

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2007- 76

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED; SPECIFICALLY CHAPTER 42 "FIRE PREVENTION AND PROTECTION", ARTICLE II, "FIRE PREVENTION CODE", SECTION 42-33, "DEFINITIONS"; TO UPDATE FEES ASSOCIATED WITH THE FIRE DEPARTMENT; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Fire Department seeks to provide a clear understanding of words, terms and phrases used in the Fire Prevention Code by adding to definitions already contained therein; and

WHEREAS, the Clayton County Fire Department endeavors to provide updated information to members of the public in regards to the fees and charges assessed by and for the Fire Department; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County to amend the Ordinance as hereinafter set forth.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED

Section 1. The Board of Commissioners hereby amends the Code of Clayton County, Georgia, as amended, specifically Chapter 42, Fire Prevention and Protection, Article II, Fire Prevention Code, Section 42-33 Definitions, as follows:

By deleting Section 42-33 in its entirety and by substituting the following:

“42-33. Definitions.

The following words, terms and phrases, when used in the technical codes adopted by this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Buildings, Existing is a building legally erected prior to the adoption of this code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this code.

Corporation Counsel means the attorney for the county.

Municipality means this county.”

By deleting Section 42-40 in its entirety and by substituting the following:

“42-40. Fees.

[O.C.G.A.] Title 25-2-4.1 is hereby adopted as the fees and charges for the county fire department. The following are these fees:

- (1) Anhydrous ammonia transportation or storage permit...\$100.00
- (2) Annual license for manufacture of explosives other than fireworks...\$100.00
- (3) Annual license for manufacture, storage, or transport of fireworks...\$1,000.00
- (4) Carnival license...\$100.00
- (5) Certificate of occupancy inspection...\$100.00
- (6) Construction plan review:
 - a. Bulk storage construction...\$100.00
 - b. Building construction, per square foot...\$0.15
 - c. Fire sprinkler contractor certificate of competency...\$100.00
 - d. Liquefied petroleum gas storage license:
 1. 2,000 gallons or less...\$100.00
 2. More than 2,000 gallons...\$500.00
 - e. New building construction inspection:
 1. 80% completion, 100% completion, and first follow-up...None
 2. Second follow-up...\$100.00
 3. Third and each subsequent follow-up...\$150.00
 - f. Purchase, storage, sale, transport, or use of explosives other than fireworks:
 1. 500 pounds or less...\$50.00
 2. More than 500 pounds...\$100.00
 - g. New self-service gasoline station permit, one-time fee...\$100.00

(7) Existing building fire safety inspection...\$100.00

Section 2. In the event any section, paragraph, subpart, sentence, clause, phrase, or word of the Ordinance shall be declared or adjudged unconstitutional or invalid by any Court, such declaration or adjudication shall not affect the remaining portions of this Ordinance which shall remain in full force and effect as if the portions declared invalid or unconstitutional had never been enacted into law.

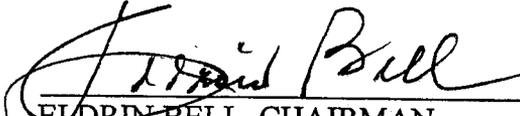
Section 3. All laws, ordinances or resolutions, or parts thereof, in conflict with provisions of this ordinance are hereby repealed.

Section 4. This Ordinance shall become effective following its approval by the Board of Commissioners after the second reading of the Ordinance, provided the same receives an affirmative vote of three or more members, provided further that a copy of the Ordinance has been published in the official organ of Clayton County and filed with the Secretary of State of Georgia as required by law, and after the required ninety (90) day notice period to the Georgia Department of Community Affairs.

{Signatures on following page}

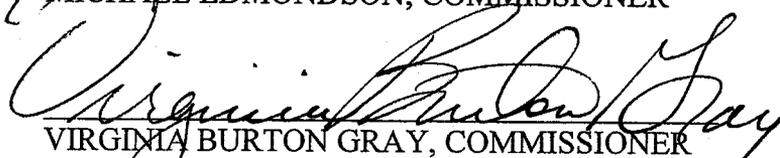
SO RESOLVED, this the 15th day of May, 2007.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

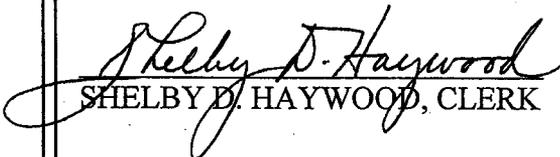

SONNA SINGLETON, VICE-CHAIRMAN


MICHAEL EDMONDSON, COMMISSIONER


VIRGINIA BURTON GRAY, COMMISSIONER


WOLE RALPH, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK