

SUPPLEMENT NO. 2
March 2023

CODE OF ORDINANCES
County of
GRADY COUNTY, GEORGIA

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance of August 03, 2022.

See the Code Comparative Table for further information.

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Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.



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Checklist of Up-to-Date Pages

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From our experience in publishing Looseleaf Supplements on a page-for-page substitution basis, it has become evident that through usage and supplementation many pages can be inserted and removed in error.

The following listing is included in this Code as a ready guide for the user to determine whether the Code volume properly reflects the latest printing of each page.

In the first column all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. The letters "OC" indicate the pages have not been reprinted in the Supplement Service and appear as published for the original Code. When a page has been reprinted or printed in the Supplement Service, this column reflects the identification number or Supplement Number printed on the bottom of the page.

In addition to assisting existing holders of the Code, this list may be used in compiling an up-to-date copy from the original Code and subsequent Supplements.

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SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code and are considered "Included." Ordinances that are not of a general and permanent nature are not codified in the Code and are considered "Omitted."

In addition, by adding to this table with each supplement, users of this Code of Ordinances will be able to gain a more complete picture of the Code's historical evolution.

Ordinance Number	Included/ Omitted	Supplement Number
Ord. of 01-05-2021	Included	1
Ord. of 07-06-2021	Included	1
Ord. of 07-06-2021	Included	1
Ord. of 3-1-2022	Included	2
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Chapter 10

BUSINESSES*

Article I. In General

Secs. 10-1—10-18. Reserved.

Article II. Business License

- Sec. 10-19. Business license required; occupation tax required for business dealings in the county.
- Sec. 10-20. Construction of terms; definitions.
- Sec. 10-21. Occupation tax levied; restrictions.
- Sec. 10-22. Professionals as classified in O.C.G.A. § 48-13-9(c)(1) through (19).
- Sec. 10-23. Purpose and scope of tax.
- Sec. 10-24. When tax due and payable; effect of transacting business when tax delinquent; occupation tax transferable; refunds.
- Sec. 10-25. Exemption on grounds that business is operated for charitable purpose.
- Sec. 10-26. Liability of officers and agents; failure to file occupation tax return.
- Sec. 10-27. Businesses not covered by this article.
- Sec. 10-28. Applicability.
- Sec. 10-29. When occupation tax due and payable.
- Sec. 10-30. Delinquent penalty.
- Sec. 10-31. Penalty for failure to register.
- Sec. 10-32. Execution for delinquent occupation tax.
- Sec. 10-33. Amendment, repeal of provision.
- Sec. 10-34. Enforcement of provisions.
- Secs. 10-35—10-56. Reserved.

Article III. Contractors

- Sec. 10-57. Regulated.
- Sec. 10-58. State-licensed contractors.
- Sec. 10-59. Specialty contractors.
- Sec. 10-60. Proof of competency.
- Sec. 10-61. Exemptions.
- Sec. 10-62. Prerequisites to starting work.
- Sec. 10-63. Renewal.
- Sec. 10-64. Discipline.
- Secs. 10-65—10-86. Reserved.

Article IV. Pawnbrokers and Secondary Metals Dealers

- Sec. 10-87. Informational forms.
- Sec. 10-88. Records open to law enforcement and code enforcement inspection; retaining.
- Sec. 10-89. Invoices of new merchandise.
- Sec. 10-90. Holding period of articles pledged or purchased.

***State law references**—Power of taxation, Ga. Const. art. IX, § IV, ¶ I; county taxation, O.C.G.A. § 48-5-220 et seq.; taxation of businesses, professions and occupations in county, O.C.G.A. § 48-13-6.

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- Sec. 10-91. Surety bond.
- Sec. 10-92. Identification and age of pawnor or seller.
- Sec. 10-93. Gold and silver, etc., buyers; informational forms.
- Sec. 10-94. Records open to law enforcement and code enforcement inspection; retaining.
- Sec. 10-95. Invoices of new merchandise.
- Sec. 10-96. Holding period of articles.
- Sec. 10-97. Identification and age of seller.
- Sec. 10-98. Surety bond.
- Sec. 10-99. Exceptions.
- Sec. 10-100. Stolen articles; surrender of same.
- Sec. 10-101. Revocation of license for violations; penalty.
- Sec. 10-102. Enforcement of provisions.
- Secs. 10-103—10-119. Reserved

Article V. Broadband Ready Community

- Sec. 10-120. Definitions.
- Sec. 10-121. Single point of contact.
- Sec. 10-122. Application completeness review.
- Sec. 10-123. Notification of incomplete application.
- Sec. 10-124. Approval or denial notification.
- Sec. 10-125. Related fees.
- Sec. 10-126. Other information.
- Sec. 10-127. State certified broadband ready community compliance.
- Secs. 10-128—10-149. Reserved.

Article VI. Timber Harvesting Operations

- Sec. 10-150. Notice of harvesting operations.
- Sec. 10-151. Bond or letter of credit required.
- Sec. 10-152. Duration of notice.
- Sec. 10-153. Violation; penalties.
- Sec. 10-154. Miscellaneous provisions.

(b) Any violation thereof shall be punished by revocation of such license and further punished as provided in section 1-12, or as an alternative such offender will be prosecuted for the violation of the criminal laws of the state.

(Ord. of 1-7-2014, § 18-48(o))

Sec. 10-102. Enforcement of provisions.

It is hereby made the duty of the county administrator, code enforcement officer or his designee, or any law enforcement officer with the authority to enforce county ordinances to see that the provisions of this article relating to pawnbrokers are observed; and to summon all violators of the same to appear before the court.

(Ord. of 1-7-2014, § 18-48(p))

Secs. 10-103—10-119. Reserved

ARTICLE V. BROADBAND READY COMMUNITY*

Sec. 10-120. Definitions.

As used in this article:

Applicant means a person applying for a permit for a broadband network project.

Broadband network project means any deployment of broadband services.

Permit means any local permit, license, certificate approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution with respect to a broadband network project.

Political subdivision means a county, municipal corporation, consolidated government, or local authority.

(Ord. of 11-16-2021)

Sec. 10-121. Single point of contact.

Grady County, Georgia shall appoint a single point of contact for all matters related to a broadband network project:

- (1) The single point of contact documentation shall include:
 - a. Title: Grady County Administrator
 - b. Name: J.C. Johnson
 - c. Organization: Grady County Board of Commissioners
 - d. Telephone No.: 229-377-1512
 - e. Email: gboc@gradycounty.org

***Editor's note**—An ordinance adopted November 16, 2021, did not specify manner of inclusion; hence codification as Article V, §§ 10-120—10-127 was at the discretion of the editor.

f. Website: <https://gradycountyga.gov/services/>

- (2) The single point of contact shall be available for matters related to a broadband network project or a related liaison who may direct such inquiry in real time, with general scope and responsibilities to include permitting and right-of-way; and
- (3) The single point of contact information must be current to maintain designation, by updating with such change in contact information on web pages and associated sources, within 15 calendar days of change.

(Ord. of 11-16-2021)

Sec. 10-122. Application completeness review.

(a) Grady County shall determine whether an application is incomplete and notify the applicant, by email, of the determination by Grady County within ten calendar days of receiving an application.

(b) If Grady County does not respond to the applicant on whether the application is incomplete, within ten calendar days, the application shall be assumed to be complete on the 11th day.

(Ord. of 11-16-2021)

Sec. 10-123. Notification of incomplete application.

(a) If Grady County determines that an application is not complete, the notification by email to the applicant shall specify all required components of the submitted application that were considered "incomplete";

(b) Grady County's response shall include a checklist of sequenced items that resulted in the application being deemed "incomplete" and the review timeline shall be as follows:

- (1) The applicant has up to 40 calendar days from the date of notification of incompleteness to respond back with corrections; and
- (2) If the applicant does not respond back within 40 calendar days, the application is deemed canceled.

(c) If within ten calendar days Grady County does not respond to the applicant on whether the corrected application is incomplete, the application shall be assumed to be complete on the 11th day; and

(d) Grady County shall require a new submission and reset the process and application fees, should an application be deemed incomplete a second time.

(Ord. of 11-16-2021)

Sec. 10-124. Approval or denial notification.

If, on or before the 11th day as described in 10-122(b), an application is deemed complete, Grady County shall approve or deny an application within ten calendar days unless a joint meeting between the applicant and Grady County is deemed as necessary.

- (1) If a joint meeting is deemed necessary, the joint meeting must occur within 15 calendar days of notification of completion and the joint meeting shall include:
 - a. Where applicant is going to conduct work,

- b. When the work will be conducted,
- c. What type of work will be done,
- d. Who Grady County can contact for specific details or related questions, and
- e. Any permit seeking approval under application.
- f. Following a joint meeting between the applicant and Grady County, Grady County shall deny or approve the application within ten calendar days.

(2) Upon final approval, any required permit permitted shall be deemed issued.
(Ord. of 11-16-2021)

Sec. 10-125. Related fees.

(a) Any fee imposed by Grady County to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable, cost based, and nondiscriminatory to all applicants.

(b) Any application fee that exceeds \$100.00 shall be considered unreasonable unless Grady County can provide documentation justifying such fee based on a specific cost.
(Ord. of 11-16-2021)

Sec. 10-126. Other information.

(a) *Double fee:* No city or county shall require an application or permit(s) when already approved by an authorized state or federal jurisdiction. Provider shall notify and provide a copy of the approved permit to the single-point-of-contact at the city or county prior to access of right-of-way within the city or county jurisdiction.

(b) *Application validity timeline:* Any approved application shall be valid for six months from the date of approval. Should a provider not commence the service request qualified in the approved application within six months, the application shall expire, and it shall require a new permit approval and any associated fees, as applicable.

(c) *Single service drop:* A city or county shall not require a permit for a broadband service provider to perform an installation of broadband service at an individual customer's service address as long as the facility being utilized only transverses a de minimis portion of the public right-of-way to reach the customer's property. The provider must still comply with the provisions of Chapter 9 of Title 25 of the O.C.G.A.

(Ord. of 11-16-2021)

Sec. 10-127. State certified broadband ready community compliance.

Grady County acknowledges:

- (1) A Georgia Certified Broadband Ready Community has an affirmative duty to notify the Georgia Department of Community Affairs of any changes to the information submitted as part of its application; and

(2) Failure to notify Georgia Department of Community Affairs of changes may result in revocation of Grady County's Broadband Ready Certification, should the certification be granted. (Ord. of 11-16-2021)

Secs. 10-128—10-149. Reserved.

ARTICLE VI. TIMBER HARVESTING OPERATIONS*

Sec. 10-150. Notice of harvesting operations.

(a) All persons or firms harvesting standing timber in any unincorporated area of Grady County for delivery as pulpwood, logs, poles, posts, or wood chips to any woodyard or processing plant located inside or outside this state shall provide notice of such harvesting operations to the Grady County Governing Authority or the designated agent thereof prior to entering onto the property if possible, but in no event later than 24 hours after entering onto the property. Further, such persons shall give notice of cessation of cutting within 24 hours after the job is completed.

(b) The notice of harvesting operations required by this article shall be provided for each separate tract to be harvested. Such notice shall be made in such form as prescribed by rule or regulation of the director of the Georgia Forestry Commission, and shall include the following information:

- (1) A map of the area which identifies the location of the tract to be harvested and, as to those trucks which will be traveling to and from such tract for purposes of picking up and hauling loads of cut forest products, the main point of ingress to such tract from a public road and, if different, the main point of egress from such tract to a public road. If multiple points of ingress and/or ingress will be used, all such points shall be identified;
- (2) A statement as to whether the timber will be removed pursuant to a lump sum sale, per unit sale, or owner harvest for purposes of ad valorem taxation under O.C.G.A. § 48-5-7.5;
- (3) The name, address, and daytime telephone number of the timber seller if the harvest is pursuant to a lump sum or per unit sale or of the timber owner if the harvest is an owner harvest; and
- (4) The name, business address, business telephone number, and nighttime or emergency telephone number of the person or firm harvesting such timber.

(c) Subject to the provisions of subsection (e) of this section, the notice required by this article may be submitted in person, by transmission of an electronic record via telefacsimile or e-mail, or by mail.

(d) Subject to the provisions of subsection (e) of this section, upon notification published by the director of the Georgia Forestry Commission that a state-wide notification website or platform is available for public use, persons or firms wishing to utilize said website or platform to provide the notice required by this article may do so at their option, and Grady County will accept notifications submitted in this manner.

***Editor's note**—An ordinance adopted March 1, 2022, §§ 1—15, did not specify manner of inclusion; hence codification as Article VI, §§ 10-150—10-154 was at the discretion of the editor.

(e) On and after a date specified and published by the director of the Georgia Forestry Commission, use of the state-wide notification website or platform shall be mandatory and shall be the sole means of providing the notice required by this article; on and after said date submission of the notice by any of the means listed in section (c) above shall cease and will no longer be deemed acceptable or in compliance with this article.

(Ord. of 3-1-2022)

Sec. 10-151. Bond or letter of credit required.

(a) The notice required by this article shall not be or remain effective unless and until the person or firm providing such notice has delivered to the governing authority of Grady County or its designated agent a valid surety bond, executed by a surety corporation authorized to transact business in this state, protecting Grady County against any damage caused by such person or firm in the amount of \$5,000.00; provided, however, that at the option of the person or firm harvesting timber a valid irrevocable letter of credit issued by a bank or savings and loan association, as defined in O.C.G.A. § 7-1-4, in the amount of \$5,000.00 may be provided in lieu of a surety bond. Such bonds or letters of credit shall be subject to the conditions set forth in subsections (b) and (c) of this article. No more than one bond or letter of credit shall be required from each person or firm harvesting timber, regardless of the number of tracts harvested in the county for so long as the bond or letter of credit remains in effect. The bond or letter of credit required herein shall be valid only for the calendar year in which it was delivered.

(b) The bond or letter of credit required by subsection (a) of this section shall protect Grady County against any damage requiring re-ditching or repair of existing ditch structures or the removal of any harvesting residue, including tree tops, debris, logs, pulpwood and other materials, placed in or around the county's rights of way caused by such person or firm tendering the bond or letter of credit. The proceeds of such bond or letter of credit shall be available to reimburse the county for any cost incurred to repair such damages or remove such debris in or around the county's rights of way. The proceeds of such bond or letter of credit shall also be available to reimburse the county for any costs incurred to maintain or repair county roads damaged by the ingress or egress of motor vehicles engaged in the harvest operations located within 500 feet of any point of ingress or egress of the timber harvesting operation. The right of Grady County to call such bond or letter of credit in accordance with the provisions of subsection (c) of this section shall be in addition to any other remedies available to the county at law or in equity for damage to county roads or rights-of-way.

(c) When damage results from a person or firm's harvesting activities, the governing authority of Grady County shall make and provide a written claim to the person or firm causing the damage within 30 business days after the governing authority becomes aware of the damage. Such claim may be given in person, by telefacsimile, email or mail. The claim shall describe the damage in detail and, in compliance with subsection (d)(1) of this section, give the person or firm the opportunity to repair such damage within 30 days of the notification; provided, however, the county shall be authorized to repair the damage immediately if the governing Authority or its designee determines the conditions present a threat to public safety, health or welfare and, upon making such repairs, shall present to the person or firm and the issuer of the applicable bond or letter of credit an itemized list of expenses incurred as a claim against the responsible party and the issuer of its bond or letter of credit. Upon the issuance of a claim as

provided in this Section the Governing Authority of Grady County or its designee shall notify the issuer of the bond or letter of credit that a claim has been made and will be resolved or adjudicated according to the terms of this Ordinance.

(d) Within 30 days of receipt of the written claim described in subsection (c), the person or firm against whom the claim is submitted may:

- (1) Repair such damage at his or its own expense with the approval and supervision of the governing authority of Grady County or its designee. When repairs are completed to the satisfaction of the governing authority or its designee, the governing authority or its designee shall provide a written notification of satisfactory completion within five business days to the responsible person or firm and to the surety issuing the bond or the bank issuing the letter of credit, thereby terminating the claim.
- (2) In the event of inclement weather or other factors preventing repair of the damage, request a 30 day extension to repair the damage from the governing authority of Grady County, provided that no extensions shall exceed 90 days from the date the claim was tendered. Approval of any extension shall be at the discretion of the governing authority of Grady County or its designee.
- (3) Appeal the claim to the Magistrate Court of Grady County. Any such appeal must name the issuer of the bond or letter of credit as a party, who shall be served with all pleadings in the action and shall have the right to appear. The Magistrate Court will hear evidence and arguments within 30 days of the written appeal and issue a ruling within ten days of such hearing. Any such appeal shall toll the 30 day period, or any extension thereof, required by subsection (c) of this section. If the Magistrate Court rules in favor of the person or firm against whom the claim was made, the county shall have no right to recover any proceeds of the bond or letter of credit, and judgment shall be entered against the county. If the Magistrate Court rules in favor of the county the court shall determine the amount of damages to which the county is entitled to recover and enter judgment accordingly; the governing authority of Grady County shall be authorized to call the bond or letter of credit and recover from the proceeds thereof an amount equal to the judgment entered by the court, up to the total amount of the bond or letter of credit. The portion of any judgment entered in favor of the county that exceeds the amount of the bond or letter of credit shall be subject to collection by any additional remedies at law or equity.
- (4) In the event the person or firm against whom the claim has been submitted fails to take any of the actions allowed under subsections (1), (2) or (3) of this section within the time required therein, such person or firm shall be deemed to have waived any and all rights to contest the call of the bond or letter of credit.

(e) If the person or firm tendering a bond or letter of credit pursuant to the requirements of this article continues its timber harvesting operation beyond the calendar year in which the bond or letter of credit was issued, the person or firm continuing the timber harvesting operation shall tender a new bond or letter of credit within five business days after the first day of the new calendar year.

(f) In the event a bond or letter of credit tendered pursuant to the requirements of this article is revoked by the surety or bank, then a valid replacement bond or letter of credit must be delivered to the governing authority of Grady County within five business days after the date of revocation in order for timber harvesting operations to continue. In addition, if the person or firm tendering the bond or letter of credit caused its revocation, the amount of the bond or letter of credit required shall be increased to \$7,500.00 after the first revocation, and \$10,000.00 after a second revocation caused by the person or firm tendering the bond or letter of credit. The maximum amount of the bond or letter of credit shall not exceed \$10,000.00.

(Ord. of 3-1-2022)

Sec. 10-152. Duration of notice.

Submission of the notice required by this article shall authorize the person or firm submitting same to undertake the timber harvesting operation described in the notice and shall remain in effect until such time as the person or firm gives notice that the harvesting operation is complete; provided, however, that any change in the facts required to be provided for purposes of such notice, including but not limited to a change in the scope or extent of the operation, must be reported to the governing authority of Grady County within three business days after such change.

(Ord. of 3-1-2022)

Sec. 10-153. Violation; penalties.

Any person or firm that engages in a timber harvesting operation in the unincorporated portion of Grady County without complying with the notice requirements of this article shall be subject to a citation and trial, and upon conviction shall be fined in an amount not to exceed \$1,500.00 for each violation.

(Ord. of 3-1-2022)

Sec. 10-154. Miscellaneous provisions.

(a) This article applies to activities which qualify as forestry land management practices or agricultural operations under O.C.G.A. § 12-7-17(5) and (6) on land that is zoned for or used for forestry, silvicultural or agricultural purposes. It shall not authorize land disturbing activities incidental to development in conflict with the limitations set forth in O.C.G.A. § 12-7-17(6).

(b) Consistent with O.C.G.A. § 12-6-24:

- (1) No fee shall be charged to provide and submit the notice required by this article; and
- (2) No permit, including a driveway permit, shall be required of the person or firm engaged in a timber harvesting operation as defined by said Code section. Persons and firms providing the notice required by this article may be asked to consult with county officials responsible for roads and public works for the purpose of minimizing damage to the county's roads, rights of way and infrastructure, and are urged to follow recommendations from county officials. Notwithstanding the forgoing, the person or firm conducting the timber harvest operation bears ultimate

responsibility for their actions, and nothing in this article shall preclude the governing authority of Grady County from taking any and all legal action necessary to protect its property and the health, safety and welfare of its citizens.

(Ord. of 3-1-2022)

4-5. Review and approvals.

The review and approval of administrative subdivisions shall be conducted as follows:

- a. Copies of the application, plats and private covenants shall be distributed to the Grady County Health Department, and the Grady County Code Enforcement Officer, and the County Road Superintendent or their designees for their review and recommendation.
- b. The reviewing agents designated herein shall complete a review within ten (10) workdays from receipt of the application, covenants and plats and recommend approval or disapproval.
- c. If one (1) or more of the reviewing agents shall recommend disapproval, the plat and application shall be deemed disapproved and shall be returned with comments to the owner/agent.
- d. If one or more of the reviewing agents shall fail to complete review within ten (10) workdays, the owner/agent may demand the return of his application, covenants and plats and may submit directly to the Grady County board of Commissioners for review and approval or disapproval.
- e. Upon the recommendation to approve by the Grady County Environmental Health Specialist, the County Code Enforcement Director and the County Road Superintendent or their designees, the plat shall be deemed approved and shall be signed by the Executive Secretary of the Planning Commission and the County Environmental Health Specialist. If disapproved, the application, covenants and plats shall be returned to the owner/agent with comments.

4-6. Certificate of approval.

Upon plat approval the Executive Secretary of the Planning Commission and the Environmental Health Specialist shall sign the following inscription inscribed on the plat by the applicant. The review and approval of administrative subdivisions shall be conducted as follows:

ADMINISTRATIVE SUBDIVISION PLAT

Pursuant to the Land Development Regulations of Grady County, Georgia, all requirements of approval having been fulfilled, this plat is approved by the Grady County Code Enforcement Director.

Date Executive Secretary, Planning Commission

4-7. Certificate of approval, Grady County health department.

GRADY COUNTY HEALTH DEPARTMENT

Lots are approved to meet the minimum lot sizing requirements. Additional soil investigations will be required for the approval for on-site septic systems. Contact Grady County Environmental Health Office regarding Well and Septic installation permits.

DATE Environmental Health Specialist

(Ord. of 8-3-2022)

ARTICLE V. MINOR SUBDIVISION FILING AND PLATTING REQUIREMENTS, REVIEW PROCEDURES

5-1. General.

The owner or his authorized agent shall provide public improvements as required by these regulations and by applicable county specifications and requirements, however, nothing herein shall prohibit the County, at its option and in the best interest of the County, from participating in the provision of public improvements in accordance with applicable county policy and codes.

5-2. Pre-development review.

The property owner or agent shall schedule a pre-development review with the Code Enforcement Office to discuss the project and obtain advice on pertinent regulations.

5-3. Filing.

Where a minor subdivision is proposed, the owner or his agent shall file (15 working days prior to Planning Commission meeting) with the Code Enforcement Director or its designee the proposed plat and application for plat approval.

5-4. Monuments.

The owner shall provide and set a minimum of $\frac{5}{8}$ inches rebar with a minimum of 18 inches long, and identifiable cap stamped with the land surveyor's registration number. The top of each monument shall be set at each street corner and lot corner and at all points where the street lines intersect the exterior boundary of the subdivision, at points of curvature in each street and at every exterior corner or point of curvature of the exterior boundary, except where such corners lie within a stream meander, in which case reference monuments shall be placed on the bank of the stream. The top of the monument shall be marked in such a manner that will properly and accurately identify the location. In situations where an 18 inches rebar cannot be set, at the terminus point of a line, alternative monumentation may be placed using professional judgment.

5-5. Fees.

At the time of filing, the applicant shall pay a fee in accordance with County requirements.

5-6. Application requirements.

The application shall contain the following:

- a. The name, address, and phone number of the owner and a declaration of ownership.
- b. The name of the subdivision or identifying title.

8-18. Bases of roads.

Bases of roads or streets shall be formed of suitable material containing no mulch, vegetable matter or other deleterious material and must be approved by the County Road Superintendent before the surface is paved.

8-19. Road, crown, slope width and ditch depth.

The width of the road, crown, slopes and the depth of ditches shall meet the minimum requirements shown in the "Standard Plan" which are incorporated herein and copies of which are available from the County Road Superintendent.

8-20. Roads or streets, paving required.

All roads or streets within a new subdivision must be paved.

8-21. Pavement standards.

Pavement shall conform to standard practice indicated in the DOT requirements Standard Plan and shall consist of material approved by the County Road Superintendent.

8-22. Base material inspection.

Inspection of the base material by the County Road Superintendent will be required before priming operation or depositing of paving material.

8-23. Grassing required for front slopes and shoulders.

The front slopes and shoulders of all roads or streets shall be planted with live sod, seeded, sprigs or turfs of Bermuda grass. The planted area shall contain a seventy-five (75) percent stand of live grass before final acceptance.

8-24. Width of grassed shoulder.

The width of grassed portion of each shoulder shall not be less than four (4) feet from margin of ditch-top front slope.

8-25. Wire crossings.

Wire crossings at all bridges and culverts shall conform to the minimum measurements and pole locations as required by the County.

8-26. Pole lines.

Pole lines parallel to the right-of-way road shall be located at the rear of the back slope.

8-27. Blocks, non-residential.

Blocks for other than residential use shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking and maneuvering space.

8-28. Residential.

The length of residential blocks shall not exceed two-thousand five hundred (2,500) feet measured from interior street right-of-way lines nor less than three hundred (300) feet.

ARTICLE IX. VARIANCE PROCEDURES**9-1. Authorization.**

The Board of Commissioners may grant a variance of the development standards of this Regulation, except minimum lot area requirements, when it is in harmony with the general purpose and intent of this Regulation. A variance may only be granted in the specific instances hereinafter set forth; upon findings of fact based upon the standards hereinafter prescribed demonstrating that there are practical difficulties or particular hardships obstructing compliance with the strict letter of these regulations; and that the granting of a variance will not merely serve as a convenience to the applicant, but is necessary to alleviate some demonstrated hardship or difficulty which is unique to the property in question and not created by the applicant.

(Ord. of 8-3-2022)

9-2. Applications and submission requirements.

Application for variances shall be filed with the Board of Commissioners upon forms provided by the Board of Commissioners, together with payment of a fee as established by the Board to cover the advertising and processing costs. A court ordered easement is exempt from the fees. The application shall contain sufficient information to allow the Board of Commissioners to make an informed decision, and shall include, at a minimum, the following:

- a. Name and address of the applicant;
- b. The characteristics of the subject property which prevent compliance with the requirements of this Regulation;
- c. The particular hardship which would result if the specified requirements of this Regulation were applied to the subject property;
- d. A preliminary plat depicting the variance requested and any pertinent information necessary for the Board of Commissioners to render a decision.

9-3. Procedures for consideration of a variance.

a. An application for a Variance shall be filed with the Board of Commissioners at least thirty (30) days in advance of a regularly scheduled Public Hearing of the Board of Commissioners.

b. The Board of Commissioners shall cause to be published, at least fifteen (15), but not more than forty-five (45) days, prior to the date of the Public Hearing, within a newspaper of general circulation within the territorial boundaries of the County, a Public Notice of the Public Hearings and a Public Notice Sign on the subject property.

c. The decision rendered by the Board of Commissioners regarding the proposed variance shall be deemed to be the final action on the application and said final action shall be completed prior to application for preliminary plat approval.

9-4. Standards for variances.

The Board of Commissioners shall not grant a variance as authorized herein unless it shall, in each case, make specific findings of fact directly based upon the particular evidence presented to it in the application and public hearing that support all of the following conclusions:

- a. The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same area and is not created by an action or actions of the property owners or the applicant;
- b. The granting of the variance shall not adversely affect the rights of adjacent property owners or residents;
- c. The strict application of the provisions of this Regulation, from which a variance is requested, will cause severe practical difficulty or extreme hardship for the property owner represented in this application;
- d. The variance desired will not adversely affect the public health, safety, order, convenience or general welfare of the community;
- e. Granting the variance desired will not violate the general spirit and intent of this Regulation.

9-5. Recording of variances.

A record of every variance granted shall be kept by the Grady County Code Enforcement Office for reference. The property owner's name, address and property location as well as the individual circumstances and reasons for granting each variance shall be recorded in the variance log.

9-6. Reapplication time requirement.

If an application for a Variance is denied by the Board of Commissioners, no application or reapplication for the same variance may be considered on the same property by the Board of Commissioners until the expiration of at least six (6) months immediately following the denial action of the application by the Board of Commissioners has occurred.

9-7. Appellate procedure.

If a variance application is denied by the Grady County Board of Commissioners, the Board of Commissioners shall send the applicant by registered/certified mail a written decision on final action including the appellate procedure. Any person or persons, who may have a substantial interest in any decision of the Board of Commissioners, may appeal said final decision to the Superior Court of Grady County, Georgia. Such appeal shall be filed with the Clerk of said court by filing a notice of appeal in writing setting forth plainly, fully and distinctly herein such decision is contrary to law. Such notice of appeal shall be filed within thirty (30) days after the decision of the Board of Commissioners is rendered. A copy of the notice of appeal shall be served on the Grady County Clerk of the Grady County Superior

Court shall give immediate notice thereof to the Grady County clerk and within thirty (30) days from the time of such notice, shall file with said Clerk of Superior Court, a duly certified copy of the minutes of the proceedings of the Board of Commissioners Public Hearing and the decision reached by the Board of Commissioners (Amended August 6, 1991).

ARTICLE X. AMENDMENTS

10-1. Amendments.

These Land Development Regulations may be amended by the Board of Commissioners to increase the effectiveness of the regulations. Amendments shall be initiated by either the Grady County Board of Commissioners or the Grady County Planning Commission, but the Planning Commission shall review all proposed amendments and may advise the Board of Commissioners by providing written comments no later than thirty (30) days after delivery of the proposed amendments. After the Planning Commission has had an opportunity to review and provide comments on the proposed amendments, the official public hearing will be set and held by the Board of Commissioners and public notice will be given no less than fifteen (15) days nor more than forty-five (45) days prior to the official hearing date. Public hearing notices will be published within a newspaper of general circulation within Grady County. The public notice will state the time, place and purposes of the hearing.

(Ord. of 8-3-2022)

ARTICLE XI. VALIDITY

11-1. Validity.

Should any section or provisions of these Regulations be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

ARTICLE XII. VIOLATIONS

12-1. Violations.

In case of any violation or attempted violation of these regulations, the Board of Commissioners, in addition to other remedies, may institute any appropriate action to prevent such violations, or attempted violations.

12-2. Separate offense.

Each and every day's violation of any provision of these regulations shall constitute a separate offense.

ARTICLE XIII. REPEALS

13-1. Repeals.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

ARTICLE XIV. EFFECTIVE DATE

14-1. Effective date.

These Regulations shall take effect and be in force from and after March 1, 1988. Subsequent amendments shall take effect and be in force from and after adoption unless otherwise stated in the resolution.

Therefore, be it Resolved, that the Grady County Commission, does hereby ordain, resolve, and enact the foregoing Land Development Regulations for Grady County pursuant to the provisions of the Georgia Constitution.

Adopted the 22 day of March, 1988, and revised the 14th day of April, 2009.

County Clerk

Chairman, Board of Commissioners, Grady County, Georgia

APPENDICES

Illustration 1. Tangents Between Reverse Curves

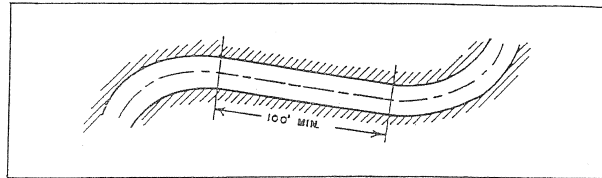


Illustration 2. Continuation of Existing Streets

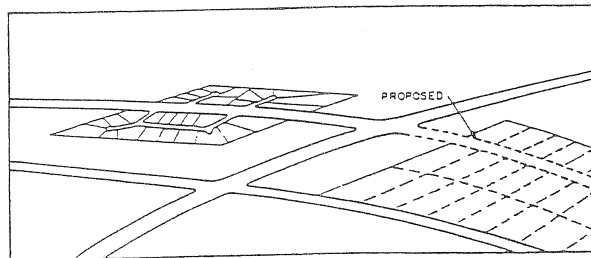
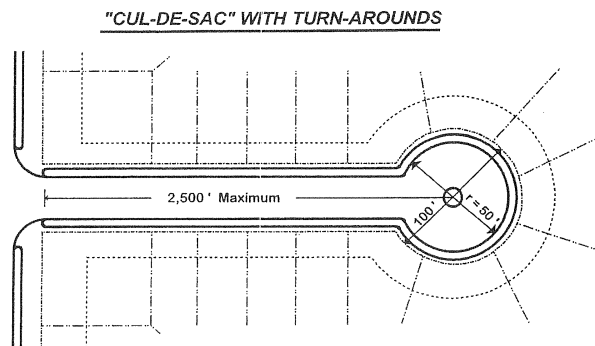


Illustration 3. Cul-de-sac



CODE COMPARATIVE TABLE

Legislation	Date	Section	Section this Code
		XI	30-11
		XII	30-12
Ord. of 9-7-2004(2)	9-7-2004	2(a)	26-46
		2(b)	26-47
		2(c)	26-48
		2(d)	26-49
		2(e)	26-50
Ord. of 11-6-2007	11-6-2007	1	24-1
Ord. of 6-2-2009	6-2-2009	18-47(a)	10-19
		18-47(b)	10-20
		18-47(c)	10-21
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		18-47(h)	10-26
		18-47(i)	10-27
		18-47(j)	10-28
		18-47(k)	10-29
		18-47(l)	10-30
		18-47(m)	10-31
		18-47(n)	10-32
		18-47(o)	10-33
		18-47(p)	10-34
Ord. of 7-7-2009	7-7-2009	art. 1, § A	18-40
		art. 1, § B	18-41
		art. 1, § C	18-42
		art. 1, § D	18-43
		art. 2, § A	18-75
		art. 2, § B	18-76
		art. 2, § C	18-77
		art. 2, § D	18-78
		art. 2, § E	18-79
		art. 2, § F	18-80
		art. 2, § G	18-81
		art. 2, § H	18-82
		art. 3, § A	18-108
		art. 3, § B	18-109
		art. 3, § C	18-110
		art. 4, § A	18-134
		art. 4, § B	18-135
		art. 4, § C	18-136
		art. 4, § D	18-137
		art. 4, § E	18-138
		art. 4, § F	18-139
		art. 4, § G	18-140
		art. 5	18-141
		art. 6	18-142
		art. 7	18-143
Ord. of 12-7-2010	12-7-2010	2(26-31)	16-23

GRADY COUNTY CODE

Legislation	Date	Section	Section this Code
		2(26-32)	16-24
		2(26-33)	16-25
		2(26-34)	16-26
		2(26-35)	16-27
		2(26-36)	16-28
		2(26-37)	16-29
		2(26-38)	16-30
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		2(26-40)	16-32
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Ord. of 10-19-2011	10-19-2011	—	16-1, 16-2
Ord. of 1-7-2014	1-7-2014	18-48(a)	10-87
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		18-48(o)	10-101
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Ord. of 2-16-2016	2-16-2016	—	App. B, § 3.13
Ord. of 11-15-2016	11-15-2016	—	App. B, § 1.5
		—	App. B, § 3.14-1
Ord. of 6-6-2017	6-6-2017	—	App. B, § 1.5
		—	App. B, §§ 3.1—3.4
		—	App. B, § 3.14-2
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Ord. of 1-1-2020	1-1-2020	—	2-25
Ord. of 1-5-2021	1-5-2021	—	2-81
Ord. of 1-05-2021	1-5-2021	—	2-78
Ord. of 7-06-2021	7-6-2021	—	App. B, § 2.1
		—	App. B, § 6.13
Ord. of 7-06-2021	7-6-2021	Added	Adopting Ord.
Ord. of 11-16-2021	11-16-2021	Added	10-120—10-127
Ord. of 3-1-2022	3-1-2022	Added	10-150—10-154
Ord. of 8-3-2022	8-3-2022	—	App. A, § 4-7
		—	App. A, § 9-1
		—	App. A, § 10-1

STATE LAW REFERENCE TABLE

This table shows the location within this Charter and Code, either in the text or notes following the text, of references to the Official Code of Georgia (O.C.G.A.).

O.C.G.A. Section	Section this Code	O.C.G.A. Section	Section this Code
1-1-3	1-10	12-6-24	10-154
1-1-7	1-3	ch. 12-7	16-24
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—	1-13	12-7-1 et seq.	16-26
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4-3-1 et seq.	Ch. 6 (note)	12-7-15(6)	10-154
4-8-6	Ch. 6 (note)	12-7-17(9)	16-27
4-8-20 et seq.	Ch. 6 (note)	12-7-17(10)	16-27
—	Ch. 6, Art. II	12-7-19(b)(1)	16-30
4-8-21	6-2	12-7-19(b)(4)	16-30
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4-8-27	6-40	12-8-20 et seq.	Ch. 30 (note)
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5-4-1	18-141	12-8-22	30-1
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***Note**—The adoption, amendment, repeal, omissions, effective date, explanation of numbering system and other matters pertaining to the use, construction and interpretation of this Code are contained in the adopting ordinance and preface which are to be found in the preliminary pages of this volume.

