STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2017-20

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 I "GENERAL" BY ENACTING A NEW SECTION 62-30.7 "POSTING POSTERS, SIGNS OR ADVERTISEMENT ON OR WITHIN THE RIGHTS OF WAY OF A PUBLIC ROAD"; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; 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 Part II, Chapter 62 "Offenses and Miscellaneous Provisions", Article I "General" By Enacting A New Section 62-30.7 "Posting posters, signs or advertisement on or within the rights of way of a public road";" to read as follows:

"Sec. 62-30.7 Posting posters, signs or advertisement on or within the rights of way of a public road

(a) For the purpose of this code section, the term "public road" shall mean any county street, road, or any state highway, or other public roadway.
(b) It shall be unlawful for any person to place a poster, sign or advertisement on or within the rights of way of any public road.
(c) The person placing the sign, the business/person identified in the sign, the registered agent of the business/person identified in the sign, a manager of the business/person identified in the sign, an employee or operator of the business/person identified in the sign may be cited for placing the sign.
(d) Exception: A poster, sign or advertisement may be placed within the rights of way of a public road under the jurisdiction of the state department of transportation pursuant to written authorization from the Commissioner of the department of transportation. Provided that anyone claiming this exception shall have the burden of proof.

(e) Each poster, sign or advertisement posted in violation of this section shall constitute a separate offense.

(f) Anyone who violates this section shall be punished as provided for in section 62-30.6."

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All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.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 21st day of March, 2017.

CLAYTON COUNTY BOARD OF COMMISSIONERS

JEFFREY E. TURNER, CHAIRMAN

MICHAEL EDMONDSON, VICE CHAIRMAN

SONNA SINGLETON GREGORY, COMMISSIONER

GAIL B. HAMBRICK, COMMISSIONER

FELICIA FRANKLIN WARNER, COMMISSIONER

ATTEST:

SANDRA T. DAVIS, CLERK