

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2009 - 102

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII, HOUSING CODE, BY DELETING SECTION 18-431.1 "ADOPTION; COMPLIANCE" AND SUBSTITUTE IN LIEU THEREOF A NEW SECTION 18-431.1 "ADOPTION; COMPLIANCE", AND TO FURTHER AMEND SAID CHAPTER BY DELETING SECTION 18-432 "AMENDMENTS", AND DELETING SECTION 18-433 "AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2003 EDITION", AND ADDING A NEW SECTION 18-432 "AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 EDITION"; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED:

Section 1. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, CODE OF CLAYTON COUNTY, GEORGIA, Part II, Chapter 18, "Buildings and Building Regulations", Article VII Housing Code, by deleting the existing Section 18-431.1 "Adoption; compliance" and substituting in lieu thereof a new Section 18-431.1 "Adoption; compliance", which shall read as follows:

**Sec. 18-431.1. Adoption; compliance.**

(a) Except where such general provision may otherwise conflict with specific provisions contained within the County Code of Ordinances, the International Property Maintenance Code 2006 edition, as published by the International

Code Council, Inc., including the January 1, 2009, Georgia State Amendments adopted by the Georgia Department of Community Affairs and all amendments thereto adopted within this article, is hereby adopted by reference thereto and incorporated herein as part of the County Code of Ordinances.

(b) All property owners, tenants, residents, or other persons occupying any property within the unincorporated portion of Clayton County shall comply with the provisions of the International Property Maintenance Code.

(c) After notice of violation and an opportunity to bring the property into compliance of at least 24 hours, any person who owns or occupies property that is not in compliance with the code shall be punished as provided for in Section 1-12 of the Code of Clayton County. Provided however, that in the event of imminent danger as defined in Section 109 of the International Property Maintenance Code 2006 edition, compliance measures must be taken immediately and without further notice and allowing property to be in such a state as to create imminent danger shall be a violation punishable as provided for in Section 1-12 of this code.

Section 2. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, CODE OF CLAYTON COUNTY, GEORGIA, Part II, Chapter 18, "Buildings and Building Regulations", Article VII Housing Code, by deleting Section 18-432 "Amendments".

Section 3. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, CODE OF CLAYTON COUNTY, GEORGIA, Part II, Chapter 18, "Buildings and Building Regulations", Article VII Housing Code, by deleting Section 18-433 "[Amendments to the International Property Maintenance Code, 2003 edition]".

Section 4. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by amending, CODE OF CLAYTON COUNTY, GEORGIA, Part II, Chapter 18, "Buildings and Building Regulations", Article VII Housing Code, by adding a new Section 18-432 "Local Amendments to the International Property Maintenance Code, 2006 edition", to read as follows:

**"Sec. 18-432. Local Amendments to the International Property Maintenance Code, 2006 edition**

The International Property Maintenance Code, 2006 edition, as published by the

International Code Council and adopted by reference with the January 1, 2009, Georgia Amendments, is hereby amended as follows:

- (a) In Section 101.1 Title to delete the phrase "[NAME OF JURISDICTION]" and substitute in lieu thereof the phrase "Clayton County, Georgia";
- (b) In Section 103.5 Fees to delete said section in its entirety;
- (c) In Section 302.4 Weeds to delete the phrase "(jurisdiction to insert height in inches)" and substitute in lieu thereof the phrase "ten (10) inches";
- (d) In Section 304.14 Insect Screens to delete the phrase "[DATE] to [DATE]" and substitute in lieu thereof the phrase "May 1 to November 1";
- (e) In Section 602.3 Heat Supply to delete the phrase "[DATE] to [DATE]" and substitute in lieu thereof the phrase "September 1 to June 1";
- (f) In Section 602.4 Occupiable Work Spaces to delete the phrase "[DATE] to [DATE]" and substitute in lieu thereof the phrase "September 1 to June 1."

Section 5. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

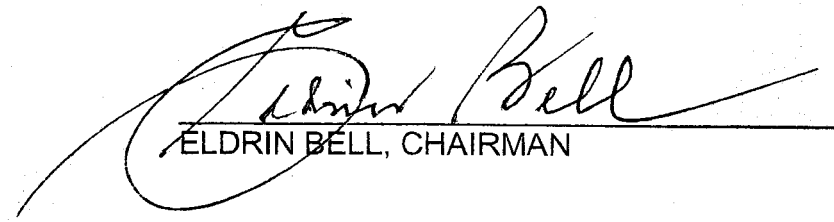
Section 6 If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

Section 7. This Ordinance shall become effective upon its approval by the Board of Commissioners.

{SIGNATURES NEXT PAGE}

SO ORDAINED, this the 7<sup>th</sup> day of July, 2009.

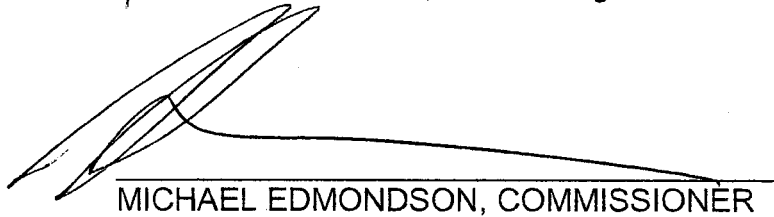
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN

(Absent)  
WOLE RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK