

ORDINANCE NO. 1590

AN ORDINANCE TO AMEND THE AUGUSTA, GEORGIA CODE, TITLE 7, CHAPTER 2, ARTICLE 1, NUISANCES; SECTION 7-2-2, NUISANCES - PROHIBITED, SO AS TO CLARIFY THAT OWNERS OF OCCUPIED PARCELS ARE REQUIRED TO MAINTAIN THE PARCEL AND THE PORTION OF THE ADJOINING PUBLIC RIGHT-OF-WAY BETWEEN THE PARCEL AND THE STREET; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES.


NOW, BE IT ORDAINED BY THE AUGUSTA, GEORGIA COMMISSION AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME THAT IT IS A VIOLATION OF AUGUSTA, GEORGIA CODE TO NOT COMPLY WITH THE ADOPTED CODE AS STATED IN THE REGULATIONS HERewith, AS FOLLOWS:

SECTION 1. TITLE 7, CHAPTER 2, ARTICLE 1, NUISANCES, SECTION 7-2-2 IS HEREBY DELETED BY STRIKING THIS SECTION IN ITS ENTIRETY, AND NEW SECTION 7-2-2 IS HEREBY INSERTED TO REPLACE THE REPEALED SECTION AS SET FORTH IN "EXHIBIT A" HERETO.

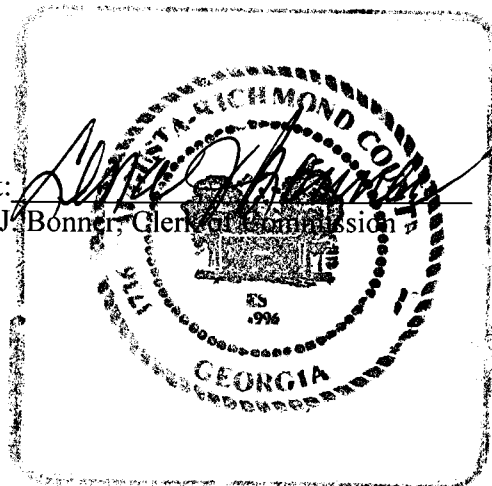
SECTION 2. This ordinance shall become effective upon adoption.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 1th day of November, 2017.


Hardie Davis, Jr.
As its Mayor

Attest: 
Lena J. Bonner, Clerk of the Commission
Seal:



ACM
11/7/17

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on _____, 2017 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle.

Date: _____

First Reading 10/17/17

Second Reading 11/7/17

"EXHIBIT A"

NUISANCES

[ARTICLE 1 IN GENERAL]

Sec. 7-2-1. Generally.

The following conditions, in addition to those conditions recognized as such pursuant to State law, are hereby declared to constitute nuisances: substances emitting noxious odors, carcasses of animals, establishments or structures emitting noxious odors, vapors, or fumes; deposits of waste-water; litter, trash, refuse, rubble, and rubbish of all sorts; overgrown vegetation, weeds, brambles, brush or thickets; malfunctioning private sewage disposal systems; dilapidated buildings open to unauthorized or unlawful entry; hazardous trees; all articles, conditions, acts, or things whatsoever, kept, maintained or permitted by any person to pose a threat of injury, inconvenience, or annoyance to the public; and, all pursuits followed or engaged in, behavior or conduct performed by any person, which pose a threat of injury, annoyance, or inconvenience to the public.

Sec. 7-2-2. Nuisances—Prohibited.

~~It shall be unlawful for any owner or occupant of any parcel of land lying within Augusta-Richmond County to cause or permit any nuisance to be created or remain upon such premises; and it shall be the duty of such owner or occupant to abate and remove any such nuisance from such premises. No owner or occupant of any parcel of land lying within Augusta-Richmond County shall permit, cause, keep, maintain, or engage in any activity constituting a nuisance, as defined herein, or as otherwise defined by the law of the State of Georgia, within Augusta-Richmond County.~~

Sec. 7-2-2. Nuisances—Prohibited.

(a) It shall be unlawful for any owner or occupant of any parcel of land lying within Augusta-Richmond County to cause or permit any nuisance to be created or remain upon such premises; and it shall be the duty of such owner or occupant to abate and remove any such nuisance from such premises. No owner or occupant of any parcel of land lying within Augusta-Richmond County shall permit, cause, keep, maintain, or engage in any activity constituting a nuisance, as defined herein, or as otherwise defined by the law of the State of Georgia, within Augusta-Richmond County.

(b) No owner of any occupied parcel of land within Augusta, Georgia shall permit or allow the existence of excessive accumulation or untended growth of weeds, undergrowth or other plant life to grow to a height exceeding twelve (12) inches upon any parcel of land, or on the area between the parcel of land and the street curb.

Sec. 7-2-3. Nuisances—Notice.

Whenever an inspector of the *Planning & Development Department* or any other duly constituted inspecting authority of the Augusta-Richmond County Commission determines that a nuisance exists on any premises within Augusta-Richmond County, he may serve written notice upon the owner or occupant, or his agent having control thereof, to abate such nuisance. The notice shall, at a minimum, set forth the nature of the nuisance and the fact that the same constitutes a nuisance upon said property; describe the premises where the nuisance is alleged to exist or to

have been committed; and specify a reasonable period of time for the abatement of said nuisance. Said notice shall be served upon the owner or occupant of the premises by personal delivery, or by mailing said notice, certified mail, return receipt requested, addressed to the owner, occupant or agent. If service cannot be effectuated in such a manner after diligent effort to do so, service may be made by conspicuously posting the notice in or about the premises described in the notice, or by causing such notice to be published once in a newspaper of general circulation in Augusta-Richmond County. If the owner or occupant is a corporation, notice may be served upon an officer, a manager or person in charge of any local business office of such corporation, or the corporation's registered agent for service of process.

Sec. 7-2-4. Nuisances—Procedures in the event nuisance not abated when specified.

In the event that such nuisance is not abated by the owner or occupant within the time specified, then the owner and/or occupant may be cited for violation of this chapter.

Sec. 7-2-5. Nuisances—Penalties.

Violations of the provisions of this chapter shall be punished as provided in section 1-6-1 of this Code.