

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NUMBER 2009 - 86

AN ORDINANCE TO AMEND *CODE OF CLAYTON COUNTY, GEORGIA*, AS AMENDED, SPECIFICALLY CHAPTER 50, HEALTH AND SANITATION, ARTICLE I, IN GENERAL, SECTION 50-2 "BOARD OF HEALTH REGULATIONS" SO AS TO DELETE SUBSECTIONS (B) AND (C) IN THEIR ENTIRETY AND REPLACE THEM WITH NEW SUBSECTIONS (B) AND (C) RELATING TO BOARD OF HEALTH RULES AND REGULATIONS; AMEND SECTION 50-3 "DIVISION OF ENVIRONMENTAL HEALTH-- FEE SCHEDULE" SO AS TO CHANGE THE EFFECTIVE DATE AND DELETE EXHIBIT "A" THERETO IN ITS ENTIRETY AND REPLACE IT WITH NEW EXHIBIT "A"; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

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 Chapter 50, Health and Sanitation, Article I, In General, Section 50-2 "Board of health regulations," by deleting subsections (b) and (c) in their entirety and replacing them with new subsections (b) and (c) relating to Clayton County Board of Health rules and regulations, which shall read as follows:

"(b) Pursuant to O.C.G.A. § 31-3-5, the rules and regulations, as described and entitled as set out below, including any revisions, updates and amendments thereto, are hereby declared to have been adopted in accordance with state law by the county board of health and are hereby

accepted and approved for enforcement by the county board of commissioners and incorporated into this subsection as if set out in full:

- (1) A booklet entitled "Clayton County Board of Health, On-site Sewage Management Systems Rules and Regulations," which includes the Rules of Department of Human Resources, Public Health Chapter 290-5-26, "On-Site Sewage Management Systems," pages A1-19, which includes the provision that it was adopted and approved by the Clayton County Board of Health on July 19, 2006, and Attachment A, "Minimum Lot Size Requirements in Clayton County," which includes the provision that it was adopted and approved by the Clayton County Board of Health on October 18, 2006;
- (2) A booklet entitled "Clayton County Board of Health, Food Service Rules and Regulations," which includes the provision that it was adopted and approved by the Clayton County Board of Health on December 7, 2007;
- (3) A booklet entitled "Clayton County Board of Health, Tourist Court Rules and Regulations," which includes the provision that it was adopted and approved by the Clayton County Board of Health on October 25, 2000;
- (4) A booklet entitled "Clayton County Board of Health, Swimming Pool Regulations," which includes the provision that it was adopted and approved by the Clayton County Board of Health on March 29, 2001; and
- (5) A booklet entitled "Nuisance Regulation, Clayton County Board of Health," which includes the provision that it was adopted and approved by the Clayton County Board of Health on February 14, 2002.

(c) Said booklets, including any revisions, updates and amendments thereto, hereby are made public records and are required to be fully accessible to members of the public who are,

or may be, affected by them. An official copy of each booklet named above is on file in the office of the clerk of the county board of commissioners, where the same is available for inspection and copying.”

Section 2. The *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, is hereby further amended by amending Chapter 50, Health and Sanitation, Article I, In General, Section 50-3 “Division of environmental health--Fee schedule,” by changing the effective date of the fee schedule from November 1, 2004 to December 7, 2007, and by deleting Exhibit “A” in its entirety and replacing it with a new Exhibit “A”, which includes an updated fee schedule that is substantially in the form attached hereto, subject to such minor changes, insertions or deletions as the Board of Commissioners may approve.

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

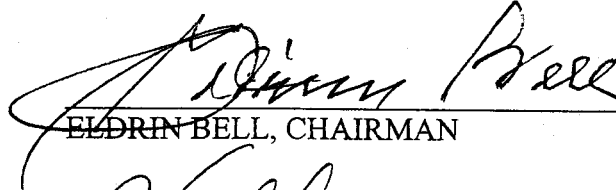
Section 4. If any part of this Ordinance shall be declared unconstitutional by the valid judgment of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

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

{Signature page follows}

SO ORDAINED, this the 2<sup>nd</sup> day of June, 2009.

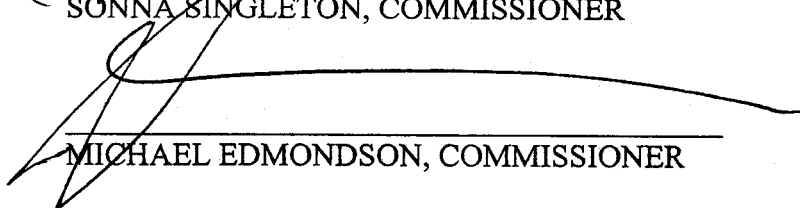
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN

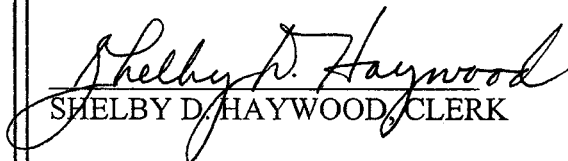
  
WOLE RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK