

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2011- 31

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 62 "OFFENSES AND MISCELLANEOUS PROVISIONS", ARTICLE II "QUALITY OF LIFE CODE", BY DELETING THE EXISTING SECTION 62-201 "PURPOSE AND DEFINITIONS", AND SUBSTITUTING IN LIEU THEREOF A NEW SECTION 62-201 "PURPOSE AND DEFINITIONS", AND BY DELETING SECTION 62-204 "PARKING OR STORAGE OF COMMERCIAL VEHICLES, TRUCKS OR EQUIPMENT", AND SUBSTITUTING IN LIEU THEREOF A NEW SECTION 62-204 "PARKING OR STORAGE OF COMMERCIAL VEHICLES, TRUCKS OR EQUIPMENT", 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, Part II, Chapter 62 "Offenses and Miscellaneous Provisions", Article II "Quality of Life Code", by deleting the existing Section 62-201 "Purpose and Definitions", and substituting in lieu thereof a new Section 62-201 "Purpose And Definitions" which shall read as follows:

"Sec. 62-201. - Purpose and definitions.

(a) Purpose. The board of commissioners deems it in the best interest of the county and in furtherance of public safety and public welfare to enact certain requirements for the owners and occupants of real property which will require

such property to be maintained in good repair, free from accumulation of rubbish and uncut vegetation, with pools and similar structures maintained in good repair or covered to prevent the breeding of mosquitoes, to provide for securing of vacant or abandoned structures and to control the parking of certain vehicles within residential districts of the county.

(b) Definitions. As used in this quality of life code the following definitions shall apply:

- (1) Code official shall mean any county law enforcement officer, code enforcement officer of the police department, and any employee designated by the director of the department of community development.
- (2) Notice shall mean a notice of violation of these regulations by personal service or service by certified mail or first class mail to the last known address of the party responsible for the violation. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place on or about the structure or property affected by such notice.
- (3) Regulations shall mean the requirements set out in this quality of life code.
- (4) Residential zoning districts shall mean all residential, multiple family, mobile home, or neighborhood mixed use zoning districts and agricultural zoned districts.”

Section 2. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, Code of Clayton County, Georgia, Part II, Chapter 62 “Offenses and Miscellaneous Provisions”, Article II “Quality of Life Code”, by deleting the existing Section 62-204 “Parking or storage of commercial vehicles, buses, trailers, trucks, or equipment”, and substituting in lieu thereof a new Section 62-204 “Parking or storage of commercial vehicles, buses, trailers, trucks, or equipment” which shall read as follows:

“Sec. 62-204. - Parking or storage of commercial vehicles, buses, trailers, trucks or equipment.

(a) Except as authorized by subsection (b), in all residential zoning districts the parking of the following commercial vehicles is prohibited: limousines, flat bed trucks, dump trucks, tow trucks, transport wreckers, tandem axle trucks, cab-on-chassis trucks, tractor trailers, truck tractors without a trailer, wheeled attachments or trailers, buses, earth-moving machinery, semi-trailers, and any

vehicle over 20 feet in length, or seven feet in height, or seven feet in width. Vehicles or equipment used exclusively for agricultural purposes on agricultural zoned property with three or more acres are permitted if parked outside the required front yard setback.

(b) In all residential zoning districts, the parking of the following commercial vehicles is permitted:

- (1) An automobile, pick-up truck, van or SUV used to provide daily transportation to and from work. Such vehicle is limited to one and one-half ton carrying capacity and must be used exclusively by the resident.
- (2) A commercial vehicle that is parked temporarily in conjunction with a commercial service, sale, delivery or pick-up.
- (3) Where a home occupation business license has been issued to the resident, no more than one vehicle associated with the home occupation may be parked at the site. Such vehicle is limited to one and one-half ton carrying capacity and must be used exclusively by the resident.

(c) In all residential zoning districts, the resident may park one unoccupied travel trailer, motor coach or pleasure boat owned or used by the resident exclusively for recreational purposes, provided that such vehicle or trailer has a current license plate. Such recreational vehicle or trailer shall be parked in the rear yard. Where the rear yard is not accessible by means of a driveway or alley or has insufficient clearance to meet the zoning requirements it may be parked on the front yard. In those instances where a recreational vehicle is to be parked in the front yard, only the paved driveway portion of such yard shall be utilized, and in no instance shall the recreational vehicle be parked closer than ten (10) feet to the front property line. A recreational vehicle or trailer that is parked within a fully enclosed garage and without protruding therefrom shall not be in violation of this section.

(d) With the exception of recreational vehicles and commercial vehicles parked temporarily in conjunction with a service, sale, delivery or pick-up, no vehicle with more than six wheels or two axles or that weighs more than 14,000 pounds or that is over 20 feet in length, or seven feet in height, or seven feet in width shall be parked in a residential zoning district.

(e) The owner or person in possession of any real property or the vehicle operator, or both may be punished as provided in section 1-12 of the Code of Clayton County for a violation of this section.

(f) After giving proper notice of a violation and five business days thereafter to correct the deficiencies, the county shall have the authority to enter the property and bring it into compliance with these regulations by impounding any vehicle found parked on the property in violation of this section. The expense of such county action shall be charged against the property owner, become a lien on the property, and be collected by the same means, process

and manner by which taxes are collected by the county. The impounded vehicle may be reclaimed by the vehicle's owner who shall be responsible for payment of the towing and storage fees, otherwise the vehicle shall be disposed of in accordance with state law.”

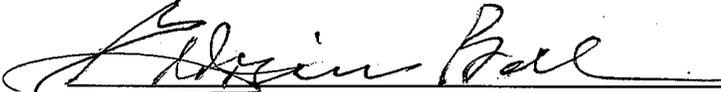
Section 3. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

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.

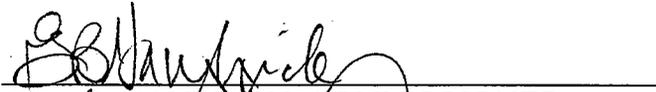
Section 5. This Ordinance shall become effective upon its approval by the Board of Commissioners.

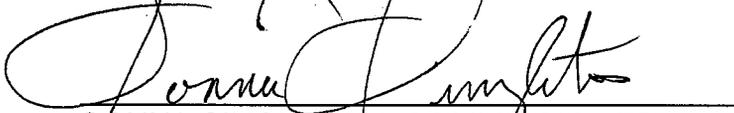
SO ORDAINED, this the 15th day of March, 2011.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK