

Subpart B - LAND DEVELOPMENT AND LAND USE  
Chapter 104 - DEVELOPMENT REGULATIONS

ARTICLE I. IN GENERAL

**ARTICLE I. IN GENERAL**

[Sec. 104-1. Short title.](#)

[Sec. 104-2. Landfill regulations.](#)

[Sec. 104-3. Community sewer system regulations.](#)

[Sec. 104-4. Wetlands protection.](#)

[Secs. 104-5—104-26. Reserved.](#)

**Sec. 104-1. Short title.**

This chapter shall be known and may be cited as the "development regulations of Fayette County, Georgia."

(Code 1992, § 8-1; Ord. No. 86-13, § 1-1, 7-24-1986; Ord. No. 2010-08, § 1, 8-26-2010)

**Sec. 104-2. Landfill regulations.**

Prior to approval of zoning for a landfill, the board shall be provided sufficient data, acceptable to the department of natural resources, indicating that soil types, groundwater levels, etc., are conducive to landfilling operations. A site plan covering the entire tract under consideration showing access, buffer or screening areas, existing streams and non-usable lands, adjacent property owners, etc., shall be submitted for review. A 500-foot buffer shall be provided around the periphery of the tract. If restriction of movement of trash and debris is necessary, a fence at least six feet in height shall be provided around the periphery.

(Code 1992, § 8-2; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2010-08, § 1, 8-26-2010)

**Sec. 104-3. Community sewer system regulations.**

Community sewer systems used must be approved by the county board of health. Treatment and discharge areas shall be indicated on the preliminary and final plats. All community residential sewer systems must comply with the rules and regulations proposed by the water protection branch of the environmental protection division, department of natural resources for the state entitled "Land Application by Drip Irrigation" revised as of May 1, 1995, and as hereinafter amended, and containing the local amendment entitled "Sanitary Sewer System Specifications."

(Code 1992, § 8-3; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2010-08, § 1, 8-26-2010)

**Sec. 104-4. Wetlands protection.**

- (a) Jurisdictional wetlands are areas that meet the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers. Jurisdictional wetlands determination is a delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by section 404 of the Clean Water Act, 33 USC 1344, as amended. Any development project which, in the determination of the county stormwater management department, will disturb any wetlands area, either indicated on the U.S. Fish and Wildlife National Wetlands Inventory (NWI) maps or by field

Subpart B - LAND DEVELOPMENT AND LAND USE  
Chapter 104 - DEVELOPMENT REGULATIONS

ARTICLE I. IN GENERAL

determination of the county stormwater management director, must be submitted to the U.S. Army Corps of Engineers for a jurisdictional wetlands determination and permit if necessary.

- (b) The NWI maps are on display in the county stormwater management department. If the official determination by the U.S. Army Corps of Engineers indicates that jurisdictional wetlands will be affected/altered by the proposed activity, the applicant must obtain a permit from the U.S. Army Corps of Engineers prior to the issuance of any permits from the county. The NWI map does not represent all of the boundaries of jurisdictional wetlands within the county and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by section 404 of the Clean Water Act, as amended. No local government action under this chapter relieves the land owner from federal or state permitting requirements.

(Code 1992, § 8-4; Ord. No. 2010-08, § 1, 8-26-2010)

**Secs. 104-5—104-26. Reserved.**