

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CAVE SPRING, GEORGIA, AND MORE PARTICULARLY, CHAPTER 8, ARTICLE II THEREOF; TO MODIFY SECTION 8-27 OF SAID CHAPTER AND ARTICLE TO MATCH CURRENT FEMA REGULATIONS; TO ADD A NEW SECTION 8-32 PROHIBITING RV USERS FROM STAYING AT AN RV PARK FOR 180 CONSECUTIVE DAYS OR MORE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

SECTION I.

BE IT ORDAINED by the Cave Spring City Council, and it is ordained by authority of the same, that Chapter 8, Article II, Section 8-27 of the Code of the City of Cave Spring, Georgia, be amended by removing the phrase “180 days of maximum stay” from sub-section (d), paragraph (5) thereof, and replacing it with the phrase “less than 180 consecutive days per stay,” so that said paragraph now reads as follows:

- (5) All RV parks shall require a time limitation of less than 180 consecutive days per stay, to be in compliance with FEMA regulations, and shall require that the RV user and RV leave the park for a minimum of two days between stays at the same RV park. A stay decal shall be posted on the RV and visible at glance with the posted stay expiration date.

SECTION II.

BE IT ORDAINED by the Cave Spring City Council, and it is ordained by authority of the same, that Chapter 8, Article II of the Code of the City of Cave Spring, Georgia, be amended by adding a new Section 8-32, which shall read as follows:

Section 8-32. – Maximum stay at an RV park.

- (a) It shall be a violation of this code section for any RV user to stay at an RV park within the city limits for 180 consecutive days or more.
- (b) An RV user and the user’s RV must leave an RV park for a minimum of two consecutive days between stays at the same RV park.
- (c) If an RV user violates this code section, a police officer of the city, or any other person or employee authorized to issue citations for violations of the city’s ordinances, may issue a citation or summons to the RV user for a violation of this code section. Each day that an RV user remains at an RV park for 180 consecutive days or more shall constitute a new violation of this code section.
- (d) For the first violation of this code section within a six-month period, the maximum sentence shall be a fine of no more than \$100.00. For the second violation of this code section within a six-month period, the maximum sentence shall be a fine of no more than \$200.00. For the third violation of this code section within a six-month period, the maximum sentence shall be a fine of no more than \$300.00. For the fourth and any subsequent violations of this code

section within a six-month period, the court may impose any sentence within the court's authority as provided by the city's charter or the general laws of the State of Georgia.

- (e) For the purposes of the six-month period described in sub-section (d) above, it shall be measured from the dates of previous citations or summonses for which a person was adjudicated as guilty to the date of the current citation or summons for which a person is adjudicated as guilty. As used herein, "adjudicated as guilty" shall mean a finding that a person is guilty after a trial, a plea of guilty, a plea of nolo contendere, payment of a fine, or a forfeiture of bail or collateral used to secure a person's appearance in court, regardless of whether the sentence for any such violation is suspended, probated, rebated, or revoked.

SECTION III.

BE IT FURTHER ORDAINED that all ordinances, or parts of ordinances, in conflict herewith be, and the same are hereby, repealed.

SAID ORDINANCE shall be effective on the 10th day of September , 2022 .

First Reading the 9th day of August , 2022.

ADOPTED this 9th day of September , 2022.

CITY OF CAVE SPRING, GEORGIA

ROB WARE, Mayor

ATTEST:

JUDY DICKINSON, Clerk