

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2007 - 101

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, CHAPTER 62, OFFENSES AND MISCELLANEOUS PROVISIONS, SO AS TO AMEND SAID CHAPTER AND TO DELETE IN ITS ENTIRETY SUBSECTION (e) OF THE PRESENT SECTION 62-35 "PUBLIC NUISANCE IN RELATION TO DWELLING, BUILDING, STRUCTURE OR PROPERTY", AND TO SUBSTITUTE IN LIEU THEREOF A NEW SUBSECTION (e); TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, ARTICLE I OF CHAPTER 18, "BUILDINGS AND BUILDING REGULATIONS", SO AS TO AMEND SAID CHAPTER BY ADDING A NEW SECTION 18-1 "ENFORCEMENT"; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED:

Section 1. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, CODE OF CLAYTON COUNTY, GEORGIA, Chapter 62, "Offenses and Miscellaneous Provisions", by deleting the present Subsection (e) of Section 62-35, entitled "Public nuisance in relation to dwelling, building, structure or property", and substituting in lieu there of a new Subsection (e) to Section 62-35, to read as follows:

**"Sec. 62-35. Public nuisance in relation to dwelling, building,
structure or property**

(e) The Director, Clayton County Department of Health, the Director of

Clayton County Community Development and the Chief of Police, and any agent of such directors or the Chief of Police are designated to exercise the powers prescribed by this section, and, as such, come within the definition of "public officer" in O.C.G.A. § 41-2-8-(10).

Section 2. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending Article I of Chapter 18 of the CODE OF CLAYTON COUNTY, GEORGIA, "Buildings and Building Regulations", by adding a new Section 18-1 to be entitled "Enforcement", to read as follows:

Sec. 18-1. Enforcement

In addition to the enforcement agents specifically authorized within this Chapter, the Director of Clayton County Community Development, the Director of Clayton County Refuse Control, the Director of the Clayton County Health Department and the Chief of Police and any agent of the directors and Chief of Police are designated to enforce the provisions of this Chapter and to issue summons commanding any violator to appear in the Magistrate Court where probable cause exists to believe any person or entity has committed or is committing a violation of this Chapter. The directors or Chief of Police and their agents are authorized to exercise any powers prescribed in this Chapter.

Section 3. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

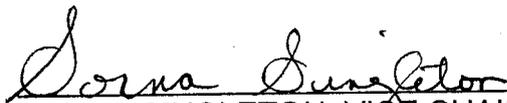
Section 4. If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

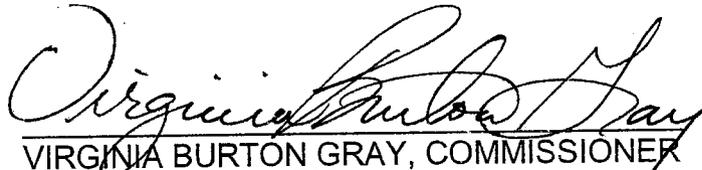
Section 5. This Ordinance shall become effective upon its approval by the Board of Commissioners.

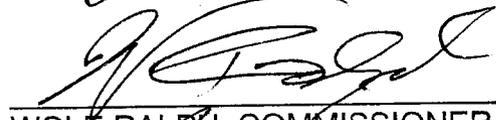
SO ORDAINED, this the 12th day of June, 2007.

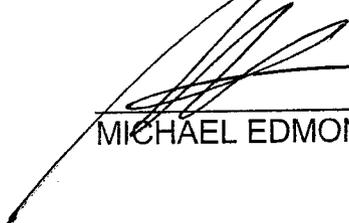
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

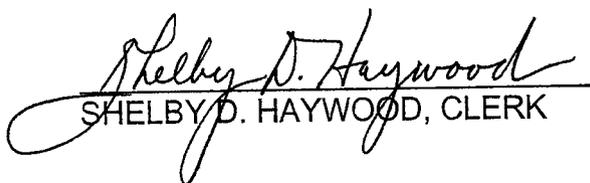

SONNA SINGLETON, VICE CHAIRWOMAN


VIRGINIA BURTON GRAY, COMMISSIONER


WOLE RALPH, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK