

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2022-211

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, CHAPTER 62 “OFFENSES AND MISCELLANEOUS PROVISIONS”, ARTICLE II “QUALITY OF LIFE CODE”, SUBSECTIONS 62-201 AND 62-202 TO DEFINE DEVELOPED AND UNDEVELOPED LAND AND REGULATE THE USES FOR EACH; 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 CLAYTON COUNTY BOARD OF COMMISSIONERS AND IT IS HEREBY ORDAINED

Section 1. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Chapter 62 “Offenses and Miscellaneous Provisions,” Article II “Quality of Life Code,” subsection 62-201(b) to add the following definitions to read as follows:

- ...
- (2) *Developed land means real property which has been altered from its natural state by addition of any improvements, such as grading, paving, compaction, construction of structures or impervious surfaces greater than 200 square feet, or drainage works so that hydrologic response of the property is changed from that which would occur in the natural undeveloped conditions. For new construction, property shall be considered developed pursuant to this ordinance upon issuance of a certificate of*

occupancy, or upon completion of construction or final inspection if no such certificate is issued.

....

(6) Undeveloped land is land in its unaltered natural state or which has been modified to such minimal degree as to have a hydrologic response comparable to land in an unaltered natural state shall be deemed undeveloped. Undeveloped land shall have no pavement, asphalt, or compacted gravel surfaces or structures in excess of 200 square feet which create an impervious surface that would prevent infiltration of stormwater or cause stormwater to collect, concentrate, or flow in a manner materially different than that which would occur if the land was in an unaltered natural state.

Section 2. The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Chapter 62 “Offenses and Miscellaneous Provisions,” Article II “Quality of Life Code,” subsection 62-202 in its entirety and replacing it with a new subsection 62-202 to read as follows:

Sec. 62-202. - Maintaining property and vacant structures, nuisance and abatement thereof.

(a) It shall be unlawful for the owner, occupant or person in possession of any developed or undeveloped land to utilize such real property for the outside storage of any ice box, refrigerator, stove or other appliance, furniture, clothing, machinery, equipment, glass, iron, paper, cordage, or other waste material, including building rubbish, trash, garbage or similar

items, without a special permit therefore issued by the director of the department of community development.

(b) It shall be unlawful for the owner, occupant or person in possession of any developed land to allow grass, weeds, and similar plants to grow on said property to a height in excess of ten inches. It shall be the duty and responsibility of every such owner, occupant or person in possession to keep the property clean and to remove from the premises all such abandoned or prohibited items listed in the quality of life code, including but not limited to dead trees, trash, rubbish, garbage, and the like.

(c) It shall be unlawful for the owner, occupant or person in possession of any developed land to allow a swimming pool, wading pool, hot tub or any similar structure to be in disrepair such that water can stand in the pool or structure and become a breeding ground for mosquitoes. All pools and similar structures must be in good operating condition with the water filtered and chlorinated or fully covered and any exposed water in the pool, structure or on the cover must be treated to prevent the breeding of mosquitoes.

(d) The owner, tenant, or person in possession of any real property may be punished as provided in [section 1-12](#) of the Code of Clayton County for a violation of this section.

(e) 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 such property into compliance with these regulations. 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.

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

Section 4. If this Ordinance in whole or in part is determined to be unconstitutional by 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 immediately upon its approval by the Board of Commissioners.

SO ORDAINED, this the 7th day of October, 2022.

CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



GAIL HAMBRICK, VICE-CHAIR



ALIEKA ANDERSON, COMMISSIONER



FELICIA FRANKLIN, COMMISSIONER



DEMONT DAVIS, COMMISSIONER

ATTEST:



COURTNEY RUSHIN, CLERK