

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: September 20, 2005

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	Yes	Aye
Lorraine A. Green, District 1	Yes	Aye
Bert Nasuti, District 2	Yes	Aye
Michael A. Beaudreau, District 3	Yes	Aye
Kevin Kenerly, District 4	Yes	Aye

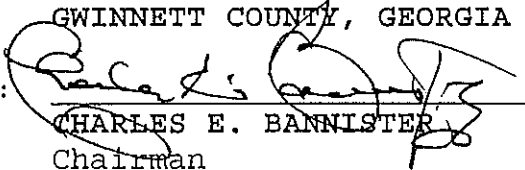
On motion of Comm. Beaudreau, which carried 5-0, the following Ordinance was adopted:

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 20th day of September, 2005.

BOARD OF COMMISSIONERS
GWINNETT COUNTY, GEORGIA

By:

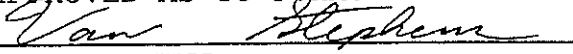

CHARLES E. BANNISTER

Chairman

ATTEST:


BRENDA MADDOX, County Clerk (SEAL)

APPROVED AS TO FORM:


VAN STEPHENS

Chief Assistant County Attorney

GWINNETT COUNTY BOARD OF COMMISSIONERS

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.

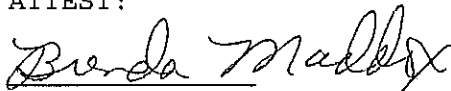
BE IT FURTHER ORDAINED that Section 14-363 of the Code of Ordinances of Gwinnett County is hereby deleted in its entirety.

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 20th day of September, 2005.

BOARD OF COMMISSIONERS
GWINNETT COUNTY, GEORGIA


ATTEST:


BRENDA MADDOX
County Clerk (SEAL)

By:


CHARLES E. BANNISTER, Chairman

APPROVED AS TO FORM:


VAN STEPHENS
Chief Assistant County Attorney