

West's Code of Georgia Annotated

Title 41. Nuisances

Chapter 2. Abatement of Nuisances Generally (Refs & Annos)

Ga. Code Ann., § 41-2-8

§ 41-2-8. Definitions

Currentness

As used in [Code Section 41-2-7](#), this Code section, and [Code Sections 41-2-9](#) through [41-2-17](#), the term:

(1) “Applicable codes” means (A) any optional housing or abatement standard provided in Chapter 2 of Title 8 as adopted by ordinance or operation of law, or other property maintenance standards as adopted by ordinance or operation of law, or general nuisance law, relative to the safe use of real property; (B) any fire or life safety code as provided for in Chapter 2 of Title 25; and (C) any building codes adopted by local ordinance prior to October 1, 1991, or the minimum standard codes provided in Chapter 2 of Title 8 after October 1, provided that such building or minimum standard codes for real property improvements shall be deemed to mean those building or minimum standard codes in existence at the time such real property improvements were constructed unless otherwise provided by law.

(2) “Closing” means causing a dwelling, building, or structure to be vacated and secured against unauthorized entry.

(3) “Drug crime” means an act which is a violation of Article 2 of Chapter 13 of Title 16, known as the “Georgia Controlled Substances Act.”

(4) “Dwellings, buildings, or structures” means any building or structure or part thereof used and occupied for human habitation or commercial, industrial, or business uses, or intended to be so used, and includes any outhouses, improvements, and appurtenances belonging thereto or usually enjoyed therewith and also includes any building or structure of any design. As used in [Code Section 41-2-7](#), this Code section, and [Code Sections 41-2-9](#) through [41-2-17](#), the term “dwellings, buildings, or structures” shall not mean or include any farm, any building or structure located on a farm, or any agricultural facility or other building or structure used for the production, growing, raising, harvesting, storage, or processing of crops, livestock, poultry, or other farm products.

(5) “Governing authority” means the board of commissioners or sole commissioner of a county or the council, board of commissioners, board of aldermen, or other legislative body charged with governing a municipality.

(6) “Interested parties” means:

(A) Owner;

(B) Those parties having an interest in the property as revealed by a certification of title to the property conducted in accordance with the title standards of the State Bar of Georgia;

(C) Those parties having filed a notice in accordance with [Code Section 48-3-9](#);

(D) Any other party having an interest in the property whose identity and address are reasonably ascertainable from the records of the petitioner or records maintained in the county courthouse or by the clerk of the court. Interested parties shall not include the holder of the benefit or burden of any easement or right of way whose interest is properly recorded which interest shall remain unaffected; and

(E) Persons in possession of said property and premises.

(7) “Municipality” means any incorporated city within this state.

(8) “Owner” means the holder of the title in fee simple and every mortgagee of record.

(9) “Public authority” means any member of a governing authority, any housing authority officer, or any officer who is in charge of any department or branch of the government of the municipality, county, or state relating to health, fire, or building regulations or to other activities concerning dwellings, buildings, or structures in the county or municipality.

(10) “Public officer” means the officer or officers who are authorized by [Code Section 41-2-7](#), this Code section, and [Code Sections 41-2-9 through 41-2-17](#) and by ordinances adopted under [Code Section 41-2-7](#), this Code section, and [Code Sections 41-2-9 through 41-2-17](#) to exercise the powers prescribed by such ordinances or any agent of such officer or officers.

(11) “Repair” means altering or improving a dwelling, building, or structure so as to bring the structure into compliance with the applicable codes in the jurisdiction where the property is located and the cleaning or removal of debris, trash, and other materials present and accumulated which create a health or safety hazard in or about any dwelling, building, or structure.

(12) “Resident” means any person residing in the jurisdiction where the property is located on or after the date on which the alleged nuisance arose.

Credits

Laws 1982, p. 2107, § 45; Laws 1986, p. 1508, § 2; Laws 1988, p. 1419, § 2; Laws 1989, p. 14, § 41; Laws 1989, p. 1161, § 2; Laws 1991, p. 94, § 41; Laws 2001, p. 1196, § 2; [Laws 2004, Act 659, § 1, eff. July 1, 2004](#).

Ga. Code Ann., § 41-2-8, GA ST § 41-2-8

The statutes and Constitution are current through legislation passed at the 2025 Regular Session of the Georgia General Assembly. Some sections may be more current, see credits for details. The statutes are subject to changes by the Georgia Code Commission.