERS COVE – TAX PARCEL 7203 225

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire permanent sewer easement and temporary construction easements at 3587 Rogers Cove for sewer infrastructure improvements.

**PLEASE NOTE:** *This and other City meetings may be audio and/or videotaped for broadcast, transcription and/or archival purposes. As set forth in the Americans with Disabilities act (ADA) of 1990, the City of Duluth government does not discriminate on the basis of disability in the admission or access to or treatment of employment in its programs or activities, and complies with the requirements contained in section 35.107 of the Department of Justice regulations. All agenda packets may be converted to WCAG 2.0 compatibility format by emailing [agenda@duluthga.net](mailto:agenda@duluthga.net). In addition, any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Duluth government should be made seven days prior to the event. Direct inquiries to the ADA Coordinator in the City Clerk office, located at 3167 Main Street, Duluth, GA. 30096, or by telephone at 770.476.3434.*

2. RESOLUTION TO APPROVE USE OF EMINENT DOMAIN – WANG  
3592 NORTH ST – TAX PARCEL 7202 039

The Mayor and Council to consider adoption of a resolution to approve use of eminent domain to acquire permanent sewer easement and temporary construction easements at 3592 North Street for sewer infrastructure improvements.

**III. OLD BUSINESS**

1. FINAL APPROVAL - PLUMBING CODE REVISIONS

On August 14, Council discussed the revisions to the plumbing code that were mandated by the Metro North Ga Water Planning District (MNGWPD) to promote efficiency and save water for the region.

Staff submitted the approved draft model findings resolution to the Department of Community Affairs (DCA) for review, and received their acknowledgment on September 28. At this time, Council is being asked to approve the adoption resolution that will allow the new codes to be effective January 1, 2024, as required by DCA and MNGWPD.

**IV. EXECUTIVE SESSION**

It will be necessary to hold an executive session on Real Estate, Pending/Potential Litigation, or Personnel, which is properly excluded from the Georgia Open and Public Meeting Law (O.C.G.A. 50-14).

**V. ADJOURNMENT**

*There is no 5<sup>th</sup> Monday work session on October 30<sup>th</sup>.  
The next scheduled meeting of the Mayor and Council is November 13, 2023 at 6pm.*

**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE  
PERMANENT SEWER EASEMENT AND TEMPORARY CONSTRUCTION  
EASEMENTS AT 3587 ROGERS COVE, DULUTH, GEORGIA  
30096 FOR A PUBLIC PURPOSE**

**WHEREAS**, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

**WHEREAS**, these ARPA funds are required to be used for water and sewer infrastructure projects; and

**WHEREAS**, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

**WHEREAS**, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

**WHEREAS**, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

**WHEREAS**, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

**WHEREAS**, the negotiations with the owners of the Property, Scott M. Smith and Beth Smith, have been unsuccessful; and

**WHEREAS**, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

**WHEREAS**, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on October 23, 2023, at a meeting to be convened at 6:00 p.m.; and

**WHEREAS**, a notice was published in the Gwinnett Daily Post on October 8, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on October 23, 2023, fifteen (15) or more days prior to said public meeting; and

**WHEREAS**, on October 4, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on October 23, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

**NOW THEREFORE**, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire one (1) permanent sewer easement and two (2) temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

**IT IS SO RESOLVED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF DULUTH, GEORGIA

By: \_\_\_\_\_  
Nancy Harris, Mayor

(SEAL)

Attest:

By: \_\_\_\_\_  
Teresa Lynn, City Clerk

**EXHIBIT A**  
**SEWER MAP AND MINUTES OF APPROVAL THEREOF**

**EXHIBIT B****LEGAL DESCRIPTION****PERMANENT SANITARY SEWER EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SCOTT M. & BETH SMITH BEING PARCEL TAX ID #7203 225**

**COMMENCE** AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE CONTINUING ALONG THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"** ; THENCE FROM THE POINT OF BEGINNING "A" SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT LABELED THE P.O. B. "B", THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 190.60 FEET TO A POINT; THENCE SOUTH 16 DEGREES 37 MINUTES 16 SECONDS WEST A DISTANCE OF 45.65 FEET TO A POINT BEING ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND LEONE; THENCE ALONG THE PROPERTY LINE SOUTH 62 DEGREES 18 MINUTES 47 SECONDS WEST A DISTANCE OF 36.40 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE THENCE NORTH 14 DEGREES 14 MINUTES 58 SECONDS WEST A DISTANCE OF 7.70 FEET TO A POINT; THENCE NORTH 16 DEGREES 37 MINUTES 16 SECONDS EAST A DISTANCE OF 52.53 FEET TO A POINT; THENCE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 19.50 FEET TO A POINT; THENCE 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 171.32 FEET TO A POINT; THENCE NORTH 67 DEGREES 16 MINUTES 51 SECONDS EAST A DISTANCE OF 30.08 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**.

PERMANENT SANITARY SEWER EASEMENT "A" TRACT OF LAND CONTAINS 0 .1717 ACRES OR 7481 SQUARE FEET.

**TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SCOTT M. & BETH SMITH BEING PARCEL TAX ID #7203 225**

**COMMENCE** AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE CONTINUING ALONG THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "A"; THENCE FROM THE POINT OF BEGINNING "A" SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**; THENCE FROM THE POINT OF BEGINNING LABELED THE P .O. B. "B", NORTH 67 DEGREES 16 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT; THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 193.87 FEET TO A POINT; THENCE SOUTH 16 DEGREES 37 MINUTES 16 SECONDS WEST A DISTANCE OF 39.87 FEET TO A POINT

BEING ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND LEONE; THENCE ALONG THE PROPERTY LINE SOUTH 62 DEGREES 18 MINUTES 47 SECONDS WEST A DISTANCE OF 13.97 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE THENCE NORTH 16 DEGREES 37 MINUTES 16 SECONDS EAST A DISTANCE OF 45.65 FEET TO A POINT; THENCE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 190.60 FEET TO A POINT; SAID POINT BEING LABELED AS THE **POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0 . 0539 ACRES OR 2350 SQUARE FEET.

**PROPOSED TEMPORARY CONSTRUCTION EASEMENT "C" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY SCOTT M. & BETH SMITH BEING PARCEL TAX ID #7203 225**

**COMMENCE** AT A POINT 588 FEET ALONG THE SOUTHERLY R/W OF ROGERS COVE TO THE INTERSECTION WITH THE SOUTHERLY R/W GRIZZLY LANE SAID POINT BEING THE **POINT OF COMMENCEMENT**; THENCE WITH A TIE LINE ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND TERRY SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 92.45 FEET TO A POINT; THENCE WITH A TIE LINE CONTINUING ALONG THE PROPERTY LINE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 10.03 FEET TO A POINT; THENCE WITH A TIE LINE AND LEAVING THE PROPERTY LINE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 10.03 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING "A"; THENCE SOUTH 67 DEGREES 16 MINUTES 51 SECONDS WEST A DISTANCE OF 30.08 FEET TO A POINT; THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 171.32 FEET TO A POINT; THENCE SOUTH 11 DEGREES 38 MINUTES 48 SECONDS WEST A DISTANCE OF 16.08 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "C"**; THENCE FROM THE POINT OF BEGINNING "C", THENCE NORTH 11 DEGREES 38 MINUTES 48 SECONDS EAST A DISTANCE OF 16.08 FEET TO A POINT; THENCE SOUTH 26 DEGREES 47 MINUTES 51 SECONDS EAST A DISTANCE OF 19.50 FEET TO A POINT; THENCE SOUTH 16 DEGREES 37 MINUTES 16 SECONDS WEST A DISTANCE OF 52.53 FEET TO A POINT; THENCE SOUTH 14 DEGREES 14 MINUTES 58 SECONDS EAST A DISTANCE OF 7.70 FEET TO A POINT TO A POINT BEING ALONG THE PROPERTY LINE BETWEEN NOW OR FORMERLY SMITH AND LEONE ;THENCE ALONG THE PROPERTY LINE SOUTH 62 DEGREES 18 MINUTES 47 SECONDS WEST A DISTANCE OF 10.28 FEET TO A POINT; THENCE LEAVING THE PROPERTY LINE THENCE NORTH 14 DEGREES 14 MINUTES 58 SECONDS WEST A DISTANCE OF 6.83 FEET TO A POINT; THENCE NORTH 11 DEGREES 38 MINUTES 48 SECONDS EAST A DISTANCE OF 35.65 FEET TO A POINT; THENCE NORTH 16 DEGREES 37 MINUTES 16 SECONDS EAST A DISTANCE OF 20.96 FEET TO A POINT; THENCE NORTH 26 DEGREES 47 MINUTES 51 SECONDS WEST A DISTANCE OF 2.92 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "C"**.

PROPOSED TEMPORARY CONSTRUCTION EASEMENT "C" TRACT OF LAND CONTAINS 0.0158 ACRES OR 687 SQUARE FEET.

ATTACHMENT "A"  
LINE CHART

LINE	BEARING	DISTANCE
L1	S 26°47'51" E	10.03'
L2	S 26°47'51" E	190.60'
L3	S 16°37'16" W	45.65'
L4	S 62°18'47" W	36.40'
L5	N 14°14'58" W	7.70'
L6	N 16°37'16" E	52.53'
L7	N 26°47'51" W	19.50'
L8	N 26°47'51" W	171.32'
L9	N 67°16'51" E	30.08'
L10	N 67°16'51" E	10.03'
L11	S 26°47'51" E	193.87'
L12	S 16°37'16" W	39.67'
L13	S 62°18'47" W	13.97'
L14	N 11°38'48" E	16.08'
L15	S 62°18'47" W	10.28'
L16	N 14°14'58" W	6.83'
L17	N 11°38'48" E	35.65'
L18	N 16°37'16" E	20.96'
L19	N 26°47'51" W	2.92'

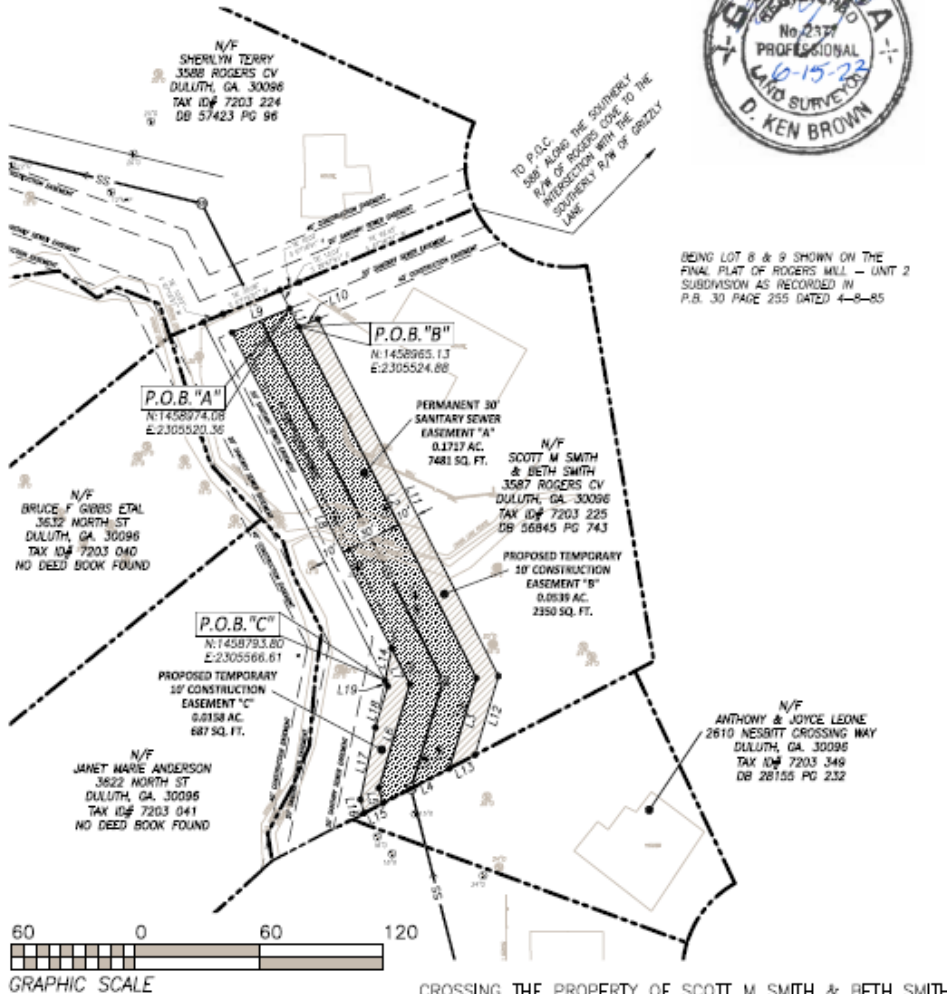
LEGEND

- ☆ Light Pole
- PL Property Line
- R/W Concrete Right of Way Marker
- P.O.B. Point of Beginning
- P.O.C. Point of Commencement
- DB Deed Book
- PG Page
- R/W Right of Way
- M/P Maple
- P/P Poplar
- D/W Dogwood
- P/P Pine
- O/P Oak
- S/G Sweet Gum
- B/W Beech Wood
- I/P Iron Pin Found
- P/P Power Pole
- F/H Fire Hydrant
- G/W Guy Wire
- S/S Sanitary Sewer Manhole
- A/R Air Release Valve

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



BEING LOT 8 & 9 SHOWN ON THE FINAL PLAT OF ROGERS MILL - UNIT 2 SUBDIVISION AS RECORDED IN P.B. 30 PAGE 255 DATED 4-8-85



**CHA**  
6745 SUGARLOAF PARKWAY • SUITE 100 • DULUTH, GEORGIA 30097  
770-447-8599 • WWW.CHACOMPANIES.COM

DATE: 7/22/2022 REV: 6/1/2023 CHECKED BY: MT  
SCALE: 1" = 60' JOB No. 073168.000

EASEMENT EXHIBIT FOR  
GWINNETT COUNTY  
DEPARTMENT OF WATER RESOURCES  
LAND LOT 203 - 7th DISTRICT  
GWINNETT COUNTY, GEORGIA

SHEET NUMBER  
1  
of 1



**RESOLUTION TO APPROVE USE OF EMINENT DOMAIN TO ACQUIRE  
PERMANENT SEWER EASEMENT AND TEMPORARY CONSTRUCTION  
EASEMENTS AT 3592 NORTH STREET, DULUTH, GEORGIA  
30096 FOR A PUBLIC PURPOSE**

**WHEREAS**, the City of Duluth, Georgia (hereinafter the “City”) was awarded funds pursuant to the State American Rescue Plan Act Fund (hereinafter “ARPA”); and

**WHEREAS**, these ARPA funds are required to be used for water and sewer infrastructure projects; and

**WHEREAS**, the City has determined that there are areas where water and sewer infrastructure need to be improved to prevent threats to public health and environmental quality. Specifically, the City has approved plans for the City of Duluth Sewer Project (See Exhibit A); and

**WHEREAS**, the property that the City needs to acquire to complete such sewer system improvement project is described in Exhibit B, which is attached hereto and incorporated herein by reference (hereinafter the “Property”); and

**WHEREAS**, the City has determined that there is a public need and public use for the Property for the sewer system improvement project; and

**WHEREAS**, the City has attempted to acquire the Property necessary for the sewer system improvement project through negotiation with the owners; and

**WHEREAS**, the negotiations with the owner of the Property, Wangchun Wang, have been unsuccessful; and

**WHEREAS**, the Property has been appraised and the owners of the Property have been offered the fair market value of the Property as established by the appraisal; and

**WHEREAS**, the owner of the Property has been given due notice, as required by law, that this Resolution would be considered at a public meeting of City Council of the City of Duluth, Georgia on October 23, 2023, at a meeting to be convened at 6:00 p.m.; and

**WHEREAS**, a notice was published in the Gwinnett Daily Post on October 8, 2023 giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on October 23, 2023, fifteen (15) or more days prior to said public meeting; and

**WHEREAS**, on October 4, 2023 a sign was posted on the Property giving notice that a Resolution to consider the approval of the use of Eminent Domain to acquire the Property would be considered at a public meeting of the City Council on October 23, 2023 at 6:00 p.m., more than fifteen (15) days prior to said public meeting.

**NOW THEREFORE**, the City Council of the City of Duluth, Georgia hereby adopts the whereas provisions of this Resolution as the findings of the City Council and further finds and determines that the acquisition of the Property is necessary for a public purpose to complete a sewer system improvement project and that the circumstances are such that it is necessary that the property described in Exhibit B be acquired by Eminent Domain.

The City Council of the City of Duluth, Georgia hereby resolves and ordains that the City shall proceed to acquire one (1) permanent sewer easements and two (2) temporary construction easements in the Property herein described by condemnation under the provisions of Georgia law, and that the Attorney for the City is authorized and directed to file condemnation proceedings as provided by Georgia law to acquire said easements and to take all other actions necessary and appropriate to obtain such easements to said Property as authorized by law.

**IT IS SO RESOLVED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF DULUTH, GEORGIA

By:

\_\_\_\_\_  
Nancy Harris, Mayor

(SEAL)

Attest:

By: \_\_\_\_\_  
Teresa Lynn, City Clerk

**EXHIBIT A**

**SEWER MAP AND MINUTES OF APPROVAL THEREOF**

## EXHIBIT B

### LEGAL DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT "A" FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WANG WANGCHUN Being Parcel: Tax ID #7202 039

COMMENCE AT A Point AT The: intersection OF The: EASTERLY RIGHT-OF-WAY OF NORTH STREET [30' R/W] AND THE NORTHERLY RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD [200' R/W] WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY MARILYN B. ALLEN, AND NOW OR FORMERLY NORFOLK SOUTHERN RAILROAD SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE ALONG THE R/W OF NORTH STREET NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A FOR DISTANCE OF: OF 127.41 FEET TO AN IRON PIN FOUND; THENCE: NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 83.66 FEET TO AN OPEN TOP PIN; THENCE: NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST FOR A DISTANCE: OF 74.48 FEET TO A POINT, THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 110.70 FEET TO A #4 REBAR; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 52.47 TO A POINT (448.73 FEET FROM INTERSECTION); THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 50.91 FEET TO A POINT; THENCE LEAVING THE NORTH STREET R/W NORTH 51 DEGREES 46 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 119.18 FEET TO A POINT; THENCE NORTH 51 DEGREES 35 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 15.53 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "A"**; THENCE FROM THE POINT OF BEGINNING "A" NORTH 15 DEGREES 59 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 23.46 FEET TO A POINT; THENCE NORTH 14 DEGREES 28 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 132.27 FEET TO A POINT; THENCE NORTH 51 DEGREES 14 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 58.68 FEET TO A POINT; THENCE NORTH 73 DEGREES 57 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 33.20 FEET TO A POINT; THENCE SOUTH 16 DEGREES 18 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 2.58 FEET TO A POINT; THENCE SOUTH 06 DEGREES 26 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 8.05 FEET TO A POINT; THENCE SOUTH 64 DEGREES 27 MINUTES 19 SECONDS EAST FOR A DISTANCE OF 6.04 FEET TO A POINT; THENCE SOUTH 71 DEGREES 08 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 27.75 FEET TO A POINT; THENCE SOUTH 73 DEGREES 57 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 81.38 FEET TO A POINT; THENCE SOUTH 14 DEGREES 28 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 133.27 FEET TO A POINT; THENCE SOUTH 15 DEGREES 59 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 2.91 FEET TO A POINT; THENCE SOUTH 51 DEGREES 35 MINUTES 03 SECONDS WEST FOR A DISTANCE: OF 32.45 FEET TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "A"**,

TEMPORARY CONSTRUCTION EASEMENT "A" TRACT OF LAND CONTAINS 0.1484 ACRES OR 6463 SQUARE FEET,

**PERMANENT SANITARY SEWER EASEMENT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES  
CROSSING THE PROPERTY OF NOW OR FORMERLY WANG WANGCHUN BEING PARCEL TAX ID #7202 039**

COMMENCE AT A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF NORTH STREET [30'R/W] AND THE NORTHERLY RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD (200' R/W) WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY MARILYN B. ALLEN AND NOW OR FORMERLY NORFOLK SOUTHERN RAILROAD SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE ALONG THE R/W OF NORTH STREET NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A FOR DISTANCE OF 127.41 FEET TO AN IRON PIN FOUND; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 83.66 FEET TO AN OPEN TOP PIN; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 74.48 FEET TO A POINT; THENCE NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 110.70 FEET TO A #4 REBAR; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 52.47 TO A POINT (448.73 FEET FROM INTERSECTION); THENCE NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 50.91 FEET TO A POINT; THENCE LEAVING THE NORTH STREET R/W NORTH 51 DEGREES 46 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 119.18 FEET TO A POINT; THENCE NORTH 51 DEGREES 35 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 15.53 FEET TO A POINT; THENCE NORTH 51 DEGREES 35 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 32.45 FEET TO A POINT; SAID POINT BEING LABELED AS THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 15 DEGREES 59 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 2.91 FEET TO A POINT; THENCE NORTH 14 DEGREES 28 MINUTES 58 MINUTES EAST FOR A DISTANCE OF 133.27 FEET; THENCE NORTH 73 DEGREES 57 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 81.38 TO A POINT; THENCE SOUTH 71 DEGREES 08 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 4.79 FEET TO A POINT; THENCE SOUTH 11 DEGREES 02 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 19.01 FEET TO A POINT; THENCE SOUTH 22 DEGREES 58 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 10.71 FEET TO A POINT; THENCE SOUTH 73 DEGREES 57 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 59.77 FEET TO A POINT; THENCE SOUTH 14 DEGREES 28 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 80.99 FEET TO A POINT; THENCE SOUTH 51 DEGREES 37 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 47.23 FEET TO A POINT; SAID POINT BEING LABELED AS **THE TRUE POINT OF BEGINNING.**

PERMANENT SANITARY SEWER EASEMENT TRACT OF LAND CONTAINS 0.1266 ACRES OR 5517 SQUARE FEET.

**TEMPORARY CONSTRUCTION EASEMENT "B" FOR GWINNETT COUNTY DEPARTMENT OF  
WATER RESOURCES CROSSING THE PROPERTY OF NOW OR FORMERLY WANG WANGCHUN  
BEING PARCEL TAX ID #7202 039**

COMMENCE AT A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF NORTH STREET [30'R/W] AND THE NORTHERLY RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD (200' R/W) WITH THE COMMON PROPERTY LINE OF NOW OR FORMERLY MARILYN B. ALLEN AND NOW OR FORMERLY NORFOLK SOUTHERN RAILROAD SAID POINT BEING THE POINT OF COMMENCEMENT; THENCE ALONG THE R/W OF NORTH STREET NORTH 34 DEGREES 17 MINUTES 34 SECONDS WEST A FOR DISTANCE OF 127.41 FEET

TO AN IRON PIN FOUND; THENCE NORTH 31 DEGREES 23 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 83.66 FEET TO AN OPEN TOP PIN; THENCE NORTH 33 DEGREES 22 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 74.48 FEET TO A POINT; THENCE: NORTH 32 DEGREES 18 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 110.70 FEET TO A #4 REBAR; THENCE NORTH 32 DEGREES 42 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 52.47 TO A POINT (448.73 FEET FROM INTERSECTION); THENCE: NORTH 32 DEGREES 14 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 50.91 FEET TO A POINT; THENCE LEAVING THE: NORTH STREET R/W NORTH 51 DEGREES 46 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 119.18 FEET TO A POINT; THENCE: NORTH 51 DEGREES 35 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 15.53 FEET TO A POINT; THENCE NORTH 51 DEGREES 35 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 32.45 FEET TO A POINT; THENCE NORTH 51 DEGREES 37 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 47.23 FEET TO A POINT; SAID POINT BEING **THE POINT OF BEGINNING "B"**: THENCE FROM THE: POINT OF BEGINNING "B" NORTH 14 DEGREES 28 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 80.99 FEET TO A POINT; THENCE NORTH 73 DEGREES 57 MINUTES 38 SECONDS EAST FOR A DISTANCE: OF 59.77 FEET TO A POINT; THENCE SOUTH 22 DEGREES 58 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 8.86 FEET TO A POINT; THENCE SOUTH 41 DEGREES 30 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 5.80 FEET TO A POINT; THENCE SOUTH 73 DEGREES 57 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 43.58 FEET TO A POINT; THENCE SOUTH 14 DEGREES 28 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 62.18 FEET TO A POINT; THENCE SOUTH 51 DEGREES 51 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 16.47 TO A POINT; SAID POINT BEING LABELED AS **THE POINT OF BEGINNING "B"**.

TEMPORARY CONSTRUCTION EASEMENT "B" TRACT OF LAND CONTAINS 0.0285 ACRES OR 1241 SQUARE FEET

ATTACHMENT "A"

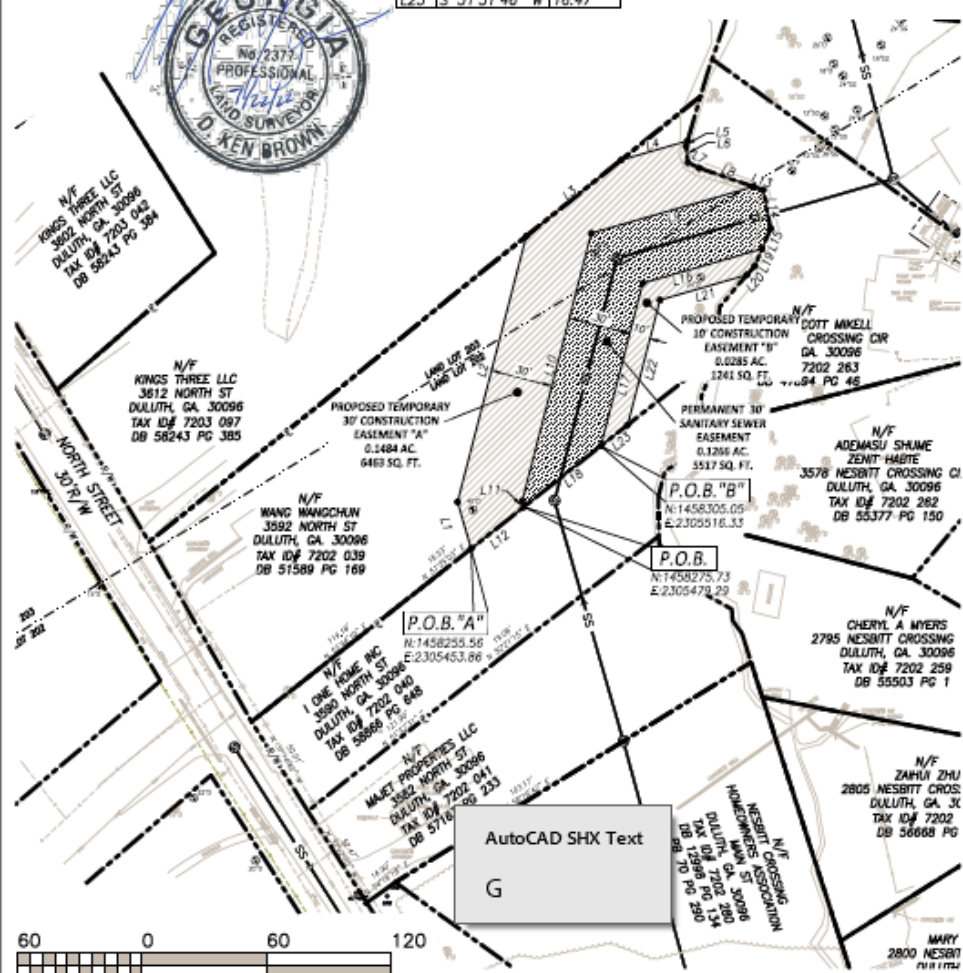
LINE CHART

LINK	BEARING	DISTANCE
L1	N 15°59'18" W	23.46'
L2	N 14°28'58" E	132.27'
L3	N 51°14'22" E	58.68'
L4	N 73°57'38" E	33.20'
L5	S 16°18'57" W	2.58'
L6	S 06°26'59" E	8.05'
L7	S 64°27'19" E	6.04'
L8	S 71°08'12" E	27.75'
L9	S 73°57'38" W	81.38'
L10	S 14°28'58" W	133.27'
L11	S 15°59'18" E	2.91'
L12	S 51°35'03" W	32.45'
L13	S 71°08'12" E	4.79'
L14	S 11°02'22" E	19.01'
L15	S 22°58'23" W	10.71'
L16	S 73°57'38" W	59.77'
L17	S 14°28'58" W	80.99'
L18	S 51°37'55" W	47.23'
L19	S 22°58'23" W	8.86'
L20	S 41°30'54" W	5.80'
L21	S 73°57'38" W	43.58'
L22	S 14°28'58" W	62.18'
L23	S 51°51'46" W	16.47'

LEGEND

- ☆ Light Pole
- PL Property Line
- R/W Concrete Right of Way Marker
- P.O.B. Point of Beginning
- P.O.C. Point of Commencement
- DB Deed Book
- PG Page
- R/W Right of Way
- MAP Maple
- POP Poplar
- DW Dogwood
- P Pine
- O Oak
- SG Sweet Gum
- BCWD Beech Wood
- ⊙ Iron Pin Found
- ⊙ Power Pole
- ⊙ Fire Hydrant
- ⊙ Guy Wire
- ⊙ Sanitary Sewer Manhole
- ⊙ Air Release Valve

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



AutoCAD SHX Text

G



CROSSING THE PROPERTY OF WANG WANGCHUN

 <p>6745 SUGARLOAF PARKWAY • SUITE 100 • DULUTH, GEORGIA 30097 770-447-8999 • WWW.CHACOMPANIES.COM</p>	<p>EASEMENT EXHIBIT FOR GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES LAND LOTS 202 &amp; 203 - 7th DISTRICT GWINNETT COUNTY, GEORGIA</p>	<p>SHEET NUMBER <b>1</b></p>
	<p>DATE: 7/22/2022 SCALE: 1" = 60'</p>	<p>CHECKED BY: MT JOB No. 073168.000</p>

Brian Kemp  
Governor



Christopher Nunn  
Commissioner

September 28, 2023

Margie Pozin, Director of Community Development and Engineering  
City of Duluth

Dear Ms. Pozin,

This letter acknowledges receipt of City of Duluth's correspondence dated September 13<sup>th</sup>, 2023 with proposed local amendments to the Georgia State Minimum Standard Codes.

We have filed your amendments, and if you have questions regarding this matter, please contact me at (404) 679-3118 or by email at [ted.miltiades@dca.ga.gov](mailto:ted.miltiades@dca.ga.gov).

*Ted Miltiades*

Sincerely,  
Ted Miltiades, Director  
Office of Construction Codes





**Metro Water District – Water Efficiency Code Requirements**  
**Local Amendment to Plumbing Code**

Amendment to local code of ordinances Chapter 5, Article III, Section 5-60. Effective January 1, 2024, the Georgia State Minimum Standard Plumbing Code has been amended by the City of Duluth as follows:

**Chapter 2, Section 202 General Definitions.** Add in alphabetical order and revise, as applicable, the following definitions:

**KITCHEN FAUCET OR KITCHEN FAUCET REPLACEMENT AERATOR.** A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 1.8 gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1.

**LAVATORY FAUCET OR LAVATORY FAUCET REPLACEMENT AERATOR.** A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.2 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.

**LANDSCAPE IRRIGATION.**

**Flow sensor.** An inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

**Lawn or Landscape Irrigation system.** An assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.

**Master shut-off valve.** An automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.

**Pressure regulating device.** A device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.

**Rain sensor shut-off.** An electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.

**WaterSense irrigation controller.** Is a weather-based or soil moisture-based irrigation controller labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.

**WaterSense spray sprinkler bodies.** A sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.

**SHOWER HEAD.** A shower head that allows a flow of no more than the average of 2.0 gallons of water per

minute at 80 pounds per square inch of pressure, is listed in the WaterSense Specification for Showerheads, and meets the US Department Definition of Energy definition of showerhead.

**Chapter 6, Section 604.4 Maximum Flow and Water Consumption.** Revise Section 604.4 to read as follows:

Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in Section 604.4 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

**Exceptions:**

1. Blowout design water closets having a water consumption not greater than 3<sup>1</sup>/<sub>2</sub> gallons (13 L) per flushing cycle.
2. Vegetable sprays.
3. Clinical sinks having a water consumption not greater than 4<sup>1</sup>/<sub>2</sub> gallons (17 L) per flushing cycle.
4. Laundry tray sinks and service sinks.
5. Emergency showers and eye wash stations.

TABLE 604.4  
MAXIMUM FLOW RATES AND CONSUMPTION FOR  
PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY <sup>b</sup>
Lavatory faucet and replacement aerators, private	WaterSense Labeled & 1.2 gpm at 60 psi <sup>f</sup>
Lavatory faucet, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Showerhead <sup>a</sup>	WaterSense Labeled & 2.0 gpm at 80 psi <sup>f</sup>
Kitchen faucet and replacement aerators	1.8 gpm at 60 psi <sup>f, g</sup>
Urinal	0.5 gallon per flushing cycle <sup>f</sup>
Water closet	1.28 gallons per flushing cycle <sup>c, d, e, f</sup>

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,  
1 pound per square inch = 6.895 kPa.

a. A hand-held shower spray is a shower head. As point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each shower head individually meets the maximum flow rate, the

WaterSense requirements, and the US Department of Energy definition of showerhead. However, multiple shower heads are not recommended for water efficiency purposes.

- b. Consumption tolerances shall be determined from referenced standards.
- c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.
- d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.
- e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.
- f. See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.
- g. Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.

**604.4.1 Clothes Washers.** Residential clothes washers shall be in accordance with the Energy Star program requirements.

#### **604.4.2 Cooling Tower Water Efficiency.**

**604.4.2.1 Once-Through Cooling.** Once-through cooling using potable water is prohibited.

**604.4.2.2 Cooling Towers and Evaporative Coolers.** Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.

**604.4.2.3 Cooling Tower Makeup Water.** Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO<sub>3</sub> exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

**604.4.3 Landscape Irrigation System Efficiency Requirements.** The requirements in Section 604.4.3 apply to all new landscape irrigation systems connected to the public water system except those (a) used for agricultural operations as defined in the Official Code of Georgia Section 1-3-3, (b) used for golf courses, and (c) dependent upon a nonpublic water source. Nothing in this Code or this Section 604.4.3 is intended to require that landscape irrigation systems must be installed at all premises. The landscape irrigation efficiency requirements in this Section 604.4.3 apply only when someone voluntarily chooses, or is otherwise required by some requirement beyond this Code, to install a landscape irrigation system on premises.

**604.4.3.1 Avoiding Water Waste Through Design.** All new landscape irrigation systems shall adhere to the following design standards:

1. Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.
2. Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.

3. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.
4. Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.

**604.4.3.2 Landscape Irrigation System Required Components.** All new landscape irrigation systems shall include the following components:

1. A rain sensor shut-off installed in an area that is unobstructed by trees, roof over hangs, or anything else that might block rain from triggering the rain sensor shutoff.
2. A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.
3. Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.
4. Except for landscape irrigation systems serving a single-family home, all other systems must also include:
  - (a) a WaterSense irrigation controller; and
  - (b) at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturers' recommendations and specifications.

**Chapter 13 NONPOTABLE WATER SYSTEMS, Section 1304 Reclaimed Water Systems.** Revise Section 1304.3.2 to read as follows:

**1304.3.2 Connections to water supply.** Reclaimed water provided from a reclaimed wastewater treatment system permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division. The use of reclaimed water sourced from any new private reclaimed wastewater treatment system for outdoor irrigation shall be limited to golf courses and agriculture operations as defined in the Official Code of Georgia Section 1-3-3, and such reclaimed water shall not be approved for use for irrigating any other outdoor landscape such as ground cover, tree, shrubs, or other plants. These limitations do not apply to reclaimed water sourced from existing private reclaimed water systems or from existing or new, governmentally-owned reclaimed wastewater treatment systems.

**Appendix E, Section E101.1.2.** Revise Section E.101.1.2 to read as follows:

Because of the variable conditions encountered in hydraulic design, it is impractical to specify definite and detailed rules for sizing of the water piping system. Accordingly, other sizing or design methods conforming to good engineering practice standards are acceptable alternatives to those presented herein. Without limiting the foregoing, such acceptable design methods may include for multi-family buildings the Peak Water Demand Calculator from the IAPMO/ANSI 2020 Water Efficiency and Sanitation Standard for the Built Environment,

which accounts for the demands of water-conserving plumbing fixtures, fixture fittings, and appliances. If future versions of the Peak Water Demand Calculator including other building types, such as commercial, such updated version shall be an acceptable design method.

**RESOLUTION NO. R2023-34 of CITY OF DULUTH, GEORGIA  
ADOPTION OF LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY**

**WHEREAS**, the current minimum water efficiency requirements for buildings in the City of Duluth’s jurisdiction is the Georgia State Minimum Standard Plumbing Code (“Georgia Plumbing Code”) as approved and adopted by the Georgia Department of Community Affairs (“DCA”) from time to time;

**WHEREAS**, the City of Duluth, like all local governments in the State of Georgia, is authorized under O.C.G.A. § 8-2-25(c) to adopt local requirements that are more stringent than the Georgia Plumbing Code based on local climatic, geologic, topographic, or public safety factors;

**WHEREAS**, the City of Duluth has followed the required procedures in O.C.G.A. § 8-2-25(c) for local adoption of the Local Amendments to Plumbing Code for water efficiency, and DCA has made no recommendation as to whether they be adopted.

**WHEREAS**, the long-term availability, reliability, and resiliency of water supplies is a critical need of the City of Duluth and water efficiency is essential to meeting this need;

**WHEREAS**, the City of Duluth is adopting the Local Amendments to Plumbing Code to meet this critical need and to comply the requirements of Metropolitan North Georgia Water Planning District’s 2022 Water Resources Plan in the WSWC-8 Action Item on Metro Water District – Water Efficiency Code Requirements.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The governing body of the City of Duluth finds that, based on local climatic, geographic, topographic, and public safety factors, it is justified in adopting the water efficiency requirements in the Local Amendments to Plumbing Code that are more stringent than the Georgia Plumbing Code;
2. The City of Duluth has followed the required procedures in O.C.G.A. § 8-2-25(c).
3. The City of Duluth hereby adopts the Local Amendments to Plumbing Code, which will take effect on January 1, 2024.

IT IS SO RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Mayor Nancy Harris

Those councilmembers voting in favor:

\_\_\_\_\_  
Charles Jamin Harkness, Post 1

\_\_\_\_\_  
Marline Thomas, Post 2

\_\_\_\_\_  
Kenneth Lamar Doss, Post 3

\_\_\_\_\_  
Manfred Graeder, Post 4

\_\_\_\_\_  
Greg Whitlock, Post 5

Those councilmembers voting in opposition:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST: \_\_\_\_\_  
Teresa Lynn, Asst. City Mgr/City Clerk

