

ORDINANCE NO. _____

AN ORDINANCE REPEALING CERTAIN EXISTING NUISANCE ARTICLE III, SECTIONS 36-81 THROUGH 36-81-120 AND UNSAFE BUILDING ORDINANCE Article IV SECTIONS 16-71 through 16-91; ADOPTING A NEW, UNIFIED, AND COMPREHENSIVE NUISANCE ABATEMENT ORDINANCE CONSISTENT WITH O.C.G.A. §§ 41-2-1 THROUGH 41-2-17; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Mayor and Council of the City of Jonesboro are charged with protecting the public health, safety, welfare, and general well-being of the community through the lawful exercise of the City's police powers; and

WHEREAS, Georgia law authorizes municipalities to define, regulate, and abate nuisances, including unsafe, unfit, dilapidated, vacant, and dangerous structures, and to pursue judicial nuisance abatement proceedings pursuant to O.C.G.A. §§ 41-2-1 through 41-2-17; and

WHEREAS, the City of Jonesboro has historically addressed nuisance conditions through multiple ordinances adopted at different times and codified in different Chapters and Articles of the City Code, including Article III (Nuisances), Sections 36-81 through 36-81-120, and Article IV (Unsafe and Dilapidated Buildings), Sections 16-71 through 16-91; and

WHEREAS, those existing ordinances, while adopted for valid purposes, are fragmented, located in different portions of the City Code, and do not collectively reflect the full statutory nuisance abatement process established by Georgia law, including modern requirements for notice, service, judicial proceedings, cost recovery, and lien enforcement; and

WHEREAS, the placement of nuisance-related provisions across multiple code sections and chapters has caused confusion for City staff, inconsistent enforcement practices, and uncertainty for property owners and members of the public as to the applicable procedures, standards, and consequences; and

WHEREAS, certain provisions of the existing ordinances are incomplete, procedurally outdated, or lack the level of specificity necessary to guide staff through step-by-step nuisance enforcement and abatement in a legally defensible manner; and

WHEREAS, the Mayor and Council find that it is in the best interests of the City to repeal and replace those separate and overlapping ordinances with one comprehensive, unified nuisance abatement ordinance, codified in a single Article, that clearly and consistently implements the nuisance abatement procedures authorized by O.C.G.A. §§ 41-2-1 through 41-2-17; and

WHEREAS, the proposed Comprehensive Nuisance Abatement Ordinance, newly codified as Chapter 36, Article III, Sections 36-81 through 36-124, provides clear definitions, delineates staff authority, establishes structured administrative and judicial processes, ensures due process protections, and authorizes lawful abatement and cost recovery mechanisms; and

WHEREAS, adoption of a single, consolidated ordinance will improve transparency, consistency, staff training, public understanding, and overall effectiveness of nuisance enforcement within the City;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF JONESBORO, GEORGIA, AS FOLLOWS:

Section 1. Repeal of Existing Ordinance Provisions.

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed, including, without limitation:

- (a) Chapter 36, Article III (Nuisances), Sections 36-81 through 36-81-120, in their entirety; and
- (b) Chapter 16, Article IV (Unsafe and Dilapidated Buildings), Sections 16-71 through 16-91, in their entirety.

Such repealed provisions are expressly declared to be superseded and replaced by the new comprehensive ordinance adopted herein.

Section 2. Adoption of New Comprehensive Nuisance Abatement Ordinance.

The City of Jonesboro Comprehensive Nuisance Abatement Ordinance, codified as Chapter 36, Article III, Sections 36-81 through 36-124, entitled “Comprehensive Nuisance Abatement Ordinance attached hereto is hereby adopted in full, and incorporated into the Code of Ordinances of the City of Jonesboro as the sole and controlling nuisance abatement ordinance of the City.

Section 3. Legislative Intent.

It is the express intent of the Mayor and Council that:

- (a) Nuisance abatement procedures within the City shall be governed exclusively by the newly adopted Article III.
- (b) City staff shall rely upon the unified ordinance for enforcement, training, and public guidance.
- (c) The ordinance shall be construed liberally to accomplish its remedial purposes while ensuring due process and statutory compliance.
- (d) Any scrivener’s or non-substantive revisions to this ordinance shall be made by the City Attorney prior to codification.

Section 4. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance or the ordinance adopted hereby is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon adoption, and the repeals and ordinance adoption authorized herein shall apply to enforcement actions initiated on or after the effective date, except as otherwise provided in the ordinance's transition provisions.

SO ORDAINED this ___ day of _____, 2026.

CITY OF JONESBORO, GEORGIA

Donya Sartor, Mayor

ATTEST:

Shandrella Jewett, City Clerk