
Amendment #5 Amend Section 11-6-110 definition of litter, add definition of egregious litter, rubbish and trash. Section 11-6-120 Add lettering A and B to existing verbiage and add letter C for egregious dumping. Section 130 and add guidelines for burned structures by adding a new section 130 – renumber remaining sections.

This amendment is being proposed with the intent of helping code enforcement with litter control violations. Egregious letter being added to emphasis the enormity of some dumping violations. We added burned structures with requirements that the burned structure be demolished or re-permitted for repairs after a certain amount of time allowing for fire and insurance investigations. Currently we deal with burned structures as litter. The Planning Commission recommended approval with adding the word “demolished” as mentioned.

10-14-14 Work Session comments: Remove the words sand and gravel from the definition of litter.

PART 11-6 LITTER CONTROL

Section 11-6-110 Definitions

Litter: Any discarded or abandoned:

1. — ~~Refuse, rubbish, junk or other waste material; or~~
2. — ~~Dead animals that are not subject to the provisions of O.C.G.A. § 4-5-4.~~

Litter: means ~~Sand, gravel,~~ Slag, brickbats, rubbish, waste material, tin cans, refuse, garbage, trash, debris, dead animals, discarded materials of every kind and description or paper products of every kind and description including, but not limited to, advertising materials, newspapers, promotional papers, letters, bills, publications, or other writings.

Egregious Litter: means all litter, as such term is defined in this article, exceeding ten pounds in weight or 15 cubic feet in volume; any discarded or abandoned substance in any weight or volume if biomedical waste, hazardous waste, or a hazardous substance; or any substance or material dumped for commercial purposes.

Rubbish: means discarded wastepaper, cartons, boxes, wood, tree branches, yard trimmings, furniture, appliances, metals, cans, glass, crockery, and/or similar materials.

Trash: means combustible and noncombustible waste material, except garbage, including paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, cans, metals, bricks, lumber, concrete, mineral matter, glass, crockery, and including the residue from the burning of wood, coal, coke or other combustible material

Public or Private Property: The right-of-way of any road or highway; any body of water or watercourse or the shores or beaches thereof; any park, playground, building, refuge or conservation area; residential or farm properties, timberlands or forests; or any commercial or industrial property.

Section 11-6-120 Prohibitions Against Littering Public or Private Property or Waters

- A. It shall be unlawful for any person or persons, whether the owner of such property or not, to dump, deposit, throw, or leave or to cause or permit the dumping, depositing, placing, throwing, burning or leaving of litter on any public or private property in Walton County or any waters in Walton County unless:
1. The Property is designated by the State or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property; or
 2. The litter is placed into a receptacle or container installed on such property in such a manner as to prevent it from being carried and deposited by the elements upon any public or private property.

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- B. It shall further be unlawful for the owner or occupant of any single family dwelling to allow grass, weeds or uncultivated vegetation in the exterior yards surrounding the dwelling to obtain a height in excess of twelve (12) inches. Heavily wooded lots where equipment cannot maneuver on the lot because of density are exempt from this section. Also exempt are legitimate agricultural uses including but not limited to: hayfields, pastures and gardens.
- C. It shall be unlawful for any person to intentionally dump egregious litter unless authorized to do so by law or by a duly issued permit, in or on any private property, county road, street, alley, or thoroughfare, including any portion of the right-of-way thereof, or on any other public lands except in containers or areas lawfully provided for such dumping.

Section 11-6-130 Burned Structures

Whenever any building or structure is partially burned, the owner or person in control shall, within 30 days after completion of the scene investigation by the fire department and/or insurer of the property, remove from the premises all refuse, debris, and all charred and partially burned lumber and material. If such building or structure shall be burned to such an extent that it is rendered incapable of being repaired, the owner or person in control shall, within 60 days after completion of the scene investigation by the fire department and/or insurer of the property, remove from the premises all the remaining portion of the building or structure. If the building or structure is to be repaired **or demolished**, a permit shall be obtained, and work shall begin within 60 days after completion of the scene investigation by the fire department and/or insurer of the property and shall be completed within 1 year from the date a permit is obtained.

Renumber remaining sections