

STATE OF GEORGIA
COUNTY OF CLAYTON

ORDINANCE NO. 2008 – 16

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, TO ADD A NEW SECTION 62-207 "BASKETBALL GOALS AND COURTS"; 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 to add a new Section 62-207, "Basketball goals and courts" and subsections thereunder so that said Section 62-207 and subsections shall read as follows:

"Section 62-207. Basketball goals and courts

- (a) Basketball goals attached to the principal residential structure or erected adjacent to and abutting the driveway of the principal residential structure shall be allowed in the front yard but not within the right-of-way of a public street or sidewalk. No such basketball goal shall be erected in such a manner that the play area for the basketball goal is located within any portion of a public right-of-way.
- (b) Portable goals are allowed in the front yard but must be relocated to the side yard after use.
- (c) No goal, including portable goals, shall be placed in the public street or right-of-way, nor will a goal, including a portable goal, be placed so that the public street or sidewalk is the court or playing surface for the basketball goal.
- (d) Any basketball goal or portable goal located within the public street or right-of-way is declared a nuisance. After giving notice of the violation by posting a notice

on the basketball goal and sending a copy thereof by certified mail with return receipt requested to the address where the basketball goal is located and giving ten (10) calendar days after the notice has been posted on the basketball goal to correct the deficiencies, the county shall have the authority to remove the nuisance basketball goal and take it to the County landfill. 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 notice required by this subsection shall also be sent by first class mail to the last known address of the property owner if different from the resident.

(e) If notice has been given by posting the illegally placed basketball goal or by mail to a property owner or renter regarding the illegal placement of a basketball goal on the county right-of-way within twenty four months of a new or subsequent violation, the basketball goal is to be removed from the county right-of-way without further notice, taken to the landfill and the cost for the removal will become a lien on the property to be collected by the same means, process and manner by which taxes are collected by the county.

(f) It shall be unlawful for the owner or person in possession of the real property to allow a basketball goal or portable basketball goal to be located on the real property in violation of this section.

(g) When a County law enforcement officer or code enforcement officer of the County police department or any employee designated by the director of the Department of Transportation and Development or the director of the Department of Community Development finds a violation of this code section has occurred, a summons may be issued by such officer or designated employee to the owner or person in possession of the real property where the violation has occurred, and said owner or person in possession may be punished as provided in section 1-12 of the Code of Clayton County."

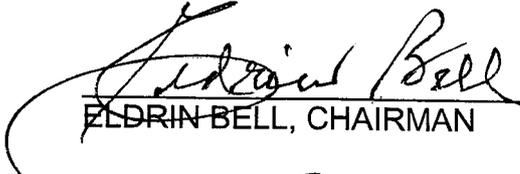
Section 2. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

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.

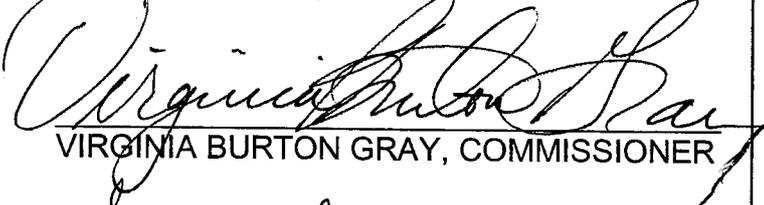
Section 4. This Ordinance shall become effective upon its approval by the Board of Commissioners.

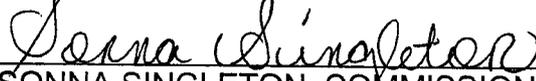
SO ORDAINED, this the 15th day of January, 2008.

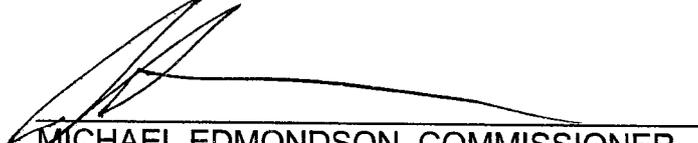
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK