

**GWINNETT COUNTY BOARD OF COMMISSIONERS**

**AN ORDINANCE TO CREATE A NEW SECTION 42-27  
OF THE CODE OF ORDINANCES OF GWINNETT COUNTY**

**BE IT ORDAINED** that the Code of Ordinances of Gwinnett County is hereby amended by adding a new Section 42-27 which shall read as follows:

**Section 42-27. MANDATORY ABATEMENT OF GRAFFITI NUISANCES.**

It shall be unlawful for any person having a legal or equitable interest in a parcel of real property to permit graffiti to remain on a structure located thereon for a continuous period of more than 72 hours. For purposes of this Section, the term "Graffiti" shall have the same meaning as set forth in Official Code of Georgia Annotated § 17-15A-2.

In the event that a Court of competent jurisdiction determines that a person has violated the provisions of this Section, the Court may, on its own motion, or at the request of the County, issue an order directing the County to remove the graffiti from the property on such terms as the Court deems appropriate. The Court may also specify that the property owner may be liable for the cost incurred in the removal of the graffiti.

Any and all provisions of the Code of Ordinances of Gwinnett County in conflict with the provisions of this Ordinance are hereby repealed.

**THIS ORDINANCE IS ADOPTED** this the \_\_\_\_\_ day of September, 2005.

**BOARD OF COMMISSIONERS  
GWINNETT COUNTY, GEORGIA**

ATTEST:

By:

CHARLES E. BANNISTER, Chairman

BRENDA MADDOX  
County Clerk (SEAL)

APPROVED AS TO FORM:

VAN STEPHENS  
Chief Assistant County Attorney

GWINNETT COUNTY BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED:

AN ORDINANCE TO CREATE A NEW SECTION 42-27  
OF THE CODE OF ORDINANCES OF GWINNETT COUNTY

READING AND ADOPTION: \_\_\_\_\_

At the regular meeting of the Gwinnett County Board of Commissioners held in the Commission Meeting Room, 75 Langley Drive, Lawrenceville, Georgia.

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Charles E. Bannister, Chairman  
 Lorraine A. Green, District 1  
 Bert Nasuti, District 2  
 Michael A. Beaudreau, District 3  
 Kevin Kenerly, District 4

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On motion of \_\_\_\_\_, which carried \_\_\_\_\_, the following Ordinance was adopted:

AN ORDINANCE TO CREATE A NEW SECTION 42-27  
OF THE CODE OF ORDINANCES OF GWINNETT COUNTY

BE IT RESOLVED this \_\_\_\_\_ day of September, 2005.

BOARD OF COMMISSIONERS  
GWINNETT COUNTY, GEORGIA

By: \_\_\_\_\_  
CHARLES E. BANNISTER  
Chairman

ATTEST:

\_\_\_\_\_  
BRENDA MADDOX, County Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
VAN STEPHENS  
Chief Assistant County Attorney

**GWINNETT COUNTY BOARD OF COMMISSIONERS**

**A RESOLUTION OF THE GWINNETT COUNTY BOARD OF COMMISSIONERS TO  
AMEND ITS POLICY PROVIDING FOR THE REMOVAL OF GRAFFITI FROM  
PRIVATE PROPERTY USING INMATE LABOR**

**WHEREAS** during its 2003 Session, the Georgia General Assembly passed legislation identified as 2003 Georgia Laws Act 38, which became effective on July 1, 2003; and

**WHEREAS** 2003 Georgia Laws Act 38 has been codified at Official Code of Georgia Annotated Chapter 17-15A, related to criminal procedure, and Title 42, related to penal institutions; and

**WHEREAS** 2003 Georgia Laws Act 38 provides for the use of inmate labor to remove certain graffiti from private property as a form of compensation to innocent victims of criminal trespass or criminal damage to property; and

**WHEREAS** on October 7, 2003, the Gwinnett County Board of Commissioners passed a Resolution to establish a policy for clearing graffiti from private property using inmate labor; and

**WHEREAS** on July 5, 2005 the Gwinnett County Board of Commissioners passed a Resolution which extended the policy of graffiti removal to include incorporated areas of the County pursuant to intergovernmental agreements with affected municipalities; and

**WHEREAS** the Gwinnett County Board of Commissioners has determined that amendment of its current policy of using inmate labor to clean or remove graffiti from private property is in the best interest of Gwinnett citizens;

**NOW THEREFORE**, the Gwinnett County Board of Commissioners does hereby extend its current policy of using inmate labor to clean or remove graffiti from private property located within Gwinnett County to include the use of County-supervised inmate labor to perform such graffiti removal. The Board of Commissioners further extends its current policy to authorize the removal of graffiti which is not gang-related as well as gang-related graffiti. The Board of Commissioners finds that graffiti which is not gang-related also impacts innocent victims of criminal trespass or criminal damage to property.

**THIS RESOLUTION IS ADOPTED AND SHALL BECOME EFFECTIVE** this the \_\_\_\_\_ day of September, 2005.

**BOARD OF COMMISSIONERS  
GWINNETT COUNTY, GEORGIA**

ATTEST:

By:

BRENDA MADDOX  
County Clerk (SEAL)

CHARLES E. BANNISTER, Chairman

APPROVED AS TO FORM:

VAN STEPHENS  
Chief Assistant County Attorney

GWINNETT COUNTY BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED:

A RESOLUTION OF THE GWINNETT COUNTY BOARD OF COMMISSIONERS TO  
AMEND ITS POLICY PROVIDING FOR THE REMOVAL OF GRAFFITI FROM  
PRIVATE PROPERTY USING INMATE LABOR

READING AND ADOPTION: \_\_\_\_\_

At the regular meeting of the Gwinnett County Board of Commissioners held in the Commission Meeting Room, 75 Langley Drive, Lawrenceville, Georgia.

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Present	Vote
Charles E. Bannister, Chairman	
Lorraine A. Green, District 1	
Bert Nasuti, District 2	
Michael A. Beaudreau, District 3	
Kevin Kenerly, District 4	

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On motion of \_\_\_\_\_, which carried \_\_\_\_\_,  
the following Ordinance was adopted:

A RESOLUTION OF THE GWINNETT COUNTY BOARD OF COMMISSIONERS TO  
AMEND ITS POLICY PROVIDING FOR THE REMOVAL OF GRAFFITI FROM  
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BE IT RESOLVED this \_\_\_\_\_ day of September, 2005.

BOARD OF COMMISSIONERS  
GWINNETT COUNTY, GEORGIA

By: \_\_\_\_\_  
**CHARLES E. BANNISTER**  
Chairman

ATTEST:

\_\_\_\_\_  
BRENDA MADDOX, County Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
**VAN STEPHENS**  
Chief Assistant County Attorney