

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2008 - 30

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, PART II OF THE CODE OF CLAYTON COUNTY, GEORGIA, CHAPTER 2, ADMINISTRATION, ARTICLE III, BOARDS, COMMISSIONS AND AUTHORITIES, DIVISION 5, CODE ENFORCEMENT BOARD, SO AS TO AMEND SAID CHAPTER, ARTICLE AND DIVISION BY ADDING THREE NEW SECTIONS: SECTION 2-87 "INTERNATIONAL PROPERTY MAINTENANCE CODE APPEAL BOARD", AND ITS SUBSECTIONS; SECTION 2-88 "MEANS OF APPEAL TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE APPEAL BOARD", AND ITS SUBSECTIONS; AND SECTION 2-89 "SUMMONS TO COURT OR INITIATION OF CIVIL PROCESS NOT APPEALABLE TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE APPEAL BOARD"; 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 Part II, CODE OF CLAYTON COUNTY, GEORGIA, Chapter 2, Administration, Article III, Boards, Commissions and Authorities, Division 5 Code Enforcement Board, by adding a new Section 2-87, titled "International Property Maintenance Code Appeal Board", a new Section 2-88, titled "Means of Appeal to the International Property Maintenance Code Appeal Board", and a new Section 2-89, titled "Summons to court or initiation of civil process not appealable to the International Property Maintenance Code Appeal Board", said sections to read as follows:

“Sec. 2-87. International Property Maintenance Code Appeal Board

(a) The County Code Enforcement Board shall sit as the board of appeals for an appeal from any person directly affected by a decision of a code official or any notice or order issued under the authority of the International Property Maintenance Code as adopted pursuant to Section 18-431.1 of the Code of Clayton County as amended.

(b) The chairperson of the Code Enforcement Board shall sit as the chairperson of the International Property Maintenance Code Appeal Board.

(c) The International Property Maintenance Code Appeal Board may adopt rules as necessary for the efficient operation of the board.

Sec. 2-88. Means of Appeal to the International Property Maintenance Code Appeal Board

(a) The Means of Appeal as set out in Section 111 and subsections there under of the International Property Maintenance Code are adopted as the procedures to be followed by the Code Enforcement Board while sitting as the International Property Maintenance Code Appeal Board.

(b) Any person who is directly affected by any notice, order or decision of a code official issued under authority of the International Property Maintenance Code may appeal such notice, order or decision by filing an appeal, within 72 hours of the receipt of same with the Chief of Police or his designee. The appeal shall be in writing setting out the notice, order or decision being appealed and a statement of the facts and law in support of the appeal.

(c) Within three business days of receipt of an appeal, the Chief of Police or his designee shall forward copies of the appeal and copies of all relevant department documents to the chairperson of the International Property Maintenance Code Appeal Board and the county law department.

(d) The Chairperson of the International Property Maintenance Code Appeal Board shall set a hearing for the appeal within seven days of receipt of the complaint.

Sec. 2-89. Summons to court or initiation of civil process not appealable to the International Property Maintenance Code Appeal Board.

The issuances of a summons alleging a violation of the International Property Maintenance Code or the service of civil process are not appealable to the International Property Maintenance Code Appeal Board. Such actions shall be heard by the proper court or tribunal having jurisdiction over the matter.

Section 2. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance, are hereby repealed.

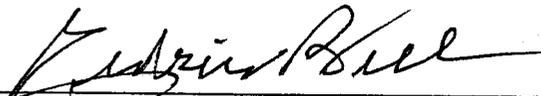
Section 3. If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

Section 4. This Ordinance shall become effective upon its approval by the Board of Commissioners.

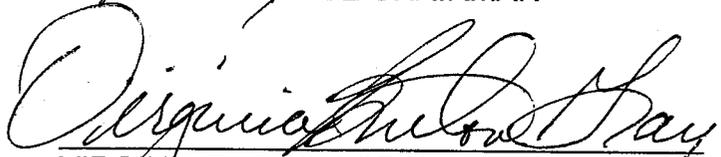
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SO ORDAINED, this the 19th day of February, 2008.

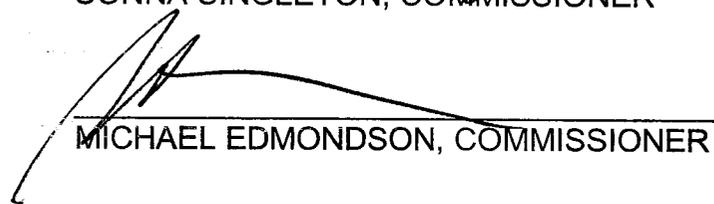
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

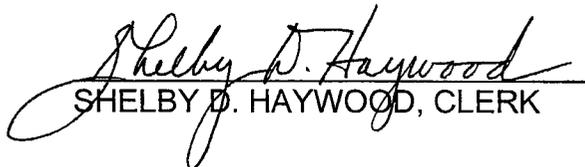

WOLE RALPH, VICE CHAIRMAN


VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK