

(As Amended)

AN ORDINANCE

NO.

An Ordinance amending Article VI of Chapter 13 of the Columbus Code to revise definitions and enforcement mechanisms pertaining to solid waste and junk; and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

SECTION 1.

In Columbus Code Section 13-167.1 **Definitions** paragraph (12) is hereby deleted in its entirety and replaced by a new paragraph section 13-167.1 (12) to read as follows:

"(12) *Junk* shall mean any appliance, household items, furniture, scrap material that may have salvage value, or vehicle, except motorized vehicle, that is discarded or is no longer operative or capable of performing as originally designed and is stored in a fashion that is visible from the street or any property line."

SECTION 2.

Paragraph (A) of Section 13-167.7 is hereby deleted in its entirety and replaced by a new paragraph (A) of section 13-167.7 to read as follows:

"Sec. 13-167.7. - Unauthorized accumulation, disposal, removal of solid waste and junk and establishment of rules and regulations, governing vehicle wrecking, salvage, junk, scrap, storage yards, and repair shops.

(A) *Unauthorized accumulation and disposal of solid waste and other materials:*

(1) No person shall deposit on, bury in, or cause to be deposited on or buried in any land, public square, street, sidewalk, alley, lane, vacant or unoccupied lot, or into any lake, watercourse, storm sewer, catch basin, or drainage ditch any noxious materials, odorous or offensive liquids, or solid waste materials, except in approved solid waste containers.

(2) No person shall permit any solid waste or junk to remain on any private property for which he has responsible charge as lessee, tenant, owner, or occupier except that stored and handled for removal as provided herein.

(3) No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load contents or litter from being blown, deposited or spilled upon any street, alley or any other public place. No person shall allow to be spilled from any truck or any other vehicle, any abrasive materials, such as sand, rocks or gravel, but not limited thereto, which might harm or do damage to the streets or the paint markings thereon. Hopper drains on all collection vehicles shall be closed while traveling on the public right-of-way.

(4) No person shall deposit or allow to be deposited onto any public right-of-way any dirt or sand or gravel or other material with similar characteristics in an amount that would create a hazard to traffic, damage to vehicles, damage the roadway, or damage pavement markings, and this prohibition shall apply to such material which falls from moving or standing vehicles or to such material which falls from or flows from or is transferred from private property onto public rights-of-way irrespective of whether such transfer is accomplished entirely by human or mechanical conveyance or is produced in part by natural forces such as rainfall or surface water or streams..

(5) No person shall keep, deposit on, or allow to be deposited on private or public property any junked motorized vehicle within Columbus, Georgia except in accordance with the requirements as set forth under subsection (B) of this section.

(6) No person shall deposit or allow to be deposited in the Columbus Landfill any hazardous waste as defined under the Georgia Hazardous Waste Management Act (O.C.G.A. § 12-8-60, et seq."

SECTION 3.

Paragraph (D) of Section 13-167.7 is hereby deleted in its entirety and replaced by a new paragraph (D) of section 13-167.7 to read as follows:

"(D) *Removal of unauthorized accumulation of solid waste and junk:* Where the owner or occupant of any property violating the provisions hereof relating to the removal of such unauthorized solid wastes or junk cannot be served with notice of summons so as to subject him to punishment by the Recorder, the director of the department of inspections and code enforcement or public works or one of their assistants shall notify such owner by certified mail, at the address shown in the tax commissioner's records, with a copy to the occupant, directing that the unauthorized accumulated solid wastes or junk be removed so as to comply herewith. If within ten days from the date of mailing the notice, the owner or occupant fails to comply with the notice and this article, the directors of public works or inspections and code enforcement shall have the accumulated solid waste or junk removed, assessing a fee plus a service charge (as recommended annually by the directors of public works, inspections and code enforcement and finance and approved by the city manager) for the work and charging the amount to the owner, and such amount shall constitute a lien against the lot, from the date of the removal, and if such amount is not paid within 30 days after completion of the work, the Finance Director of the Columbus Consolidated Government shall issue execution against the particular real estate for which the service was rendered and against the owner thereof. Such real estate shall then be levied on, advertised, and sold under such executions as in cases of levy and sale under executions for street improvement assessments due Columbus, Georgia, with the same procedure, including defendant's right to defense by affidavit of illegality and the right of Columbus, Georgia, to purchase at the sale."

SECTION 4.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Introduced at a regular meeting of the Council of Columbus, Georgia, held on the 13th day of February, 2018; introduced a second time at a regular meeting of said council held on the ____ day of _____, 2018 and adopted at said meeting by the affirmation vote of ____ members of Council.

Councilor Allen	voting	_____
Councilor Baker	voting	_____
Councilor Barnes	voting	_____
Councilor Davis	voting	_____
Councilor Garrett	voting	_____
Councilor Huff	voting	_____
Councilor Thomas	voting	_____
Councilor Pugh	voting	_____
Councilor Woodson	voting	_____

Tiny B. Washington
Clerk of Council

Teresa Pike Tomlinson
Mayor