

FIRST READING: _____
SECOND READING: _____
PUBLISHED: _____
PASSED: _____

**TREATMENT AND DISPOSAL OF WASTEWATER
BY LAND APPLICATION**

A RESOLUTION TO DELETE IN ITS ENTIRETY CHAPTER 13.30 ENTITLED "TREATMENT AND DISPOSAL OF WASTEWATER BY LAND APPLICATION" OF TITLE 13 OF THE OFFICIAL CODE OF HALL COUNTY, GEORGIA SO AS TO SUBSTITUTE IN LIEU THEREOF A NEW CHAPTER 13.30 HAVING THE SAME NAME FOR THE PURPOSE OF INCORPORATING DEFINITIONS WITHIN THE CHAPTER; TO SET FORTH THE GENERAL CONDITIONS AND EXCLUSIONS FOR ALL WASTEWATER TREATMENT OR DISPOSAL SYSTEMS BY LAND APPLICATIONS WITHIN THE JURISDICTION OF HALL COUNTY; TO SET FORTH THE STANDARDS FOR PRIVATE WASTEWATER DISPOSAL SYSTEMS BY LAND APPLICATION SO AS TO COMPLY WITH THE PROVISIONS OF CHAPTER 13.30 AND OTHER COUNTY, STATE AND FEDERAL REGULATIONS; TO REQUIRE CERTAIN INFORMATION TO BE SUBMITTED FOR CONSIDERATION FOR THE ZONING OF ANY LAND FOR A WASTEWATER LAND APPLICATION SYSTEM; TO REQUIRE THE APPROVAL OF THE ENVIRONMENTAL PROTECTION DIVISION PRIOR TO COMMENCING ANY WASTEWATER LAND APPLICATION SYSTEM; TO REQUIRE MINIMUM STANDARDS FOR PRE-TREATMENT OF WASTEWATER FOR A LAND APPLICATION SYSTEM AND TO REQUIRE MINIMUM STANDARDS FOR LAND APPLICATION SYSTEMS PURSUANT TO THE STANDARDS REQUIRED BY THE ENVIRONMENTAL PROTECTION DIVISION; TO PROVIDE FOR INSPECTION, MONITORING AND BONDING TO PROTECT THE PUBLIC'S INTEREST FOR THE PROPER CONSTRUCTION AND MAINTENANCE OF THE WASTEWATER LAND APPLICATION SYSTEM; TO PROHIBIT WATER POLLUTION AND TO SET FORTH THE PENALTIES FOR CONVICTION OF A VIOLATION OF THIS CHAPTER; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES AND RESOLUTIONS, AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Hall County adopted by resolution on June 27, 1996, to become effective July 1, 1996, the codification of Resolutions, General Resolutions and Ordinances passed by the Board of Commissioners of Hall

County as *The Official Code of Hall County, Georgia* 1996 edition published by Municipal Code Corporation; and further provided for the adoption and incorporation of any Resolution, General Resolution or Ordinance passed subsequent to July 1, 1996, to automatically become a part of *The Official Code of Hall County, Georgia*; and

WHEREAS, the “Wastewater Land Application Control Ordinance” was adopted on March 11, 1991, and was codified July 1, 1996, as Chapter 13.30 of Title 13 of the Official Code of Hall County, Georgia and was entitled “TREATMENT AND DISPOSAL OF WASTEWATER BY LAND APPLICATION”; said Chapter was thereafter amended on July 25, 2002, and June 10, 2004; and

WHEREAS, the Board of Commissioners of Hall County desires to delete Chapter 13.30 in its entirety and substituting in lieu thereof a new Chapter entitled “TREATMENT AND DISPOSAL OF WASTEWATER BY LAND APPLICATION” for the following purposes: to incorporate definitions within the Chapter; to set forth the general conditions and exclusions for all wastewater treatment or disposal systems by land applications within the jurisdiction of Hall County; to set forth the standards for private wastewater disposal systems by land application so as to comply with the provisions of Chapter 13.30 and other county, state and federal regulations; to require certain information to be submitted for consideration for the zoning of any land for a wastewater land application system; to require the approval of the Environmental Protection Division prior to commencing any wastewater land application system; to require minimum standards for pre-treatment of wastewater for a land application system and to require minimum standards for land application systems pursuant to the standards required by the Environmental Protection Division; to provide for inspection, monitoring and bonding to protect the public’s interest for the proper construction and maintenance of a wastewater land application system; to prohibit water pollution and to set forth the penalties for conviction of a violation of this Chapter; to provide for an effective date; to repeal conflicting ordinances and resolutions, and for other purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HALL COUNTY, and it is hereby resolved by the authority of the same as follows:

-1-

Chapter 13.30 of Title 13 the Official Code of Hall County, Georgia entitled “TREATMENT AND DISPOSAL OF WASTEWATER BY LAND APPLICATION” is hereby deleted in its entirety.

-2-

Chapter 13.30 of Title 13 of the Official Code of Hall County, Georgia, entitled “TREATMENT AND DISPOSAL OF WASTEWATER BY LAND APPLICATION” is hereby adopted as set forth in Exhibit "A" a copy of which is attached hereto and made a part hereof as if Exhibit "A" were originally set forth in this Resolution.

-3-

All Resolutions or Ordinances, or parts thereof, in conflict with the terms of this Resolution are hereby repealed, but it is hereby provided that any resolution, ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose, and provisions hereof, which shall be liberally construed to be in favor of Hall County, is hereby adopted as part hereof.

-4-

If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of this Resolution shall be declared invalid or unconstitutional by any court of competent jurisdiction, or if the provisions of any part of this Resolution 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 Resolution not so held to be invalid. It is hereby declared to be the intent of the Board of Commissioners to provide for separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

-5-

This Resolution is hereby adopted this _____ day of _____, 2009, to become effective the _____ day of _____, 2009, the public health, safety and general welfare demanding it.

HALL COUNTY BOARD OF COMMISSIONERS

By _____
Chairman

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Clerk

EXHIBIT "A"

CHAPTER 13.30 TREATMENT AND DISPOSAL OF WASTEWATER BY LAND APPLICATION

Sections:

13.30.010	Title.
13.30.020	Definitions.
13.30.030	General Conditions and Exclusions.
13.30.040	Private Wastewater Disposal.
13.30.050	Required Information for Zoning Application; Application Fee.
13.30.060	Environmental Protection Division Approval; Operation Fees.
13.30.070	Minimum Standards for Treatment.
13.30.080	Minimum Standards for Land Application.
13.30.090	Inspection and Monitoring; Bond.
13.30.100	Water Pollution Prohibited; Penalty.
13.30.110	Effective Date; Validity; Liability for Damages.

13.30.010. Title.

This Chapter shall be known as the " TREATMENT AND DISPOSAL OF WASTEWATER BY LAND APPLICATION."

13.30.020. Definitions.

The definitions set forth in Official Code of Hall County, Georgia § 13.10.1030 are hereby incorporated by reference. In addition, the following words, terms and phrases shall have the meaning ascribed to them when used in this Chapter except where the context clearly indicates a different meaning:

- A. *Cease operations order* means a written order from the Director of Public Works and Utilities which requires that the spraying or subsurface discharging of wastewater for land application be immediately stopped.
- B. *Direct Land Application discharge* means the discharge of any treated wastewater outside of the designated wetted area of the land application

system by means of pipes, flumes, or any other facility, including surface runoff not related to storm events.

- C. *Land Application System* means a system for wastewater treatment or disposal by spray irrigation or subsurface drip irrigation. The term refers to the advanced treatment and disposal of wastewater by irrigation onto land to support vegetative growth.
- D. *Sanitary nuisance* means the commission of any action by any person, or the keeping, maintaining, propagation, existence or permission of anything by any person, by which the health or life of an individual, or the health or life of individuals, may be threatened or impaired or by which or through which, directly or indirectly, disease may be caused.
- E. *Water pollution* means the introduction in any surface or underground water of any organic or inorganic matter or deleterious substances in such quantities, proportions or accumulations which are injurious to human, plant, animal, fish and other aquatic life or property, or which unreasonably interfere with the comfortable enjoyment of life or property, or the conduct of business.
- F. *Written violation* means a notification of violation given or a consent order issued by the Environmental Protection Division or a citation issued by Hall County. A consent order issued by the Environmental Protection Division is considered a written violation unless a notification of violation has been given for the same item included in the consent order.

13.30.030. General Conditions and Exclusions.

- A. This Chapter shall apply to any and all wastewater treatment or disposal systems within the jurisdiction of Hall County including, but not limited to, residential, commercial or industrial systems except for the following:
 - 1. Residential, commercial or industrial septic tank systems;
 - 2. Residential, commercial or industrial storm water systems;
 - 3. Agricultural practices involving farming operations on the farm; and
 - 4. Oxidation or treatment ponds not utilizing land application for disposal.

- B. All proposed wastewater treatment facilities shall be designed and constructed as subsurface drip irrigation systems for the disposal of wastewater. Existing land application systems are grandfathered and may continue to operate as either drip irrigation or spray irrigation. Additions to existing land application systems permitted before the effective date of this Chapter may utilize either technology for the added irrigation area, provided the facility flow rate does not increase by greater than 50 percent. Sites that have undergone multiple additions will be required to utilize subsurface drip irrigation when the cumulative effect of the additions is greater than 50 percent, as compared to the pre-effective date flow rate. No direct land application discharges of proposed treated wastewater into surface waters will be allowed unless specifically approved by the Environmental Protection Division.
- C. The property where the land application system is located or proposed to be located must be properly zoned for the use of said land application system prior to construction of a new wastewater land application system or land expansion of an existing wastewater land application system.

13.30.040 Private Wastewater Disposal

- A. Where a public sanitary sewer is not available under the provisions of Chapter 13.10, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Chapter and other county or state requirements.
- B. Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the Building Official. The application for such permit shall be made on a form furnished by the County, which the applicant shall supplement by any plans, specifications and other information as is deemed necessary by the Building Official or Health Department. A permit and inspection fee shall be paid to the County at the time the application is filed.
- C. A permit for a private wastewater disposal system shall not become effective until the installation is completed and approved by the Building Official. The Building Official shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the building inspector when the work is ready for final inspection, and before any underground portions are covered.
- D. The type, capacities, location and layout of a private wastewater disposal system shall comply with all requirements of state and federal water pollution control agencies of jurisdiction and with the local board of health.

No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the front footage of the lot is less than seventy-five (75) feet and the area of the lot is less than twelve thousand (12,000) square feet. Prior to issuing a permit for any private wastewater disposal system employing subsurface soil absorption facilities, such facilities must meet all regulations governing such systems as required by the County's planning and zoning regulations and Hall County Health Department regulations. No septic tank or cesspool shall be permitted to discharge to any natural outlet or to any well.

- E. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 13.10.1110, a direct connection shall be made to the public sewer within ninety (90) days after notification by the Building Official or by the Health Department that the operation of the private facility is no longer acceptable, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.
- F. The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the County.
- G. No statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by the Health Department.
- H. Private wastewater disposal into publicly-owned septic tank receiving station.
 - 1. *Permit and bond required.* No person shall discharge wastewater into the publicly owned treatment works or storage facility without a written permit signed by the Director or his designated representative. The application for such permit shall be made on a form furnished by the County, which the applicant shall supplement by any plans, analyses, specifications and any other information as deemed necessary by the Director or any state or federal regulatory agency. All persons at the time of obtaining a written permit to discharge wastewater into the publicly owned treatment works or storage facility shall post a cash bond in an amount equal to the cost of the installation.
 - 2. *Designated area for private wastewater disposal.* No person shall discharge wastewater at any point of the sewerage system of the County except at the publicly owned treatment works or storage facilities at times specifically designated by the Director.

3. *Prohibited discharges.* No person shall discharge or cause to be discharged wastewater from sources other than single-family dwellings or equivalent domestic sewage located in Hall County, Georgia. No person shall discharge or cause to be discharged materials, water or waste if it appears likely in the opinion of the Director that such wastes will harm either the sewers, sewerage treatment process and/or equipment or the environment; have an adverse effect on the receiving stream; prevent the use or disposal of sludges by processes as may be selected in the future; will endanger life, limb, public property, or constitute a nuisance; or cause the treatment plant to violate its NPDES permit or applicable receiving water standards. Some of the substances prohibited are: any pumping from grease, sand, or oil interceptors and any substances the Act (Public Law 92-500), all amendments thereto and regulations promulgated thereunder.

4. *Action required by the Director.* If in the opinion of the Director the private wastewater to be discharged into the publicly owned septic tank receiving station is from a source located outside of Hall County, Georgia, or may have deleterious effect on the sewerage works, processes, equipment, receiving waters, or the environment or would otherwise create a hazard to human or animal life or constitute a public nuisance, the Director may:
 - (a) Reject the waste and require the removal of the wastewater by the person who discharged the wastewater into the publicly owned treatment works or storage facility within twenty-four (24) hours after oral or hand-delivered written notice, and if the wastewater is not removed within twenty-four (24) hours after the person receives such notice, the wastewater shall be removed by the County at the person's expense.

 - (b) Require a complete analysis of such wastewater to determine compatibility with current treatment processes at the expense of the person who proposes the discharge of the wastewater into the publicly owned treatment works or storage facility.

 - (c) Require additional payment to cover the added costs of processing and treating the waste not covered by existing fees or sewerage charges as may be enacted from time to time by the County Commission under provisions of Chapter 13.10.

- (d) Immediately revoke, orally or in writing, the sewerage permit of the person violating any provision of this Chapter and terminate that person's future use of the publicly owned treatment works or storage facility.

- 5. *Fees charged.* All persons using the publicly owned treatment works or storage facilities shall pay such charges for the use of same as are now in effect or as may hereinafter shall be enacted by the County Commission.

- 6. *Collection of costs or expenses.* The Director shall notify the person in writing of all additional costs or expenses owed by the person to the County under this Chapter, and the person shall pay such costs or expenses to the County within thirty (30) days of the date that the written notice is mailed. If the costs or expenses are not paid within such thirty (30) days, the Director shall pay the costs or expenses out of the person's posted cash bond and the person shall post a new cash bond under Section 13.30.040(H)(1) of this Chapter and shall not discharge wastewater into the publicly owned treatment works or storage facilities until a new cash bond is posted pursuant to Section 13.30.040(H)(1) of this Chapter.

- 7. *Identification of wastewater source.* No person shall discharge wastewater into the publicly owned treatment works or storage facilities, without having supplied the following information to the Director:
 - (a) The name and address of the owner or tenant of each residential single-family dwelling from which wastewater is collected;
 - (b) The number of gallons of wastewater collected from said residential single-family dwelling; and
 - (c) Any other information deemed necessary by the Director.

- 8. *Exceptions by County Commission.* No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the County Commission and private waste collectors subject to payment therefore by the private waste collectors.

13.30.050 Required Information for Zoning Application; Application Fee.

1. Required Information for Zoning Application

- A. The following information shall be submitted to the Director of Public Works and Utilities for review of a zoning application and subsequent submittal of a report to the Planning Commission for consideration of the zoning of any land for a wastewater land application system:
1. The design development report submitted to the Environmental Protection Division certified by a professional engineer experienced in the design of land application systems and registered to practice in the State of Georgia.
 2. A plan for the disposal of excess biological solids.
 3. Certification from a professional geologist, registered to practice in the State of Georgia, certifying that the land application site is not located within two miles of a significant groundwater recharge area as defined by the Environmental Protection Division.
 4. A detailed history of all the owner's previous activities, within the State of Georgia, in the field of land application, including every other facility it has operated, and including a detailed account of all past violations of federal, state, or county laws or regulations, and all past and pending litigation, favorable or unfavorable.

2. Application Fee

- A. An application review fee as set forth in the Hall County Sewers and Sewage Disposal Fee Schedule adopted by the Hall County Commission shall be paid by the applicant. The fee shall be due upon submittal of the application information.

13.30.060 Environmental Protection Division Approval; Operation Fees.

1. Environmental Protection Division Approval

Environmental Protection Division approval required. It shall be unlawful for any person to enter into, let a contract for, or to commence the installation, extension, enlargement, alteration, addition, modification, or operation of any wastewater land application system without first obtaining the necessary approval from the Environmental Protection Division.

2. Operation Fees

- A. *Annual operation fees required.* An annual operation fee will be required of all wastewater land application systems to provide for environmental monitoring and testing services, preparation and prosecution of enforcement actions and responding to and attempting to resolve citizen complaints.
- B. The operation fee will be required prior to issuance of a business license or subsequent renewals and shall be as set in the Hall County Sewers and Sewage Disposal Fee Schedule adopted by the Hall County Board of Commissioners.
- C. The operational fee shall be due at the time each business license is obtained or renewed and shall be collected by the Director of Business Licenses.

13.30.070 Minimum Standards for Treatment.

The pre-application treatment of wastewater shall be to a level permitted by the Environmental Protection Division. No wastewater shall be discharged unless treated to the level prescribed by the Environmental Protection Division in the permit for the wastewater land application system.

13.30.080 Minimum Standards for Land Application.

This Chapter, as a minimum, incorporates by reference the following two documents as produced by the Environmental Protection Division, including any future modifications, changes, or deletions. These documents are incorporated in their entirety except where they are in conflict with Section 13.30.030 of this Chapter: *Criteria for Slow Rate Land Treatment (February 1986, or current edition)*, and *Guidelines for Land Treatment of Municipal Wastewater by Drip Irrigation (February 1996, or current edition)*.

13.30.090. Inspection and Monitoring; Bond.

1. Inspection and Monitoring

- A. The Director of Public Works and Utilities will monitor every wastewater land application system permitted by the Environmental Protection Division and within the jurisdiction of Hall County to determine if the activities are being conducted in accordance with the provisions of this Chapter and the permit issued by the Environmental Protection Division.

Samples of surface water may be collected and tested to determine compliance with this Chapter and the permit. Inspections shall be required on a semiannual basis at a minimum. No notice shall be provided prior to inspection.

- B. The Director of Public Works and Utilities shall have the responsibility for maintaining the 24-hour environmental emergency hot-line through the Hall County Central Communications Division (911). Every effort shall be made to respond to incidents in a timely manner. Copies of all reports of all incidents shall be sent to the Environmental Protection Division and to the Director.
- C. If, through inspection, it is deemed that the land application activity as defined herein is not operating in compliance with this Chapter or the permit, the Director of Public Works and Utilities shall provide written notice to the Environmental Protection Division for further investigation.
- D. The owner shall maintain records of all inspections, tests results, analyses, reports, correspondence, complaints, and any other information related to the wastewater treatment and land application system, including operational reports to the Environmental Protection Division, and all records shall be submitted to the Director of Public Works and Utilities or their representative on a monthly basis and made available on-site for inspection by the Director of Public Works and Utilities.
- E. The Public Works and Utilities Director shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this Chapter, and for this purpose to enter at any time upon any property, public or private, for the purpose of investigating and inspecting the sites of land application activities.
- F. No person shall refuse entry or access to any authorized representative or agent of the issuing authority, who requested entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties.
- G. If the owner receives or has received two or more written violations of this Chapter or land application permits issued by the Environmental Protection Division for a site within Hall County within any three-year period (said three-year period to include the three years immediately preceding the effective date of this Chapter as well as any time after the effective date of this Chapter), the Director of Public Works and Utilities shall notify the owner in writing that a cease operation order will be issued in 30 days unless the owner complies with an inspection and monitoring plan (hereinafter referred to as "plan") submitted by the owner to the

Director of Public Works and Utilities. The plan shall include appropriate corrective action and require that the owner assume full responsibility for the cost of all required inspections and monitoring, to include testing by an independent firm approved by the Director of Public Works and Utilities for as long as the owner is under the plan. The plan shall also include that the owner shall remain under said plan until 12 consecutive months have passed from the start of said plan without the owner having received any written violation of this Chapter or land application permits issued by the Environmental Protection Division for said site. The plan shall be submitted to the County Commission by the Director of Public Works and Utilities for consideration of approval. In addition, the County Commission shall require the applicant to post a performance bond in the amount as set in the Hall County Sewers and Sewage Disposal Fee Schedule as adopted by the Hall County Board of Commissioners. The requirement for a performance bond shall terminate upon the completion of a consecutive 12-month period within which the applicant has operated the land application system without any violations of this Chapter or land application permits issued by the Environmental Protection Division. The performance bond can be satisfied by one of the following methods:

1. The depositing of United States currency with the County Commission in a special interest bearing account controlled by the County Commission, with the owner entitled to receive all interest earned on said account;
2. A surety bond issued by a company approved by the County Commission for such purposes, and naming as the obligee the County Commission. Under the terms of the bond, the surety will become liable on the bond obligation when the owner fails to perform as guaranteed by the bond;
3. An irrevocable standby letter of credit submitted to the County Commission by a financial institution which has authority to issue letters of credit and whose letter of credit operations are regulated and examined by a federal or state agency; or
4. Any other similar type performance bond recommended by the Hall County Attorney and approved by the County Commission.

2. Bond

- A. The purpose of the performance bond shall be to serve as a source of funds to insure payment of any of the following claims:
 1. The payment in full of any costs imposed by Hall County as a result of violations of the terms of this Chapter; and

2. The payment of any costs incurred by Hall County in removing any pollutant created by the owner on the site of the land application system as a result of any violation of the terms of this Chapter or any violation of a permit issued by the Environmental Protection Division by the owner.
- B. If the owner has posted a performance bond as required by this Chapter and the owner does not then comply in full with this Chapter, the County Commission, after giving due consideration to the nature of the violation or violations, and after affording the owner an opportunity to be heard, may cause the bond or any part thereof to be forfeited as necessary to pay the claims guaranteed by the performance bond.

13.30.100 Water Pollution Prohibited; Penalty.

- A. *Prohibition against water pollution.* It shall be unlawful for the owner of any land application system, whether permitted or unpermitted, to throw, drain, run, or otherwise discharge into any of the surface waters of the state or into federal wetlands, or to cause, permit or suffer to be thrown, drained, or otherwise discharged into such waters or wetlands, any organic or inorganic matter which shall cause water pollution as defined herein, or cause a sanitary nuisance as defined herein, and such person shall be subject to the penalties and incentives set forth in this Chapter.
- B. *Civil and criminal penalties.* Any person, firm, corporation, association or partnership violating any permit conditions, cease order or any provision of this Chapter as the same exists or as it may hereinafter be amended, or shall fail to do anything required by permit conditions, a cease order or this Chapter as the same exists or as it may hereafter be amended, shall be guilty of a misdemeanor, amenable to the process of the Magistrate or State Court of Hall County, and upon conviction, shall be punished as provided in the Official Code of Hall County, Georgia Section 1.50.020 for each violation in the discretion of the Court.

13.30.110 Effective Date; Validity; Liability for Damages.

- A. *Effective date.* This Chapter shall become effective upon its adoption by the Hall County Board of Commissioners. As of said date, the terms and requirements contained herein shall supersede existing conflicting county ordinances.

- B. *Validity.* If any section, paragraph, clause, phrase or provision of this Chapter shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this Chapter.

- C. *Liability.* Neither the approval of a plan under the provisions of this Chapter nor the compliance with provisions of this Chapter shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law or impose any liability upon Hall County for damage to any person or property.