

ADVERTISED \_\_\_\_\_

PUBLIC HEARING \_\_\_\_\_

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ADOPTED \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ARTICLE XII. - ADMINISTRATION, INTERPRETATION, ENFORCEMENT, PENALTIES AND REMEDIES[6] SECTION 1204 "BUILDING PERMIT REQUIRED" TO PROVIDE FOR A SITE PLAN ON FIVE ACRES OR LESS; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL CONFLICTING ORDINANCES AND RESOLUTIONS, AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Banks County adopted by resolution on March 12, 2002, the codification of Resolutions, General Resolutions and Ordinances passed by the Board of Commissioners of Banks County as "The Code of Banks County, Georgia" published by Municipal Code Corporation; and further provided for the manner of amending the Code of Banks County, Georgia;

WHEREAS, the Board of Commissioners of Banks County desires to amend ARTICLE XII. - ADMINISTRATION, INTERPRETATION, ENFORCEMENT, PENALTIES AND REMEDIES SECTION 1204 "BUILDING PERMIT REQUIRED" TO PROVIDE FOR A SITE PLAN ON FIVE ACRES OR LESS;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF BANKS COUNTY, GEORGIA, AS FOLLOWS:

SECTION 1204.- "BUILDING PERMIT REQUIRED" is amended to provide a site plan shall be required for residences and accessory structures on 5 acres or less so when amended the Paragraph will read as follows:

No building, structure or sign, except as specifically exempted by these regulations, shall be erected, moved; extended, enlarged or structurally altered, nor shall any excavation or filling of any lot for the construction of any building or other structure be commenced until the zoning administrative officer has issued a building permit for such work in conformity with the provisions of these regulations. A site plan shall be required for residences and accessory structures on 5 acres or less. All building permits shall be issued by the zoning administrative officer. In cases of uncertainty regarding whether a proposed building or other structure conforms to any provisions of these regulations, the zoning administrative officer shall consult with the county attorney for his interpretation. A building permit shall become invalid unless the work authorized by it shall have been commenced within 90 days after its date of issue, or if the work authorized by it is suspended or abandoned for a period of six months or more.

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All Resolutions, or Ordinances, or parts thereof, in conflict with the terms of this Resolution are hereby repealed, but it is hereby provided that any resolution, ordinance or law, which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, which shall be liberally construed to be in favor of Banks County, is hereby adopted as part hereof.

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If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of this Resolution shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid. It is hereby declared to be the intent of the Board of Commissioners to provide for separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

This Resolution is hereby adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and shall be codified as a part of the Code of Banks County, Georgia, to become effective upon the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the public health, safety and general welfare demanding it.

**BANKS COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice Chairman

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

**ATTEST:**

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Seal