STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2012 - 80

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 14 "ANIMALS", ARTICLE VI "DANGEROUS DOG ACT", BY REPEALING SECTION 14-137 "APPOINTMENT OF DOG CONTROL OFFICER AND ANIMAL CONTROL BOARD" AND SUBSTITUTING IN LIEU THEREOF A NEW SECTION 14-137 "APPOINTMENT OF DOG CONTROL OFFICER AND ANIMAL CONTROL 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, CODE OF CLAYTON COUNTY, GEORGIA, Part II, Chapter 14 "Animals", Article VI "Dangerous Dog Act", by deleting Section 14-137 "Appointment of dog control officer and animal control board" and substituting in lieu thereof a new Section 14-137 "Appointment of dog control officer and animal control board" which shall read as follows:

> **"Sec. 14-137. - Appointment of dog control officer and animal control board.**
>
> (a) The board of commissioners shall designate a dog control officer who shall perform the duties and exercise the powers assigned to that position by Georgia's Dangerous Dog Act, as enumerated in Article 2, Chapter 8 of Title 4 of the Official Code of Georgia.
>
> (b) The board of commissioners shall appoint an animal control board which will consist of five members who shall serve a term of not more than three

years. The terms shall be staggered so that the term of office of three members shall expire together and the remaining two members' terms shall expire in a subsequent year. Members may serve consecutive terms. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members may be removed for cause by the board of commissioners on written charges and after a public hearing.

(1) The county animal control board shall elect a chairman and vice-chairman from its members who shall serve for one year or until reelected or their successors are seated. The board shall appoint a secretary who may be a county officer or an employee of the county.

(2) The chairman shall call meetings of the board, decide upon points of order and procedure, administer oaths, and command the appearances of witnesses. The vice-chairman shall, in the absence of the chairman, administer the office of the chairman. The board shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of its examinations and other official actions, all of which shall be immediately filed as a record of the board and shall be public record. The county animal control unit shall maintain the files of the animal control board and the commanding officer of the unit shall be the records custodian of all such records.

(3) Three members shall constitute a quorum to conduct business. The full board may divide itself into panels for the purpose of conducting hearings as required by Section 14-139 of this Code.

(c) The animal control board will conduct hearings as provided by O.C.G.A. § 4-8-24 and sections 14-139 of this Code. All meetings shall be open to the public and be governed by Georgia's Open Meeting law, as enumerated in Chapter 14 of Title 50 of the Official Code of Georgia."

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.

SO ORDAINED, this the 1st day of May, 2012.

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