



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 and 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.

Driveways and Walkways (14-288) – All private driveways and walkways connecting a driveway to a building shall be maintained in a passable condition. It is considered impassable if the driveway or walkway contains a grade separation of six inches or more.

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.

Swimming Pools, Spas, and Hot Tubs (14-291) – Shall be maintained in a clean and sanitary condition and shall be structurally and mechanically sound. If water depth is over 24 inches, they shall be surrounded by a fence or barrier at least 48 inches tall. All gates and doors shall be self-closing and self-latching. Latch must be on the water side of gate. Above ground pools can be used as the barrier provided the ladder/steps are removed and secured.

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.

Garage Doors (14-326) – Garage doors shall be capable of being closed, reasonably plumb, and properly attached, and the exterior surface of garage doors shall be maintained weatherproof.

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 Registration (Permit) (VPR 14-437) – Vacant real property that is intended for habitation, but not lawfully inhabited for at least 60 days and has no evidence of utility usage within the past 60 days or is partially constructed or incomplete without a valid building permit, must be registered with the Gwinnett County Planning and Development Building Division within 14 days of the structure becoming vacant.

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 2 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.

Overcrowding (14-353) – Occupancy limits allow a maximum of two persons for each 120-square-foot bedroom space. A minimum of 50 square feet of bedroom space must be added for each additional occupant.

Unified Development Ordinance (Zoning)

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.

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 applicable laws, codes, and ordinances.

Home Occupation (UDO 230-130.3.Q) – In addition to obtaining a Business License (18-20), operating a business within the dwelling of the home must meet following requirements:

1. Only family members residing in the home can conduct the home-based business.
2. No sale of product or service can occur on or adjacent to the home without a Special Use Permit.
3. The home occupation shall not involve group instruction or group assembly of people on the premises.
4. There shall be no exterior evidence of a business and no business activity or signage. The business shall be conducted only within the enclosed living area of the home (basement included). There shall be no display or storage of products, materials, or machinery on the exterior of the home.
5. There shall be no increase or decrease in the normal flow of traffic. There shall be no increase in on- or off-street parking.
6. No equipment, supplies, or materials may be utilized or stored in the conduct of the home occupation except that which is normally used for purely domestic or household purposes. Samples, however, may be kept on the premises but neither sold nor distributed from the residence.
7. No more than 25 percent of the home may be used for the business.
8. One business vehicle used exclusively by the resident is permissible. This vehicle may only be an automobile, pick-up truck, van, or sport-utility vehicle.
9. Signage is not allowed (see Sign Ordinance 78-107(8)).

Livestock (UDO 230-130.3.CC) – In agricultural zoning districts, animal quarters shall be located no closer than 100 feet to any property line. In nonagricultural zoning districts, livestock is permitted, provided that the parcel is **at least 3 acres** in area and all animal quarters are located no closer than 100 feet to any property line.

Chickens (UDO 230-130.3DD) – In nonagricultural residential zoning districts, the keeping of chickens is permitted and subject to the following requirements:

- a. Minimum lot size – 10,500 square feet (0.24 acres)
- b. Always kept securely in an enclosed yard or 6-sided pen
- c. Minimum pen area for chickens – 10 square feet per bird
- d. Housed at least 20 feet from any property line and 50 feet from any residence other than the owner's

- e. Any structure housing chickens must be located in the rear yard.
- f. Roosters only allowed in RA-200 zoning with a minimum of 3 acres.
- g. Maximum number of chickens per lot size
 - i. 3 birds = 10,500 sq. ft. – 12,499 sq. ft. (0.24 – 0.29 acres)
 - ii. 5 birds = 12,500 sq. ft. – 24,999 sq. ft. (0.30 – 0.57 acres)
 - iii. 8 birds = 25,000 sq. ft. – 39,999 sq. ft. (0.58 – 0.92 acres)
 - iv. 10 birds = 40,000 sq. ft. – 2.99 acres (0.93 – 2.99 acres)
 - v. No maximum = 3 acres or more
- h. Minimum coop size – 4 square feet per bird
- i. Birds are only permitted as pets or for egg laying production; cannot be kept for slaughter.
- j. Birds must be kept under sanitary conditions and not a public nuisance as defined by State law.

Nonpermitted Use (UDO 230-100) – Only certain uses are allowed in each zoning district. For example, single-family residential districts do not allow multi-family dwellings or occupancy. A single-family dwelling allows one family defined as related by blood, marriage, or adoption; no more than three unrelated persons; or two unrelated persons and their children. Also, single family structures cannot be converted to a multi-family dwelling without rezoning approval.

Off Street Parking (Yard Parking) (UDO 240-10.3.A,B,C) – In a residential district, all vehicles must be parked on a hard surface. Any recreational vehicle or nonmotor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on a hard surface. Any vehicles parked in the rear yard must be parked at least 15 feet from the property line. Vehicles or equipment used for agricultural purposes on residential property with 5 or more acres are exempt from hard surface requirements if parked outside the required front setback. The maximum allowable paved parking or hard surface area in front yards shall not exceed more than 35 percent in most zonings. No parking areas may be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicles or equipment.

Swimming Pool Permits & Location (UDO 330-50) – A permit is required for any including in-ground, above-ground, and on-ground swimming pools, hot tubs, spas, and fixed-in-place wading pools, which can be located only in the rear or side yard.

Vehicle Parking Area – Residential (UDO 240-110.2) – In all residential zoning districts, commercial vehicles as well as any vehicle over 20 feet in length, 7 feet in height, or 7 feet in width, are not permitted. Vehicles used for agricultural purposes on residential property with 5 acres or more are permitted if parked outside the required front yard setback. Exceptions: An automobile, pick-up truck, van, or SUV used to provide daily transportation to and from work and a commercial vehicle that is parked temporarily in conjunction with a commercial service, sale, or delivery.

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 limited to a maximum of 4 feet tall within the required front yard.

Placement of Containers & Collection Hours (82-56.a.6.c) – Trash containers can be placed at the curb no earlier than 3:30pm on the day prior to the scheduled pick up and removed from the curb no later than the day following scheduled collection.

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