



Property Maintenance Ordinance

Transfer of Ownership (14-260) – Properties cannot change ownership when under a Notice of Violation without the new owner being made aware with a notarized agreement from the new owner.

Fence and Wall maintenance (14-284) – Fences and walls shall be maintained in a structurally sound condition and in good repair, and shall not be externally braced. Other than decay resistant woods, fences shall be protected by paint or other protective treatment. Peeling, flaking, chipped, or faded paint shall be removed and repainted. Missing portions shall be replaced with comparable materials. All gates, gates assemblies, and operating systems shall be maintained in good condition.

Graffiti (14-285) – Shall not permitted for graffiti to be present for more than 72 hours.

Grass, Weeds, and Uncultivated Vegetation (14-286) – All grass, weeds, and uncultivated vegetation shall be kept under 12 inches tall at all times. Exemptions: RA-200 zoned properties over 1 acre, all residential zoned properties over 3 acres. Yard trimmings not allowed to accumulate on public right of way. Unpaved areas of front yard shall be maintained with approved ground cover.

Junk Vehicles (14-287) – A junk vehicle is defined as any vehicle that does not appear operable and/or does not display a valid tag and decal. Junk vehicles are not allowed to be stored outside unless at property authorized by its zoning by the Unified Development Ordinance.

Open or Outdoor Storage (14-289) – Outdoor storage of any goods, materials, merchandise, equipment, appliances, building material, other materials, or similar items shall not be permitted or maintained on any premises. Outdoor storage shall include portable moving or storage containers and tractor trailers. Exemptions: property authorized for outdoor storage by the Unified Development Ordinance, neatly stacked cut wood under 3 feet in length for personal use.

Trees (14-290) – Dead trees shall be removed; a dead tree shall not have any green leaves or pine needles remaining. Tree Stumps over 12 inches in height above ground level are not allowed. Tree debris: felled trees, slash, or removed tree limbs shall not be permitted or maintained on the ground on any premises for more than 14 days. Exemptions: valid land disturbance permit, RA-200 zoned property, composting activities.

Lighting (14-292) – Lighting fixtures in all nonresidential-zoned parcels shall be maintained in good working order to provide consistent illumination of the surrounding area.

Sanitation (14-293) – Property shall be maintained in a clean, safe, and sanitary condition free from garbage, rubbish, litter, trash, and stagnant water. Exemption: items set out for trash collection no more than 24 hours before pick-up.

Numbering Requirements (14-318) – Street numbers shall be posted in a conspicuous location visible from the street with a contrasting background to allow 24-hour visibility.

Exterior Surface Treatment (14-319) – All exterior surfaces shall be maintained in good repair. Other than decay resistant woods, exterior surfaces shall be painted or have other protective treatments. Peeling, flaking, and chipped paint shall be eliminated, and surfaces shall be repainted. All siding and masonry joints shall be maintained weather resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion.

Exterior Walls (14-320) – Exterior walls shall be maintained free from holes, breaks, rotting, or loose materials and shall be maintained weatherproof to prevent deterioration.

Foundation Walls (14-321) – All foundation walls shall be maintained to adequately support the structure and shall be maintained plumb and free from open cracks and breaks.

Roofs (14-322) – Roofs shall be maintained so that they have no defects, which might admit rain or cause dampness in the interior portions of a building. All portions, additions or sections of a roof shall be complete with all trim strips, moldings, brackets, braces, and supports attached or fastened in accordance with common building practices. Gutters, if present, must be free of vegetation and in good repair.

Exterior Stairways, Decks, Porches, and Balconies (14-323) – Exterior stairways, decks, porches, and balconies of buildings shall be maintained so that they are structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

Windows (14-324) – Windows shall be fully supplied and maintained with glass windowpanes or with an approved substitute and shall be without open cracks or holes. Screens, if present, shall be securely fastened to the window and in good repair. Windows other than fixed windows shall be capable of being opened with reasonable ease and shall be held in position by appropriate window hardware to include a functional lock in working condition.

Exterior Doors and Frames (14-325) – Exterior doors shall be maintained so that they fit within their frames to substantially prevent rain and wind from entering a building. Exterior door jambs, stops, headers, and moldings shall be securely attached and maintained in good condition. Additionally, exterior doors shall be provided with proper hardware to include a functioning lock and maintained in proper working condition.

Decorative Features (14-327) – Cornices, belt courses, corbels, terra cotta trim, wall facings, shutters, light fixtures, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

Overhang Extensions (14-328) – Overhang extensions shall be maintained in good repair and be properly anchored. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials.

Chimneys and towers (14-329) – Chimneys, cooling towers, smokestacks, and similar structures shall be maintained structurally safe and sound and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials.

Vacant Structure Maintenance (PMO 14-328) – All vacant structures located within unincorporated Gwinnett County must be maintained in good repair and follow all applicable laws, codes, and ordinances.

Boarding-up Structures (14-329) – Boarded up structures require a permit. Boarded up sections must have two coats of paint in a color similar to the rest of the structure.

Burned Structures (14-330) – Partially burned structures shall, within 30 days after completion of the Fire Department/insurance inspection, remove all charred and partially burned lumber and material from the premises. If incapable of being repaired, within 60 days after completion of the Fire Department/insurance inspection, remove all the remaining portions of the structure. If the structure is to be repaired, a permit shall be obtained and work shall begin within 60 days after completion of the Fire Department/insurance inspection, which shall be completed within 180 days from the date a permit is obtained.

Unified Development Ordinance

Accessory Building, Structure and Uses (UDO 230-120) – All accessory buildings, structures, and uses of land shall be clearly subordinate to and supportive of the principal use, located in the **rear yard ONLY**, cannot be in the public right-of-way (including basketball goals), cannot be built before its principal building is constructed or utilized unless the principal structure is also occupied, and cannot be used for commercial operation or human habitation or to store hazardous material. Exceptions: In commercial zoning districts, fountains, statuary, and similar decorative features; gasoline pumps and canopies; vacuum stands and canopies; donation collection boxes (Section 230-130) are allowed in front yards.

Building Permit Required (CC 106.1) – A building permit is required for all structures over 120 square feet in size with a minimum setback of 5 feet. Required setbacks increase with the size of the structure.

Certificate Required (CC 113.1-Occupancy or CC 113.2-Completion) – A Certificate of Occupancy is required prior to use, occupancy of any lot or building, or change in any use thereof and shall not be issued unless the lot, building, or structure complies with all the provisions of this resolution.

Dumpsters (UDO 230-120.14) – Dumpsters and screening shall be located only in the rear or side yard a minimum of 5 feet from property lines and any buffer. They must be placed on a concrete pad of sufficient size and strength to support the weight of service vehicles. Minimum pad size is 10 feet by 30 feet. Screening is required not less than 6 feet in height. Construction dumpsters are allowed for 30 days or with an active building permit and are exempt from screening requirements.

Fence and Wall location and materials (UDO 230-80) – Permitted in all zoning districts with no setback requirement. They cannot exceed 8 feet in height within a side or rear yard. Corner lots have two front yards. Front yard fence is limited to a maximum of 4 feet tall within the required front yard.

Commercial Vehicle Signage (UDO 240-110.1) – In any commercial zoning district, delivery/service vehicles and vehicles displaying advertising must be parked within the side or rear yard and may not be parked within the front yard.

Handicapped Parking Spaces (UDO 240-50) – Off-street parking shall comply with ADA standards and Georgia State Law for Accessible Design and the Georgia Accessibility Code for Buildings and Facilities for all multifamily and nonresidential uses.

Maintenance and Appearance of Parking Lots (UDO 240-60.3.C) – Parking lots shall be maintained in good condition, free of potholes, weeds, dust, trash, and debris. Porous paving and grass paving systems shall be maintained to function as designed.

Nonpermitted Use (UDO 230-100) – Only certain uses are allowed in each zoning district. There are several commercial zoning classifications. Within each, there are certain additional uses allowed when granted a Special Use Permit. For example, both auto repair and auto sales are allowed in C-3 zoning; however, each would also be allowed in C-2 provided a Special Use Permit is obtained.

Off-Street Parking (UDO 240-10.3.A) – All vehicles must be parked on a hard surface, such as pavement or gravel. Gravel must have a boarder around it to contain pieces.

Operating Without an Occupational Tax Certificate (Business License) (18-20) – Each person engaged in any business, trade, profession, or occupation in unincorporated Gwinnett County shall pay an occupation tax for such business, trade, profession, or occupation. The Certificate is to be displayed in a conspicuous place and must be valid at all times. Businesses exempt from needing a license include insurance companies, motor common carriers, and depository financial institutions (banks).

Sign Ordinance

Prohibited Signs [SO Section 78-107 (1-22)] – Prohibited signs include roof signs, streamers, portable, trailer, sidewalk, sandwich, curb, A-frame signs, multi-faced signs, and animated signs (i.e., motion, flashing, blinking, rotating, varying light intensity). Signs that contain obscenities or simulate or hide a traffic control device are not allowed. Signs that emit noise, interfere with road visibility, obstruct the flow of traffic or access to fire escapes are not allowed. Signs that do not conform to building and electrical codes or that fail to display a permit number when required are prohibited. Temporary signs are not allowed in any Overlay District. All signs which are structurally unsound, dilapidated, neglected, or abandoned commercial signs are also prohibited. Although a sign may be allowed, it cannot be placed within any public right-of-way or nailed, fastened, or affixed to any tree, rock, post, curb, utility pole, natural feature, street sign or marker, traffic control sign, or other structure and cannot be placed on property without the owner's permission. Window signs cannot exceed 20 percent of the window area per tenant elevation.

Generally Permitted Signs (formerly known as Exempt) (SO 78-109) – Signs that are considered exempt or allowed include the following:

- Nonilluminated, temporary freestanding signs (banners excluded). Each lot or parcel is allowed either one large sign (16 square feet or less) **or** four small signs (4 square feet or less). None can be taller than 8 feet above the grade level. These signs must be placed on private property, **not in the public right-of-way**. These include **garage or yard sale signs**.
- Signs for address numbers or private trespassing signs. One official emissions sign is allowed per road frontage.
 - Small swinging signs (less than 3 square feet), or projecting signs (3 square feet or less) that are attached under an eave or awning of a building above a business entrance.
- Also, signage (8 square feet or less) on courtesy benches, trash receptacles, newspaper boxes, automated teller kiosks, and phone booths is allowed (1 sign per bench or receptacle per lot) and on vending machines.
- Flags when displayed professionally fabricated flagpoles and both maintained in good repair. In commercial zones, poles cannot exceed 50 feet unless approved. Each lot is allowed a maximum two flags per pole. Flagpoles must be setback from all property boundaries the same distance as their height. Flags displaying a logo, message, statement, or commercial message and banners are subject to temporary sign requirements. On officially designated county, state, or federal holidays there shall be no maximum flag size or number on display. A sign permit is not required for flags.

Temporary Signs (SO 78-108) – A permit is required for the following:

- 1) **Air or gas-filled device**
 - a. Commercial zones: maximum 20 feet tall, 150 square feet in area
 - b. Residential zones: maximum 4 feet tall, 16 square feet in area
- 2) **Banners**
 - a. maximum 16 square feet in area
 - b. must be individually attached to a pole, mast, or arm,
 - c. only one per public street frontage and maintained in good condition
- 3) **Search lights** and similar devices

For the full unabridged code sections, visit GwinnettCodeEnforcement.com.