

RESOLUTION 06-013

AN AMENDMENT TO THE RESOLUTION OF THE BOARD OF COMMISSIONERS OF CLAY COUNTY, GEORGIA PROVIDING FOR THE ZONING REGULATIONS AND LAND USE PLANNING IN THE UNINCORPORATED AREAS OF CLAY COUNTY, GEORGIA; TO PROVIDE FOR THE PAYMENT AND THE OF COLLECTION OF FEES FOR APPLICATIONS; TO PROVIDE FOR THE GRANTING, DENIAL OF APPLICATIONS, MODIFICATION TO, ENFORCEMENT OF; TO PROVIDE PENALTIES FOR FAILURE TO COMPLY WITH THE TERMS OF THE ORDINANCE; AND TO REPEAL PRIOR INCONSISTENT RESOLUTIONS; AND FOR OTHER PURPOSES

BE IT RESOLVED by the BOARD OF COMMISSIONERS of Clay County, Georgia, in a meeting duly assembled, and it is hereby resolved by the authority of same to amend the above referenced ordinance as follows:

(a) By striking in its entirety:

14.5- PENALTIES FOR VIOLATION OF ZONING ORDINANCE

and inserting in lieu thereof the following

14.5- PENALTIES FOR VIOLATION OF ZONING ORDINANCE

Ordinance violations may be tried in the Magistrate Court of Clay County, Georgia, upon citation issued by the county inspector or other designated agent. Each citation shall state the time and place at which the accused violator is to appear for trial, shall identify the violation with which the accused is charged, shall have an identifying number by which it shall be filed with the court, shall indicate the identity of the accused and the date of service, and shall be signed by the building inspector or other designated agent who shall complete and serve the citation.

Prosecutions for violations of this Ordinance in accordance with this section shall be commenced by the completion, signing, and service of the citation by the building inspector or other designated agent either of whom is authorized by this Ordinance to issue citations. The original of the citation shall be personally served upon the accused, and a copy shall be promptly filed with the Magistrate Court. No person shall be arrested prior to the time of trial for violations under this section, but any person who fails to appear at trial shall be arrested thereafter on a warrant of the Superior Court and required to post a bond for his future appearance.


Unless another penalty is expressly provided, every person convicted of a violation of any provision of this ordinance, or rule or regulation, adopted or issued in pursuance thereof, shall be punished by a fine of not more than \$1,000.00 or imprisonment in the county jail for a period of time not to exceed 60 days, or by both such fine and imprisonment. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the county may pursue other remedies such as abatement of nuisances, injunctive relief, and revocation of licenses or permits.

(b) All ordinances and resolutions and parts of ordinances and resolutions in conflict hereof being hereby expressly repealed and amended hereby.

(c) OFFERED FOR ADOPTION BY FIRST AND SECOND READINGS AND NOTICE FOR PUBLIC HEARING, AS INITIATED BY THE BOARD OF COMMISSIONERS OF CLAY COUNTY, GEORGIA, on this 15TH day of August, 2006.


(d) This amendment shall be effective upon approval after second reading.

BOARD OF COMMISSIONERS OF CLAY COUNTY, GEORGIA

BY:  Yea Nay
Gerald Von Anderson III, Chairman

By:  Yea Nay
Willie McCoy, Vice Chairman

BY:  Yea Nay
David Shivers

BY:  Yea Nay
Daniel Giles

BY:  Yea Nay
Barry Waters

CLERK'S CERTIFICATE

I, the undersigned Clerk of the Board of Commissioners of Clay County, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Commissioners of Clay County in public meeting assembled on August 15, 2006, the original of which resolution has been entered in the official records of said political subdivision under my supervision and is in my official possession, custody and control.


Teresa Smith, County Clerk