

GWINNETT COUNTY BOARD OF COMMISSIONERS

GWINNETT COUNTY TEMPORARY OUTDOOR ACTIVITY ORDINANCE

WHEREAS, the Board of Commissioners of Gwinnett County is authorized to adopt Ordinances or regulations for the governing and policing of the County for the purpose of protecting and preserving the health, safety, welfare and morals of the citizens of the County; and

WHEREAS, the Board of Commissioners has determined that temporary outdoor activities, such as sales by peddlers and mobile food service providers, present issues which are best addressed by separate and distinct regulations concerning such activities; and

WHEREAS, the Board of Commissioners seeks to protect the health and safety of pedestrians accessing temporary outdoor activities while preserving community aesthetics and maintaining traffic flow in the area of temporary outdoor activities;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF GWINNETT COUNTY, GEORGIA AND IT IS HEREBY ORDAINED BY THE AUTHORITY THE SAME, that Chapter 18, Article II, Section 18-71 of the Code of Ordinances of Gwinnett County, Georgia is hereby deleted in its entirety and the following is inserted in lieu thereof:

Section 18-71. DEFINITIONS.

As used in this Article, the phrases used herein shall be defined as follows:

"Goods and merchandise" shall mean tangible or movable personal property, other than money.

"Holiday activities" shall mean seasonal activities associated with Federally-recognized holidays and Halloween.

"Temporary" shall mean for a period not to exceed 20 consecutive days. A second permit for a temporary outdoor activity on the same property may not be applied for or renewed within six months from the date of any prior approval of a temporary outdoor activity.

"Temporary outdoor activity" shall mean for-profit activities involving the temporary outside sale of goods and merchandise in association with an existing business located on the premises as the principal use of the premises. The term shall include the sale of farm produce, carnivals, or the sale of Christmas trees from property which is vacant or which contains a separate and distinct primary use, such activities continuing for a period not exceeding 20 consecutive days. Temporary outdoor activities shall occur in

non-enclosed areas.

"Temporary Outdoor Activity Permit" shall mean written authorization by the Director of the Department of Planning and Development, or his designee, for the Applicant to engage in temporary outdoor activities at a specified, fixed location meeting all requirements of this Article.

The following Sections are added to Chapter 18, Article II of the Code of Ordinances of Gwinnett County, Georgia:

**Section 18-72 TEMPORARY OUTDOOR ACTIVITIES;
PEDDLING PROHIBITED.**

Temporary outdoor activities shall be governed by the following regulations:

1. Peddling goods and merchandise not customarily sold on a day-to-day basis in the business which constitutes the principal use of the premises is prohibited.
2. Mobile food services and the preparation of food onsite shall not be permitted as temporary outdoor activities.
3. No display shall be erected or installed, nor shall any temporary outdoor activities take place, within 50 feet of a County or State right-of-way.
4. Temporary outdoor activities shall be permitted only within the County's C-2 and C-3 Zoning Districts. The Department of Planning and Development shall collect a fee for the issuance of such permit in the initial amount of \$50.00.
5. Temporary outdoor activities shall not be permitted on parcels of property which are less than two acres in size.
6. No temporary structure or covering shall be erected as a part of a temporary outdoor activity with the exception that temporary structures shall be permitted as a part of holiday activities.
7. Display tables may be used as a part of a temporary outdoor activity.
8. No operator, employee, or representative of the operator of a temporary outdoor activity shall solicit directly from the motoring public.
9. Temporary outdoor activities shall be permitted

only on property where such activities shall not disrupt controlled vehicular ingress and egress or occupy required off-street parking spaces.

10. Occupation Tax Certificates for temporary outdoor activities shall be issued for a period of not more than 20 days from the date of initiation of the temporary outdoor activity. All temporary outdoor activities shall require an Occupation Tax Certificate, which is issued by the Licensing and Revenue Manager of the Gwinnett County Finance Department.
11. Written permission from the property owner shall be obtained and submitted by the Applicant to the Gwinnett County Department of Planning and Development prior to the issuance of a Temporary Outdoor Activity Permit.
12. No more than one temporary outdoor activity shall be permitted simultaneously on a parcel of less than five acres.
13. Temporary outdoor activities, other than holiday activities, shall be conducted on a paved surface and not on grassed or landscaped areas.
14. No evidence of the temporary outdoor activity, other than holiday activities, shall remain on a parcel of property for more than 12 consecutive hours of any calendar day.
15. Christmas tree sales shall be permitted between November 1st and December 31st due to the seasonal nature of such sales.
16. Pumpkin sales shall be permitted from September 15th through October 31st due to the seasonal nature of such sales.
17. Carnivals shall be permitted as temporary outdoor activities so long as no structure or equipment is located within 500 feet of any residential property line.
18. Charitable or nonprofit events for which sale proceeds benefit charitable organizations are not regulated by this Article.

The Director of the Department of Planning and Development, or his designee, is hereby authorized to inspect the temporary outdoor activity for compliance with the provisions of this Article.

All County Ordinance provisions in conflict with this Ordinance, including temporary use provisions contained in Sections 1307(D), 1308(E), and 1308A(E) of the 1985 Zoning Resolution of Gwinnett County, Georgia, are hereby repealed.

THIS ORDINANCE IS ADOPTED by the Board of Commissioners of Gwinnett County, Georgia this the _____ day of _____, 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

ORDINANCE ENTITLED:

GWINNETT COUNTY TEMPORARY OUTDOOR ACTIVITY ORDINANCE

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.

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

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

GWINNETT COUNTY TEMPORARY OUTDOOR ACTIVITY ORDINANCE

BE IT RESOLVED this _____ day of _____, 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

**AN ORDINANCE TO AMEND SECTION 18-29
OF THE CODE OF ORDINANCES OF GWINNETT COUNTY**

BE IT HEREBY ORDAINED that Subsection 18-29(a) of the Code of Ordinances of Gwinnett County is hereby amended by striking Subsection 18-29(a) in its entirety and inserting in lieu thereof the following:

**Section 18-29. WHEN REGISTRATION AND RETURNS DUE;
PENALTIES.**

- (a) Each registration and Tax Certificate shall be for the calendar year unless otherwise specifically provided. In the event that an Occupation Tax Certificate is issued for a business which engages in temporary outdoor activities, a separate Occupation Tax Certificate shall be issued which states that temporary outdoor activities at a specific location are limited to two twenty-day periods per year in accordance with the terms of the Temporary Outdoor Activity Ordinance. Failure to make application for and obtain where applicable an appropriate Occupation Tax Certificate, or make estimated or final returns of gross receipts when due, shall incur a penalty of not more than \$25.00 for each month or fractional part thereof for which the return or application is overdue. Such penalties shall be in addition to all other penalties herein provided and may be collected by the remedies herein provided for collection of the occupation tax, and shall have the same lien and priority as the occupation tax to which the penalty is applied.

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:

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

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND SECTION 18-29
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.

Present	Vote

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

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

AN ORDINANCE TO AMEND SECTION 18-29
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

AN ORDINANCE TO AMEND SUBSECTIONS 1307.D, 1308.E AND 1308A.E

OF THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY

BE IT ORDAINED that Subsections 1307.D, 1308.E, and 1308A.E of the 1985 Zoning Resolution of Gwinnett County are hereby amended by deleting said Subsections in their entirety.

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 by the Board of Commissioners of Gwinnett County, Georgia 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

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND SUBSECTIONS 1307.D, 1308.E AND 1308A.E
OF THE 1985 ZONING RESOLUTION 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.

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

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

AN ORDINANCE TO AMEND SUBSECTIONS 1307.D, 1308.E AND 1308A.E
OF THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY

BE IT RESOLVED this the _____ 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

AN ORDINANCE TO AMEND THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY TO ADD A NEW SECTION 1605A (VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY") AND TO AMEND THE DEFINITION OF THE TERM "FAMILY"

BE IT ORDAINED that the definition of the term "family" contained in Article III of the 1985 Zoning Resolution of Gwinnett County is hereby deleted in its entirety and the following language is inserted in lieu thereof:

FAMILY. A group of not more than eight persons occupying a single dwelling unit. A group consisting of more than eight persons may apply for a variance from this provision in accordance with Section 1605A. Enforcement of the definition of the term "family" shall commence with a written notice of violation provided to the owner of the premises and shall be delivered personally or by first class mail to the owner's address as listed in the Tax Assessor's records at least ten days prior to citation.

BE IT FURTHER ORDAINED that a new Section 1605A is added to the 1985 Zoning Resolution of Gwinnett County to read as follows:

Section 1605A. **VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY":**

The Director of the Department of Planning and Development, or his designee, shall have the power to hear and decide requests for variances from the definition of the term "family" if all persons who will occupy the residential dwelling are related by blood or marriage. To facilitate these administrative variances, the Director of the Department of Planning and Development, or his designee, shall be authorized to develop procedures for consideration of such administrative variances. There shall be no fee for applications for administrative variances from the definition of the term "family".

The Zoning Board of Appeals shall have the power to hear and decide requests for variances from the definition of the term "family" when such requests are submitted by groups who are not all related by blood or marriage. Such variances may be granted in cases of unnecessary hardship upon a finding by the Zoning Board of Appeals that:

- A. There are extraordinary or exceptional conditions pertaining to the group in question, and relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution; and
 - i. The residential dwelling contains at least five hundred square feet of bedroom space;
 - ii. The residential dwelling is served by public water

and sewer service;

- iii. The residential dwelling is located on a lot having an area of at least one-half acre; and
- iv. The residential dwelling lot contains paved parking area of no less than 1,200 square feet.

In response to the needs of victims of Hurricane Katrina, any fee to initiate a variance request to the Zoning Board of Appeals pursuant to this Section shall be waived for applications filed on or before November 21, 2005.

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 by the Board of Commissioners of Gwinnett County, Georgia this the 20th 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

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY TO ADD A NEW SECTION 1605A (VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY") AND TO AMEND THE DEFINITION OF THE TERM "FAMILY"

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.

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

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

AN ORDINANCE TO AMEND THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY TO ADD A NEW SECTION 1605A (VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY") AND TO AMEND THE DEFINITION OF THE TERM "FAMILY"

BE IT RESOLVED this the 20th 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.

-----	Present	Vote
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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

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
PRIVATE PROPERTY USING INMATE LABOR

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

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.

Present	Vote

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

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

AN ORDINANCE TO AMEND SECTIONS 14-285 (JUNK VEHICLE),
14-285 (RUBBISH), 14-285 (YARD TRIMMINGS), 14-303,
14-305, 14-345 AND 14-363 OF THE CODE OF
ORDINANCES OF GWINNETT COUNTY

BE IT ORDAINED that Section 14-285 of the Code of Ordinances of Gwinnett County is hereby amended by striking the definitions of Junk Vehicle, Rubbish, and Yard Trimmings in their entirety and inserting in lieu thereof the following:

Section 14-285. JUNK VEHICLE.

Junk vehicle means any vehicle, automobile, truck, van, trailer of any kind or type, or contrivance or part thereof which is wrecked, dismantled, partially dismantled, stripped, partially stripped, inoperative, abandoned, discarded, or kept parked, stored or maintained on any premises or public right-of-way without a current license plate and/or decal.

Section 14-285. RUBBISH.

Rubbish means discarded waste paper, cartons, boxes, wood, tree branches, yard trimmings, furniture, appliances, metals, cans, glass, crockery, dunnage, and/or similar materials.

Section 14-285. YARD TRIMMINGS.

Yard trimmings means leaves, brush, grass clippings, shrub and tree prunings, discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development and maintenance other than mining, agricultural, and silvicultural operations.

BE IT FURTHER ORDAINED that Section 14-303 of the Code of Ordinances of Gwinnett County is hereby amended by striking said Section in its entirety and inserting in lieu thereof the following:

Section 14-303. JUNK VEHICLES.

Junk vehicles shall not be kept, permitted, parked, stored, or maintained on any premises or public right-of-way.

Exceptions:

- (1) Junk vehicles which are kept within a fully enclosed building on property in residential zoning districts provided the owner or occupant of the property is in the process of reconditioning the junk vehicles for personal use;
- (2) Junk vehicles which are kept on property in zoning districts authorized by the Zoning Resolution for repairing, reconditioning, or remodeling junk vehicles and provided that such junk vehicles are not stored for the purpose of salvage or parts and are in the continual process of repair, reconditioning, or remodeling;
- (3) Junk vehicles which are kept on property in zoning districts as authorized by the Zoning Resolution for a junk or salvage yard;
- (4) Junk vehicles which are kept on residentially zoned property five acres or greater in size.

BE IT FURTHER ORDAINED that Section 14-305 of the Code of Ordinances of Gwinnett County is hereby amended by striking said Section in its entirety and inserting in lieu thereof the following:

Section 14-305. TREES.

- (a) Hazardous Trees. Dead trees shall not be allowed to exist or to be maintained on any premises which are hazardous to persons on adjacent property or to adjacent property. A finding by a registered forester or certified arborist shall constitute prima facie evidence that a tree is in danger of falling upon adjacent lots or public streets due to the death of the tree.

- (b) Tree stumps. Tree stumps greater than 12 inches in height above ground level shall not be permitted or maintained on any premises for more than fourteen days after the tree has been cut.

Exceptions:

- (1) Property covered by a valid land disturbing permit;
- (2) Property one acre or greater in size;
- (3) Property zoned RA-200 (Agriculture-Residence District).

- (c) Tree debris. Felled trees, slash, or removed tree limbs shall not be permitted or maintained on the ground on any premises for more than fourteen days.

Exceptions:

- (1) Property covered by a valid land disturbing permit;
- (2) Cut wood which is neatly stacked in lengths not to exceed three feet and which is stored in the side or rear yard;
- (3) Property one acre or greater in size;
- (4) Property zoned RA-200 (Agriculture-Residence District).
- (5) Composting activities which comply with State law.

BE IT FURTHER ORDAINED that Section 14-345 of the Code of Ordinances of Gwinnett County is hereby amended by adding the following language at the end of said Section:

Notwithstanding any other provision of the Code of Ordinances of Gwinnett County, Georgia to the contrary, not more than eight individuals, related by blood or marriage or unrelated, shall occupy any residential dwelling unit unless a variance has been granted pursuant to Section 1605A of the 1985 Zoning Resolution of Gwinnett County. The number of occupants of a dwelling unit may be further limited based upon septic system limitations and parking regulations applicable to a specific property.

BE IT FURTHER ORDAINED that Section 14-363 of the Code of Ordinances of Gwinnett County is hereby deleted in its entirety.

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:

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

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND SECTIONS 14-285 (JUNK VEHICLE),
14-285 (RUBBISH), 14-285 (YARD TRIMMINGS), 14-303,
14-305, 14-345 AND 14-363 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.

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

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

AN ORDINANCE TO AMEND SECTIONS 14-285 (JUNK VEHICLE),
14-285 (RUBBISH), 14-285 (YARD TRIMMINGS), 14-303,
14-305, 14-345 AND 14-363 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

**AN ORDINANCE TO AMEND SECTION 1-11 OF
THE CODE OF ORDINANCES OF GWINNETT COUNTY**

BE IT ORDAINED that Section 1-11 of the Code of Ordinances of Gwinnett County is hereby amended by striking said Section in its entirety and inserting in lieu thereof the following:

Section 1-11. GENERAL PENALTY.

- (a) Whenever in this Code or in any ordinance, rule, regulation or order of the County any act is prohibited or is made or declared to be unlawful or an offense, or whenever in the Code or any ordinance, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefore, the violation of that provision of the Code or any ordinance, rule, regulation or order shall be punished by the proper Court by the imposition of a fine of not less than \$100.00 nor more than \$1,000.00, or imprisonment for not more than 60 days, or both.
- (b) Each day any violation of any provision of this Code or any ordinance, rule, regulation or order of the County shall continue shall constitute a separate offense.

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 by the Board of Commissioners of Gwinnett County, Georgia 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

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND SECTION 1-11 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.

Present Vote

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

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

AN ORDINANCE TO AMEND SECTION 1-11 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

AN ORDINANCE TO AMEND SECTION 4-2015

OF THE CODE OF ORDINANCES OF GWINNETT COUNTY

BE IT ORDAINED that the Section 4-2015 of the Code of Ordinances of Gwinnett County is hereby amended by striking said Section in its entirety and inserting in lieu thereof the following:

Section 4-2015. ENFORCEMENT.

Violations of any provisions of this Ordinance shall be reported initially to the Director of the Department of Financial Services or his/her designee, which office is charged with administration of all Sections herein.

The Department of Financial Services shall designate and publicize a special telephone number to be called to report violations to the Department of Financial Services.

The provisions of this Ordinance regarding applications for and termination of authorization to provide services shall be enforced by the Board of Commissioners through the Department of Financial Services.

The provisions of this Ordinance regarding outdoor storage of rubbish and garbage, and the provisions of this Ordinance regarding collection and removal of solid waste, shall be enforced by the Gwinnett County Police Department.

The provisions of this Ordinance regarding the disposal or burial on site of solid waste shall be enforced by the Georgia Department of Natural Resources, Environmental Protection Division.

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:

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

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND SECTION 4-2015
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.

Present	Vote

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

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

AN ORDINANCE TO AMEND SECTION 4-2015
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

AN ORDINANCE TO AMEND SUBSECTION 86-111(1)

OF THE CODE OF ORDINANCES OF GWINNETT COUNTY

BE IT ORDAINED that Subsection 86-111(1) of the Code of Ordinances of Gwinnett County is hereby amended by striking said Subsection in its entirety and inserting in lieu thereof the following:

- (1) Non-illuminated temporary freestanding signs (excluding banners which are regulated in accordance with Section 86-109). For each residential or non-residential lot, the quantity of these signs shall be limited to either one sign that is 16 square feet in area or up to four signs with each of these signs limited to a maximum of four square feet in area. In addition, each sign shall not be greater than eight feet above the grade level of the adjacent street to which the sign is located or three feet above ground level, whichever is greater. These signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back curb of a public roadway.

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 by the Board of Commissioners of Gwinnett County, Georgia 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

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND SUBSECTION 86-111(1)
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.

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

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

AN ORDINANCE TO AMEND SUBSECTION 86-111(1)
OF THE CODE OF ORDINANCES OF GWINNETT COUNTY

BE IT RESOLVED this the _____ 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