

**ORDINANCE \_\_\_\_\_**

**ORDINANCE TO AMEND CHAPTER 24 OF THE CODE OF THE CITY OF LAWRENCEVILLE, GEORGIA  
RELATED TO NUISANCES TO UPDATE VARIOUS PROVISIONS AND FOR OTHER PURPOSES**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia shall be amended as follows:

**Section 1:**

That Sec. 24-1., related to *Definitions*, is hereby amended by deleting the definition of the term *Nuisance* and replacing the language to read as follows:

**Sec. 24-1. Definitions.**

*Nuisance* means anything which causes hurt, inconvenience, or damage to another, provided that the hurt, inconvenience, or damage complained of shall not be fanciful or such as would affect only one of fastidious taste, but it shall be as would affect an ordinary, reasonable person; and the fact that the act done may other wise be lawful shall not keep it from being a nuisance.

**Section 2:**

That the introductory paragraph of Sec. 24-2., related to *Proceedings to abate generally*, is hereby amended by deleting said introductory paragraph in its entirety and replacing the language to read as follows:

**Sec. 24-2. Proceedings to abate generally.**

Any nuisance existing within the corporate limits of the City, except for a nuisance hereinafter excepted, shall be abated in the manner set forth in this chapter.

**Section 3:**

That subsection (2) of Sec. 24-2., related to *Proceedings to abate generally*, is hereby amended by deleting subsection (2) in its entirety and replacing the language to read as follows:

**Sec. 24-2. Proceedings to abate generally.**

- (2) Notice of complaint and hearing.
  - a. Upon the filing of a complaint as provided in this section, the Municipal Court shall issue a notice directed to the owner of the premises upon which the nuisance complained of is located and, if the person maintaining the same is a different person from the owner, then also to the person maintaining the nuisance, calling on such person to show cause, either personally or by attorney, at the time and place directed by the Municipal Court, why such activity alleged to be a nuisance should not be ordered abated and removed by the City. Such notice (including a copy of the

complaint) shall be served at least fourteen (14) days prior to the date set for the hearing by any police officer of the City by posting a copy on the property within three (3) business days of filing the complaint and at least fourteen (14) days prior to the date of the hearing.

- b. A copy of such notice shall be mailed by certified mail, return receipt requested, or statutory overnight delivery to all interested parties whose identities and addresses are reasonably ascertainable.
- c. A copy of such notice shall also be mailed to the property address to the attention of the occupants of the property.
- d. For interested parties whose mailing address is unknown, a notice stating the date, time and place of the hearing shall be published in the newspaper in which sheriff's advertisements appear once a week for two consecutive weeks prior to the hearing.
- e. A notice of lis pendens shall be filed in the office of the clerk of superior court at the time of filing the complaint.
- f. Orders and other filings made subsequent to service of the initial complaint shall be served in the manner provided for in this section on any interested party who answers the complaint or appears at the hearing. Any interested party who fails to answer or appear at the hearing shall be deemed to have waived all further notice in the proceedings.

#### **Section 4:**

That the heading of Sec. 24-5., related to *Duties of the Director of Planning, Zoning and Inspections*, is hereby amended by deleting the heading of Sec. 24-5. and replacing the language to read as follows:

#### **Sec. 24-5. Duties of Director of Planning and Development.**

#### **Section 5:**

That subsection (a) of Sec. 24-5., related to *Duties of Director of Planning and Development*, is hereby amended by deleting subsection (a) in its entirety and replacing the language to read as follows:

#### **Sec. 24-5. Duties of Director of Planning and Development.**

- (a) Pursuant to the authority of O.C.G.A. § 41-2-9, the City Council does hereby designate the Director of Planning and Development as the public officer with the authority to enforce the provisions of section 24-4. The Director of Planning and Development may determine, under existing ordinances, that dwellings, buildings or structures are unfit for human habitation or are unfit for its current commercial, industrial, or business use if he finds that conditions exist in such buildings, dwellings, or structures which are dangerous or injurious to the health, safety or morals of the occupants of such dwellings, buildings or structures; of the occupants

of neighborhood dwellings, buildings, or structures; or of other residences of the City. Such conditions may include the following, without limiting the generality of the foregoing:

- (1) Defects therein increasing the hazards of fire, accidents, or other calamities;
- (2) Lack of adequate ventilation, light, or sanitary facilities;
- (3) Dilapidation;
- (4) Disrepair;
- (5) Structural defects; and
- (6) Uncleanliness.

**Section 6:**

That subsection (c) of Sec. 24-5., related to *Duties of Director of Planning and Development*, is hereby amended by deleting subsection (c) in its entirety and replacing the language to read as follows:

**Sec. 24-5. Duties of Director of Planning and Development.**

- (c) Within the context of this chapter, the public official shall utilize the existing codes of the City to the standard for satisfaction of the provisions of this chapter, including, but not limited to, the electrical codes, building codes, and fire codes previously adopted by the City Council.

**Section 7:**

That the heading of Sec. 24-6., related to *Powers of Director of Planning, Zoning and Inspections*, is hereby amended by deleting the heading of Sec. 24-6. and replacing the language to read as follows:

**Sec. 24-6. Powers of Director of Planning and Development.**

**Section 8:**

That the introductory paragraph of Sec. 24-6., related to *Powers of Director of Planning and Development*, is hereby amended by deleting the introductory paragraph in its entirety and replacing the language to read as follows:

**Sec. 24-6. Powers of Director of Planning and Development.**

The Director of Planning and Development is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter and O.C.G.A. §§ 41-2-7, et seq., in addition to others:

**Section 9:**

That subsection (1) of Sec 24-6., related to *Powers of Director of Planning and Development*, is hereby amended by deleting subsection (1) in its entirety and replacing the language to read as follows:

**Sec. 24-6. Powers of Director of Planning and Development.**

- (1) To investigate the dwelling conditions in the City in order to determine which dwellings, buildings, or structures therein are unfit for human habitation or are unfit for current commercial, industrial or business use or are vacant, dilapidated, and being used in connection with the commission of drug crimes;

**Section 10:**

Except as specifically amended as set forth above, all other section, subsections, sub-subsection, paragraphs, etc. of Chapter 24 shall remain in full force and affect.

**Section 11:**

All ordinances, regulations, or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict and only to the extent of said conflict.

**Section 12:**

If any section, article, paragraph, sentence, clause, phrase, or word in this ordinance, or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 13:**

This ordinance shall become effective upon its adoption by the City Council.

**IT IS SO ORDAINED** this \_\_\_\_\_ day of October 2024.

\_\_\_\_\_  
David R. Still, Mayor

Attest:

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Karen Pierce, City Clerk