

# Excerpts from the Athens-Clarke County Ordinances

Disclaimer: This document is offered as an aid to understanding the requirements of the Athens-Clarke County ordinances that apply to Huntington Park. It is not meant to replace or change any meanings in the ordinances. And it is not intended to substitute for the advice of county staff. The Huntington Park Community Association is not liable for any errors or omissions in its content or for any loss or damage that may result from its use. For more precise legal requirements, please visit the county code of ordinances website (our zone is RS15): <http://library.municode.com/index.aspx?clientId=12400>. It is strongly recommended that you contact the Building Permits and Inspections Department (706-613-3520), the Athens-Clarke County Planning Department (706-613-3515), or other appropriate county department for further details or to report a code violation. Violations of codes may result in a fine.

Below are some, but not necessarily all of the ordinances that apply to the Huntington Park subdivision. All of these ordinances are found in Part III of the municipal code except for a couple of Georgia laws that are included because they are referenced in the municipal code. The Georgia laws are designated by the acronym, OCGA. Some paragraphs within the ordinances below were omitted because they are not applicable to Huntington Park.

This document was updated in August, 2012.

## Chapter 3-3 Parking, Motor Vehicles and Traffic

Section 3-3-7. - Parking near fire hydrants or driveways.

It shall be unlawful for any vehicle to be parked within ten feet of a fire hydrant or driveway.

Section 3-3-8. - Parking on sidewalks or near driveways.

It shall be unlawful for any vehicle, or motorcycle or any other motorized vehicle, to be parked on the sidewalk or other public right-of-way in any space that is not a designated marked parking space nor shall any such vehicle be parked in front of any driveway so as to block access to the public portion thereof or within ten feet of such driveway.

Section 3-3-10. - Parking in middle of street.

No vehicle shall be parked in the middle of any street within Athens-Clarke County unless otherwise authorized under this chapter.

Section 3-3-11. - Parking for the purpose of sale or repair.

No vehicle shall be parked on the streets of Athens-Clarke County when the parked vehicle is for the purposes of sale or repair.

Section 3-3-12. - Washing, greasing or repairing vehicle.

It shall be unlawful for any person to wash, grease or repair any vehicle in the streets of Athens-Clarke County.

Section 3-3-20. - Parking for more than 48 hours in one place.

It shall be unlawful for the operator of any vehicle to park the same continuously in one place for more than 48 hours on any public street, highway or right-of-way or other Athens-Clarke County-owned property.

## Sec. 3-5-1. - Disorderly conduct

Any of the following behaviors or activities shall constitute the offense of disorderly conduct and shall be punished as provided by section 1-1-5:

- (b) Any person who shall act in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health;

- (c) Any person who shall act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged; and
- (d) Any person who shall endanger the lawful pursuits of another by acts of violence, threats of violence or abusive conduct;
- (e) Any person who shall cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another;
- (f) Any person who shall assemble or congregate with another or others for the purpose of causing, provoking or engaging in any fight or brawl;
- (g) Any person who shall be found jostling or roughly crowding or pushing any person in any public place;
- (h) Any person who shall assemble or congregate with another or others for unlawful purposes as defined by the current ordinances for Athens-Clarke County;
- (i) Any person who shall assemble or congregate with another or others for the purpose or with the intent to engage in gaming;
- (j) Any person who shall go to or be at any public place with intent to obtain money from other person by illegal and fraudulent schemes, tricks, artifices or devices;
- (k) Any person who shall assemble or congregate with another or others for the purposes of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person in Athens-Clarke County, or who shall aid or abet therein;
- (l) Any person who shall without provocation use to or of another, in his or her presence, "fighting words," that are opprobrious or abusive words which by their very utterance tend to incite an immediate breach of the peace or such words which, as a matter of common knowledge under ordinary circumstances, will, when used to or of another person in his or her presence, naturally tend to provoke violent resentment;
- (m) Any person operating a motor vehicle upon any parking facility, public or private, vehicle access or pedestrian walkway of any parking facility by sudden starting, stopping or turning so as to endanger the person or property of another;
- (n) Any person operating a motor vehicle upon any parking facility, public or private, vehicle access or pedestrian walkway of any parking facility at a speed great enough to endanger the person or property of another; or
- (o) Any person who aids or abets or encourages a minor to do any act which constitutes disorderly conduct or a breach of the peace.

**Sec. 3-5-7. - Setting fire to brush or grass.**

It shall be unlawful for any person to set fire to any grass or brush pile without permission from the Athens-Clarke County Fire Department.

[Note: See also Sec. 4-4-1]

**Sec. 3-5-8. - Junked vehicles on private property.**

- (a) It shall be unlawful for any person to park, store, leave, or permit the parking, storing or leaving of any junked vehicle upon any private property within Athens-Clarke County for a period in excess of 30 days.
- (b) For purposes of this section, a "vehicle" shall mean any means of conveyance, whether self-propelled or not, that is designed to travel on the ground or on water or in the air, including, but not limited to, automobiles, buses, motorbikes, motorcycles, motor scooters, trucks, tractors, go-carts, golf carts, campers, recreational vehicles, boats, airplanes, train cars and any means of conveyance which are designed to be pulled by motorized vehicles upon the roadway such as boat trailers, wagons, balers, motorcycle trailers, auto transport trailers, and any other trailer designed to haul specific items attached to motor vehicles on the roadway. For purposes of this section, a "junked vehicle" is any vehicle defined above which vehicle either does not have lawfully affixed on it an unexpired license plate or tax stamp, or which vehicle is wrecked, dismantled, partially dismantled, inoperative, abandoned, or discarded.

**Sec. 3-5-21. - Theft and diversion of Athens-Clarke County and public utility services.**

- (a) It shall be unlawful for any person, intentionally and without authority, to destroy, damage or tamper with any meter, pipe, conduit, wire, line, post, lamp or other apparatus owned by Athens-Clarke County or by any company engaged in the manufacture or sale of electricity, gas, water, telephone, cable television or other public service.
- (b) It shall be unlawful for any person, intentionally and without authority, to prevent a meter from properly registering the quantity of such service supplied or in any way to interfere with the proper action of Athens-Clarke County or of a company engaged in the manufacture or sale of electricity, gas, water, telephone, cable television or other public service, or intentionally to divert any of the services of Athens-Clarke County or such company, or otherwise intentionally and without authority to use or cause to be used, without consent of Athens-Clarke County or such company, any service manufactured, sold or distributed by Athens-Clarke County or such company.
- (c) No person shall knowingly receive the benefits of acts of diversion or of tampering with electricity, gas, water, telephone, cable television or other public service without the proper charge.
- (d) Proof that any of the acts specified in this section was done on premises in possession of an accused, or that the accused received the benefit of any such act, shall be prima facie evidence that the accused committed such act or aided and abetted in the commission thereof.

**Sec. 3-5-24. - Noise control.**

- (b) Sound measurement standards for law enforcement personnel. For the purposes of this section 3-5-24, "plainly audible" shall mean any sound emanating from the specific sound-producing sources set forth below which can be heard from the distances set forth below, using the following sound measurement standards: Measurement shall be by the auditory senses of a person standing at a distance no less than the required minimum distance from the source of the sound. For music and other noise, words and phrases need not be discernible. For music and other noise, bass reverberations are included.
- (c) Prohibited conduct.
  - (1) Restrictions of 300 feet for 7:00 a.m. through 11:00 p.m. Sunday through Thursday and 7:00 a.m. through 12:00 midnight on Friday and Saturday.
    - a. Mechanical sound-making devices. It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the building, structure or vehicle, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 7:00 a.m. and 11:00 p.m. Sunday through Thursday and between the hours of 7:00 a.m. and 12:00 midnight on Friday and Saturday.
    - b. Human-produced sounds. It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the place, building, structure, or in the case of real property, beyond the property limits, in which the person is located, whichever is farthest, between the hours of 7:00 a.m. and 11:00 p.m. Sunday through Thursday and between the hours of 7:00 a.m. and 12:00 midnight on Friday and Saturday.
    - c. Commercial advertising. It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 300 feet or more from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of

7:00 a.m. and 11:00 p.m. Sunday through Thursday and between the hours of 7:00 a.m. and 12 midnight on Friday and Saturday.

- d. Party noise. It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or social event to produce noise in such a manner that such noise is plainly audible at a distance of 300 feet or more from the building or structure from which the noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 7:00 a.m. and 11:00 p.m. Sunday through Thursday and between the hours of 7:00 a.m. and 12 midnight on Friday and Saturday. For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who resides in or on the premises involved in such party or social event and is present at such party or social event. For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.
- (2) Restrictions of 100 feet for 11:00 p.m. through 7 a.m. Sunday through Thursday and 12:00 midnight through 7:00 a.m. on Saturday and Sunday.
- a. Mechanical sound-making devices. It is unlawful for any person or persons to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the building, structure, or motor vehicle or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday.
  - b. Human-produced sound. It is unlawful for any person or persons to yell, shout, hoot, whistle, or sing on the public streets or sidewalks or on private property so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the place on public streets and sidewalks, or in the case of private real property, beyond the property limits, on which the person is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday.
  - c. Commercial advertising. It is unlawful for any person or persons to use, operate, or permit to be used or operated any radio receiving device, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets or other public property for the purpose of commercial advertising or which serves to attract the attention of the public to any building, structure or vehicle in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the source of the sound cast upon the public streets or other public property or from the building, structure, or in the case of real property, beyond the property limits, in which it is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday.
  - d. Party noise. It is unlawful for any person or persons in charge of a party or other social event that occurs on any private property to allow that party or event to produce noise in such a manner so as to such noise is plainly audible at a distance of 100 feet or more from the building or structure from which the party noise is emanating or in the case of real property, beyond the property limits, on which the party or social event is located, whichever is farthest, between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and between the hours of 12:00 midnight and 7:00 a.m. on Saturday and Sunday. For the purposes of this subsection, a "person in charge of a party or other social event" shall mean any adult person who resides in or on the premises involved in such party or social event and is present at such party or social event. For the purposes of this subsection, "noise" shall mean the same sounds, or any combination thereof, as described in paragraphs a. or b. above.

- (5) Time restrictions on use of landscape maintenance motorized devices such as leaf blowers, lawn mowers, or chain saws. It is unlawful for any person to use or operate any noise-generating, motorized landscape maintenance devices, including but not limited to leaf blowers, lawn mowers, or chain saws, within any residential zoning district or in areas within 300 feet of any residential zoning district from 8:00 p.m. to 8:00 a.m. except that within the agricultural-residential zone no person shall use or operate any such devices within 300 feet of any residential dwelling on adjacent property between the hours of 9:00 p.m. and 7:00 a.m.

OCGA § 40-6-14. Limits on sound volume produced by radio, tape player, or other mechanical sound-making device or instrument from within the motor vehicle.

It is unlawful for any person operating or occupying a motor vehicle on a street or highway to operate or amplify the sound produced by a radio, tape player, or other mechanical sound-making device or instrument from within the motor vehicle so that the sound is plainly audible at a distance of 100 feet or more from the motor vehicle.

#### **Sec. 4-4-1. - Open burning prohibited**

It is unlawful for any person in any area of Athens-Clarke County to cause, suffer, allow, or permit "opening burning" of vegetative matter such as leaves, grasses, tree limbs or stumps, including the "slash burning" of forest residue for land-clearing purposes; of refuse, trash, or rubbish of any kind; of any materials which include soils or are in contact with soils during burning; of any other "open-burning" material; or to use for "open burning" any non-containment devices such as air-curtain destructors, common back-yard fireplaces, open metal drums, burn barrels, or burn pits, except as follows:

- (1) For recreational purposes or for cooking food for immediate human consumption.
- (2) Operation of devices using open flames such as kettles, blow torches, welding torches, portable heaters, and other flame-making equipment.

[other items not applicable]

[Note: See also Sec. 3-5-7]

#### **Chapter 4-1. Animal Control**

##### **Article 2. - Duties and Prohibitions Relating to Control of Animals**

- (a) It shall be unlawful for any owner of a domestic animal not to control the animal at all times through one of the following means:
- (1) On a leash when off the property of the owner;
  - (2) Within the passenger area of a vehicle driven or parked on the streets;
  - (3) Within the property limits of its owner and attended by its owner; or
  - (4) Confined within the property limits of its owner or of another with the permission of the person in control of the property.

*Confined* means in a building, pen or fenced area or other structure built to prevent intrusion or escape by any dog.

##### **Section 4-1-3. - Specific requirements for confinement**

It shall be an offense for any owner of a domestic animal not to satisfy the following requirements:

- (a) Any tether used to temporarily confine an animal while attended by its owner must be attached to a collar or harness and shall not be wrapped directly around the animal's neck. Such tethers shall not be excessively heavy or weighted so as to inhibit the animal's movement.
- (b) All domestic animals shall be provided with sanitary shelter from the elements. Said shelter shall be designed, constructed and maintained to protect the animal from rain, snow, ice, excessive cold, excessive heat and excessive direct sunlight, and of a size to allow the animal sufficient space to stand, turn around, and lie down, and make all other normal body movements in a normal and comfortable position appropriate to the age, size, and health of the animal. Examples of inadequate shelter include, but are not limited to, lean-tos, metal or plastic drums, boxes, vehicles, or the area on

or beneath exposed porches or decks. Nothing in this subsection shall be construed to prevent the transportation and temporary confinement of a domestic animal within the passenger area of a vehicle provided that the animal is provided adequate ventilation and temperature control in order to protect the animal from excessive heat or cold.

- (c) All domestic animals shall be provided with clean, potable water at all times.
- (d) An owner must promptly remove and dispose of animal excrement and food wastes and debris so as to minimize vermin infestation, contamination, odors, and disease hazards.
- (e) All domestic animals shall be provided with a safe and sanitary confinement area constructed to confine the animal, to protect the animal from injury, and of a sufficient space to allow for adequate exercise suitable to the age, size, species, and breed of animal. The area shall have a means to rapidly eliminate excess water and minimize mud.
- (f) Exemptions. Feral cat colony caretakers are exempt from the requirements of this section.

#### Section 4-1-4. - Prohibitions for domestic animals.

It shall be unlawful for any person to permit a domestic animal under his or her ownership or possession to do the following:

- (a) Go upon the property of any person other than its owner or keeper without the express consent of such other owner or occupant;
- (b) Attack or act so as to menace pedestrians or other persons using public ways or on the property of another.

Pending an adjudication for any citation for a violation of this subparagraph (b), the person cited shall be required to maintain the dog in a proper enclosure, as defined in this chapter. Any person convicted of violating this subsection, in addition to penalties provided for in section 4-1-14, shall be required to maintain the dog in a proper enclosure, as defined in this chapter.

- (c) Disturb the peace of any other person by loud, persistent, habitual barking, howling, growling, yelping or whining.

No person shall be charged with violating this subsection unless written warning has previously been issued within 90 days of the charged violation.

No citation for violation of this subsection shall be issued unless there are at least two complaining witnesses who shall have signed a written statement stating the address of the dog owner, a description of the dog and of the offense and the date, time and location of the offense;

- (d) Reserved.
- (e) Be in heat and not be confined in an enclosure to the property of its owner or keeper.
- (f) Exemptions. Feral cat colony caretakers are exempt from the requirements of this section.

#### Section 4-1-6. - Control and removal of animal wastes.

- (a) It shall be unlawful for the owner of any animal to refuse or fail to immediately remove any feces deposited by such animal upon public sidewalks, public streets, public parks or other public property in Athens-Clarke County, or upon any private property within Athens-Clarke County not under the exclusive use and control of said owner or keeper.
- (b) It shall be unlawful for the owner of any animal to permit such animal to defecate or urinate upon any private property except that upon which he or she resides or owns unless he or she has the permission of the owner of such other private property.
- (c) Exemptions. Feral cat colony caretakers are exempt from the requirements of this section.

#### Section 4-1-7. - Guard dogs.

It shall be the duty of the owner, tenant or custodian of any residential or commercial property on which a guard dog is kept for security purposes to post a notice in a prominent and conspicuous location on such property. Such notice shall comprise the words "Warning Guard Dog" and shall be in clearly contrasting color. Such letters shall be not less than one inch in width and not less than five inches in height. If a guard dog is confined within a fenced area, such notice shall be conspicuously posted upon such fence at every entrance and exit of the fence.

#### Section 4-1-8. - Identification and inoculation.

It shall be unlawful for any person to own, possess or maintain any dog or cat that does not have a current rabies inoculation and any such dog or cat shall wear at all times a securely attached collar about its neck displaying such current rabies tag. A feral cat that has been ear tipped is exempt from displaying collar and rabies tag.

#### **Sec. 5-2-7. - Leaf and Limb Service**

- (a) Leaf and limb service—Collection of brush, leaves and limbs generally. The solid waste department shall provide this service throughout Athens-Clarke County. Residential customers are the primary recipients of this service; however, commercial customers may receive this service on a cost-of-service basis.
- (b) Frequency of service—Amount collectible. The solid waste department shall not collect more than one load at any one location per predetermined cycle unless collected as an unscheduled service. A "load" is defined as one three-quarter-ton pickup truck or six cubic yards.
- (c) Placement and preparation of items generally. Brush and limbs shall be placed between curb and sidewalk. Where there is no sidewalk, limbs may be placed on the owner's property near the street. Limbs shall not be over six feet in length or four inches in diameter and shall be completely trimmed. Limbs shall be stacked no closer than 50 feet from an intersection and shall be in a manner not to obstruct the view of traffic. All limbs and leaves shall be separated with limbs placed in one direction, that is, with all cut ends together. Leaves and grass shall be placed in paper lawn bags or other approve biodegradable containers and placed between curb and sidewalk. Alternate containers must be approved by the director of the solid waste department. Where there is no sidewalk, bags shall be placed on the owner's property near the street. Shrubbery clippings, vines, briars and other running plants must be separated from all other leaf and limbs placed near the street for collection. Dirt, rocks, grass roots and other plant roots containing soil shall not be collected by Athens-Clarke County.

Leaves, limbs, grass or other trimmings shall be placed in an orderly manner so as not to obstruct the free and normal flow of any drainage system or the safe vision or movement of any pedestrian or vehicular traffic. Such debris shall not be placed in the gutter of any roadway at any time.

It shall be unlawful for any person to place or dispose of any leaves, limbs, grass or other trimmings within the public rights-of-way throughout Athens-Clarke County at any time except as provided in this section.

- (d) Placement of items by persons other than property owner. Limbs cut and placed near the street for collection by any person other than the owner of the property shall not be collected or hauled by Athens-Clarke County. Individuals or companies under contract to collect leaves and limbs shall haul and dispose of all such refuse. This requirement also applies to utility or railroad companies which trim vegetation away from their wires, equipment or tracks to maintain their right-of-way over public and private land.
- (e) Items placed on vacant lots. Leaves or limbs put on vacant lots by property owners or violators shall not be collected.
- (f) Entry on property by Athens-Clarke County vehicles and employees. Except as otherwise provided, Athens-Clarke County owned vehicles shall not enter upon private property to collect limbs or other solid waste, and employees are hereby prohibited from entering upon private property to collect limbs which are placed more than five feet behind the sidewalk or property line, whichever is the farthest from the centerline of the street.
- (g) Length of time materials may remain at the curb. Such debris as leaves, limbs or other trimmings shall not be placed within a public right-of-way more than ten calendar days prior to the Monday of the week scheduled for the collection and removal of such debris by Athens-Clarke County or a private or commercial collector.

## Section 7-1-1. - Permits

Summary (not a part of the code): A building permit issued by the building official is required in advance of the initiation of construction, erection, moving or alteration of any building or structure where the estimated cost of construction, erection, moving, or alterations is figured to be in excess of \$100.

(A) Permit required.

(1) Except as specified in paragraph (b) below, no building, structure, or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate, appropriate building permit for each building, structure or building service equipment has first been obtained from the building official.

(2) A special building permit for a limited time shall be obtained before the erection of temporary structures such as construction sheds, office trailers, seats, canopies, tents, and fences used in construction work or for temporary purposes such as reviewing stands. Such structures shall be completely removed upon the expiration of the time limit stated in the temporary permit.

(B) Exemptions. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances.

(1) Building permits. A building permit shall not be required for the following:

- a. Replacement of asphalt shingles on roofs or mineral-surfaced roll roofing.
  - b. Movable cases, counters, and partitions not over five feet high.
  - c. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work, and interior moldings, but not including replacement of interior wall coverings or exterior wall coverings.
  - d. Swings and other playground equipment accessory to a one or two-family dwelling.
- The above exemptions from a building permit do not exempt the requirement for obtaining a sub-trade permit for work associated with the above referenced construction activities except as follows.

(2) Plumbing permits. A plumbing permit shall not be required for the following:

- a. The stopping of leaks in drains, soil, waste or vent pipe; provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.
- b. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, and for the removal and reinstallation of water closets; provided, however, such repairs do not involve or require the replacement or rearrangement of valves and/or pipes.

(3) Electrical permits. An electrical permit shall not be required for the following:

- a. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.
- b. Repair or replacement of fixed motors, transformers, or fixed approved appliances of the same type and rating in the same location.
- c. Temporary decorative lighting.
- d. Repair or replacement of current-carrying parts of any switch, contactor, lamp, receptacle, lighting fixture, or control device.
- e. Reinstallations of attachment plug receptacles.
- f. Repair or replacement of any overcurrent device or breaker of the required capacity in the same location.

- g. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
- h. Taping joints.
- i. Removal of electrical wiring.
- j. Temporary wiring for experimental purposes in suitable experimental laboratories.
- k. The wiring for temporary theater, motion picture or television stage sets.
- l. Low-energy power, control and signal circuits of Classes II and III as defined in the Electrical Code.
- m. Installation, alteration, or repair of electrical wiring, apparatus, or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

(4) Mechanical permits. A mechanical permit shall not be required for the following:

- a. Any portable heating, cooking or clothes drying appliance.
- b. Any portable ventilating equipment.
- c. Any portable cooling unit.
- d. Any portable evaporative cooler.
- e. Replacement of any component part of assembly of an appliance which does not alter its original approval and complies with other applicable requirements of technical codes.
- f. Self-contained refrigeration systems containing ten pounds (4.5kg) or less of refrigerant or that are actuated by motors of one horsepower (746 W) or less.

(5) Emergency Repairs. Where equipment replacement and repairs must be performed in an emergency situation, the permit application shall be submitted to the building official within the next two working business days following the completion of such repairs.

(6) Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting egress requirements; nor shall any ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**Sec. 7-3-12. - Designation of street and house numbers.**

Numerals indicating the official numbers for each principal building or each front entrance to such building shall meet a minimum of one (1) of the following requirements:

- a. Numerals shall be a minimum of two (2) inches if posted on a mailbox located along a public right-of-way in front of the principal structure to be identified.
- b. Numerals shall be a minimum of four (4) inches if located on a principal structure within 50 feet of the public right-of-way. The numeral size shall be increased one (1) inch in size for each additional 50-foot increment of distance between the public right-of-way on which the principal structure fronts and the principal structure itself.

It is the intent of this regulation that numerals indicating the official numbers shall be posted in such a manner as to be clearly legible and distinguishable from the street on which the property is located.

**Section 9-15-1. - Fences**

Except as otherwise specifically provided in other sections of this Code, fences and free-standing walls are allowed subject to the following standards:

- A. For uses in any RS districts, or single family residential uses in any other district, the following standards apply:
1. A fence of any type in any required front yard provided the fence does not exceed 48 inches in height.
  2. A fence or wall of any type in any rear or side yard provided the fence or wall does not exceed eight feet in height.
  3. The height of fences or walls in rear or sideyard setback areas abutting a public right-of-way shall be 48 inches or less if said fences or walls are within ten feet of any public right-of-way except an alley, except as otherwise required by the Athens-Clarke County Building Code.
  4. The framework for newly constructed fences and walls shall face toward the builder's property, except where fences are jointly constructed.
  5. Fences shall lean at an angle from the vertical plane no greater than five percent.

**Section 9-15-12. - Accessory buildings and structures**

[*Note the following definitions from Chapter 9-2* Accessory structure: A structure on the same lot with, and of a size and nature customarily incidental and subordinate to, the principal structure. Examples of accessory structures include, but are not limited to, the following: detached garages and/or carports; storage structures and/or barns; freestanding greenhouses; aboveground swimming pools and pool houses; tennis courts; satellite dish antennas; freestanding workshops; freestanding decks and gazebos; radio and/or TV antenna structures not attached to the principal structure; paved areas other than driveways and walkways; and property identification signs not associated with or attached to a mailbox. Accessory use: A use on the same lot with, and of a nature customarily incidental and subordinate to, the principal use.]

Accessory buildings and structures shall comply with all requirements for the principal use except where specifically modified by this title and shall comply with the following limitations:

- A. A greenhouse or hothouse may be maintained accessory to a dwelling in any RS or RM districts.
- B. A guesthouse may be maintained accessory to a single-family dwelling provided there are no kitchen cooking facilities in the guesthouse.
- C. Mechanical equipment shall be subject to the provisions of this section. Such equipment shall not be located between the main structure on the site and any street adjacent to a front or sideyard, and every attempt shall be made to place such equipment so that it is not visible from adjacent public streets. Any installation of mechanical equipment shall require a building permit.
- D. Regardless of the side and rear yard requirements of the district, in a residential district, a side or rear yard may be reduced to three feet for an accessory structure, including swimming pools, erected more than 50 feet from any street, other than alleys, provided the structure is detached and separated from other buildings and structures by ten feet or more, and is no more than 15 feet in height.
- E. Exclusive of swimming pools, no more than three accessory structures per lot are permitted in any RS zone, which may not total more than 25 percent of the total square footage of the principal structure on the lot. The contiguous roofed portion of the principal structure, including covered porches, garages, and carports shall be included in this calculation. The total square footage shall be exclusive of attics, crawl spaces, and similar storage areas.
- F. Except in the A-R zone, an accessory structure for a single-family residence is not permitted in a front yard, unless erected more than 100 feet from the front street right-of-way.
- G. Signs, fences, parking, driveways, accessory dwellings, and temporary structures are not subject to the provisions of this section.

**Section 7-1-229. - Swimming pools**

- (a) Every swimming pool which has a minimum depth of 24 inches shall be completely surrounded by a fence or wall not less than four feet in height, which shall be so constructed as not to have openings, holes or gaps larger than four inches in any dimensions except for doors and gates. If a picket fence is erected or maintained, the horizontal dimension shall not exceed four inches. A dwelling house or accessory building may be used as a part of the structure.

- (b) All gates or doors opening through the enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.
- (c) This section shall be applicable to all new residential family swimming pools hereafter constructed. This section shall apply to all existing residential family swimming pools which have a minimum depth of 24 inches of water, except that the height of the fence or wall shall be four feet. Every person in possession of land within Athens-Clarke County, either as owner, purchaser, lessee, tenant or licensee, upon which is situated a family residential swimming pool having a minimum depth of 24 inches shall provide and maintain such fence or wall as required in this section.

**Miscellaneous Code**

Sec. 3-5 - Discharge of firearms and hunting

- (e) Discharge of center fire rifles restricted. It shall be unlawful to fire a center fire rifle within 900 feet of any structure reasonably capable of habitation or occupation in the legal possession of another without express permission of such other.
- (d) Discharge of other firearms restricted. It shall be unlawful to fire any other type of firearm within 600 feet of any structure reasonably capable of habitation or occupation in the legal possession of another without express permission of such other.
- (e) Discharge of firearms near streets. It shall be unlawful to discharge any firearm within 150 feet of any public street, thoroughfare, way or alley.
- (f) Shooting birds or animals restricted. Except where permitted by state law, it shall be unlawful within the confines of Athens-Clarke County to shoot with any firearm any bird or animal except when such bird or animal is endangering a person or one's own property.

Sec. 3-12-19. - Private property to be maintained free of litter

The owner, occupant, or person in control of any private property shall at all times maintain the premises free of litter; provided, however, this section shall not prohibit the storage of litter in authorized private receptacles for collection.

Sec. 3-13-7. - Undesirable vegetation

It shall be unlawful for the owner and/or occupant of any occupied lot of land in Athens-Clarke County, or the owner of any unoccupied lot in Athens-Clarke County, or for any agent or representative of any such occupant or owner, to permit or maintain on such lot any growth of undesirable vegetation. The complaint and inspection of undesirable vegetation shall be as set forth in section 3-13-6.

Sec. 6-6-3. - Business regulations, display of permit and identification.

- (a) It shall be unlawful for any person engaged in street sales or itinerant sales to fail to have said permit prominently displayed in such a location and in such a manner so as to be conspicuous and visible at all times while engaged in the permitted activity.
  - (b) It shall be unlawful for any person engaged in street sales or itinerant sales to fail to have the individual identification badge prominently displayed on the permittee's person in such a manner so as to be conspicuous and clearly visible at all times while engaged in the permitted activity.
- [Itinerant sales include door-to-door sales.]

Section 7-2-7-l Sight lines at intersections

In addition, at all intersections a clear sight triangle shall be enforced on the property frontage along the roadway based on specific site conditions including right-of-way widths, pavement widths and topography.

Section 7-2-7-k - Landscaping

No landscaping, fences, terraces or other natural or artificial features adjacent to any street shall be of a nature impairing visibility from or of approaching vehicular traffic where such visibility is important to safety nor shall such features in any way create potential hazards to pedestrians.

Sec. 7-3-1. - Throwing paper, organic waste, grass cuttings, trash on street.

It shall be unlawful for any person to throw paper, organic waste, grass cuttings, or any other trash or garbage onto another person's property, or on any of the streets, sidewalks, and rights-of-way, or any public or semipublic parking facility within Athens-Clarke County.

Sec. 7-3-2. - Throwing, etc., tree limbs or leaves on streets.

It shall be unlawful for any person to throw, place or otherwise cause to be placed any tree limbs or leaves in or on any public street inside the curblineline or on the sidewalks in Athens-Clarke County.

Section 7-4-6 (19) - Signs

Signs tacked, painted, posted, marked or otherwise affixed to trees, rocks, utility poles or other similar structures or natural features [are prohibited; applies to the stop sign at front entrance and utility poles and trees on the right of way].

Sec. 8-3-4. - Minimum requirements for erosion, sedimentation and pollution control, using best management practices

(a) General provisions. Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of this chapter and the State General Permit (NPDES General Permit) are not met. Therefore, plans for those land-disturbing activities which are not exempted by this chapter shall contain provisions for application of soil erosion and sedimentation and pollution control measures and practices.

Sec. 9-15-18. - Definition of family restrictions in AR and RS zones.

B. It shall be unlawful for the occupants residing in or for the owner of any single dwelling unit located in any RS zoning district or any "AR neighborhood" to have more than two unrelated individuals residing therein, nor shall any family as defined in this section have, additionally, more than one unrelated individual residing with such family. For the purposes of this paragraph B, one unrelated individual residing with a family shall include the minor children of such unrelated individual residing with him or her.