

STATE OF GEORGIA

CITY OF WALNUT GROVE

ORDINANCE NO. 2024-06

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
CITY OF WALNUT GROVE, GEORGIA**

TO AMEND CHAPTER 31 OF THE CODE OF ORDINANCES (GENERAL OFFENSES) OF WALNUT GROVE, GEORGIA TO AMEND CERTAIN CODE ENFORCEMENT PROVISIONS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Walnut Grove, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Walnut, Georgia desires to amend its code of ordinances to clarify property maintenance violations; and

WHEREAS, the health, safety, and welfare of the citizens of Walnut Grove, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Walnut Grove, Georgia, and it is hereby ordained by authority of same, as follows:

SECTION 1. That Section 31-108, Chapter 31 of Code of Ordinances of Walnut Grove, Georgia be hereby deleted in its entirety and replaced with the following:

"Sec. 31-108. – Open or Outdoor storage.

(a) The open or outdoor storage of appliances, building material or debris, equipment, garbage, glass, material, merchandise, rubbish, trash or similar items shall not be permitted, maintained or stored on any premises. When household items are placed outside structures inside the City pursuant to a lawful dispossessory/eviction process, the property owner shall remove all of said items from the property within three working days following the execution of the dispossessory/eviction.

(b) Exceptions to this section include:

- (i) Tree stumps greater than twelve inches in height above ground level shall not be permitted or maintained on any premises for more than 14 days after the tree has been cut.
 - (ii) Exceptions to this subsection include:
 - (1) Property covered by a valid land disturbing permit;
 - (2) Property zoned AG (agriculture district).
- (c) Tree debris.
- (i) Felled trees, slash, or removed tree limbs shall not be permitted or maintained on the ground of any premises for more than 14 days.
 - (ii) Exceptions to this subsection include:
 - (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 a side or rear yard;
 - (3) Property zoned AG (agriculture district);
 - (4) Composting activities which comply with state law.

SECTION 6. Pursuant to the Section 3.14 of the City Charter, authority is hereby delegated to the City Clerk to cause this Ordinance to be numbered and codified in the City Code of Walnut Grove, Georgia, in such a way as to place this Ordinance in the Code in an organized and orderly sequence to maximize the organization of the Code. The City Clerk is authorized to designate to the City Attorney or to such other Mayor and Council approved contractors to assist in the effort to codify this provision provided the decision of the City Clerk is final as to the placement of this Ordinance within the Comprehensive Land Development Plan of Walnut Grove, Georgia. The goal of this authorization is to codify and number this Ordinance in the Plan in such a way as to be clear and orderly.

SECTION 7. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Walnut Grove, Georgia.

SECTION 8. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.

(1) Property where outdoor storage is authorized by the zoning ordinance or action;

(2) Cut wood which is neatly stacked in lengths not to exceed three feet for the personal use of the owner or occupant and which is stored in a side or rear yard;

(3) Rubbish, garbage, trash or other similar items placed outside for collection by an authorized waste hauler not more than 24 hours prior to the designated collection date for that property."

(c) Notice to Remove. It shall be the duty of the Code Enforcement Officer to notify in writing, via personal hand delivery or delivery via certified mail or statutory overnight delivery, the owner or occupant of any premises upon which junk is permitted to accumulate in violation of the provisions of this Section that such material must be removed within ten (10) days from the date of such notice. If notice by mail is utilized, it shall be addressed to the said owner or occupant at their last known address.

(d) Action Upon Non-compliance. Upon the failure, neglect, or refusal of any owner or occupant so notified to remove such junk within the designated time period, the City Clerk or City Marshal shall issue a citation accordingly. This Code section shall be subject to punishment as provided for in Chapter 1, Section 1-108.

SECTION 2. That Section 31-127, Chapter 31 of Code of Ordinances of Walnut Grove, Georgia be hereby deleted in its entirety and replaced with the following:

"Sec. 31-127. Junk Vehicles.

(a) *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 displayed on the vehicle.

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

(c) Exceptions to this section include:

(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 vehicle 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 of parts but 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."

SECTION 3. That Section 31-136, Chapter 31 of Code of Ordinances of Walnut Grove, Georgia be hereby deleted in its entirety and replaced with the following:

"Sec. 31-136. – Grass, weeds and uncultivated vegetation.

(a) Premises and exterior property shall be maintained free from grass, weeds, or uncultivated vegetation in excess of 12 inches in height.

(b) Exceptions to this section include:

(1) Any parcel zoned AG (agriculture district) that is greater than three acres in size.

(c) Property owners abutting a right-of-way shall not allow yard trimmings to accumulate on a public street or sidewalk.

(d) The unpaved areas of front yards shall be maintained with grass, ground cover or other type of landscaping to such an extent that the soil is not subject to erosion."

SECTION 4. That Section 31-143, Chapter 31 of Code of Ordinances of Walnut Grove, Georgia be hereby added with the following:

“Sec. 31-143. – Property Maintenance.

(a) A certain document, three copies of which are on file in the office of the City Clerk of the City of Walnut Grove, being marked and designated as the International Property Maintenance Code, 2012 edition, and the Georgia State Amendments thereto as revised January 1, 2015, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Walnut Grove, in the State of Georgia for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the City of Walnut Grove are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this Section.

(b) The following sections are hereby revised:

Section 101.1. Insert: City of Walnut Grove

Section 103.5. Insert: Fee Schedules of the City of Walnut Grove

Section 111. Insert: Appeals shall go to the Municipal Court of the City of Walnut Grove

Section 111.2. Delete this Section in its entirety

Section 111.7. Clarification: The Court referenced is the Municipal Court of the City of Walnut Grove

(c) In addition to the incorporated ordinances, the following shall apply:

a. Exterior surface treatment.

i. All exterior surfaces, including, but not limited to doors, door and window frames, cornices, porches, and trim shall be maintained in good repair. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. All siding and masonry joints shall be maintained weather-resistant and watertight.

b. Roofs.

i. Roofs of buildings shall be maintained so that they are structurally sound and in a safe condition and 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, including, but not limited to, the fascia, eave, soffit, sheathing, rafter tail, barge rafter, vent screening, gutter, downspouts, roof jack, and metal flashing, shall be complete with all trim strips, moldings, brackets, braces and supports attached or fastened in accordance with common building practices. Gutters must be free of vegetation and in good repair. Roof drainage shall be adequate to prevent rainwater from causing dampness or deterioration in the walls or interior portion of the building.

c. Exterior Stairways, decks, porches, and balconies.

i. Exterior stairways, decks, porches and balconies, and all appurtenances attached thereto, of buildings shall be maintained so that they are structurally sound and in good repair, with proper anchorage and capable of supporting the imposed loads.

d. Garage doors.

i. Garage doors shall be capable of being closed plumb, properly attached, and the exterior surface of garage doors shall be maintained weatherproof to prevent deterioration."

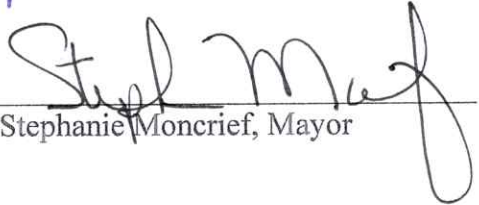
ii.

SECTION 5. Sec. 43-107. – Potentially hazardous trees; Tree stumps; Tree Debris

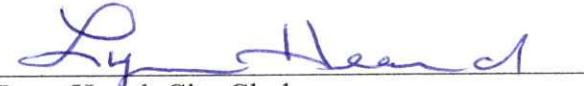
(a) Dead trees – Dead trees shall not be allowed to exist or to be maintained on any premises which are hazardous to person on adjacent property or to adjacent property. A finding by a registered forester, or certified arborist shall constitute prima facie evidence that a tree is in danger of falling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

(b) Tree Stumps.

SO ORDAINED 21 this of March 2025.
(this ordinance was passed by council on November 7, 2024)

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Stephanie Moncrief, Mayor

ATTEST:


Lynn Heard, City Clerk

APPROVED AS TO FORM:


John J. Crowley
Anthony O. I. Powell, City Attorney
Powell & Crowley, LLP

Adopted by the City Council at a regular called meeting on November 14, 2024

4 Council members voting in favor

0 Council members voting against

0 Council members voting abstaining