

ORDINANCE NO. 2017-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF MERIWETHER COUNTY, GEORGIA, SPECIFICALLY AMENDING CHAPTER 8, ARTICLE II, LAKE MERIWETHER AND LAKE MERIWETHER RECREATIONAL FACILITY, TO PROVIDE FOR AN ADVISORY BOARD TO ADVISE THE BOARD OF COMMISSIONERS WITH REGARD TO THE OPERATION AND MANAGEMENT OF LAKE MERIWETHER; TO RESTATE AND REAFFIRM THE CODE OF ORDINANCES OF MERIWETHER COUNTY, GEORGIA AS MODIFIED HEREIN; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Board of Commissioners of Meriwether County that Chapter 8, Article II of the Code of Ordinances of Meriwether County, Georgia shall be amended as follows:

Sec. 8-26 – Organization and operational guidelines of the Advisory Board of Lake Meriwether.

- (a) There shall be an Advisory Board appointed by the Board of Commissioners to make recommendations on the operations of Lake Meriwether and the Lake Meriwether Recreational Facility.
- (b) This Advisory Board shall be composed of five (5) members appointed by each Commissioner. There shall also be two (2) additional members, consisting of one (1) County Commissioner and one (1) City of Woodbury Council Member.
- (c) Repeal.
- (d) This Advisory Board shall be subject to the authority of the Board of Commissioners in all matters of personnel, finance, usage, restrictions and operations of the Lake Meriwether Recreational Facility.
- (e) Each member shall be appointed to the Advisory Board of Lake Meriwether for a term not to exceed two (2) years.
- (f) Each member of the Advisory Board may succeed himself/herself in office for additional terms of service as approved and appointed by the Board of Commissioners.

*State law references – Power to provide parks, recreation areas, programs and facilities Ga. Const. art. 9, sec. 2, par. 3(a)(5); authority to construct and operate parks, swimming pools, golf courses, recreation grounds and

buildings used for sports, O.C.G.A. §36-34-3; establishment of recreation systems, O.C.G.A. §36-64-1 et seq.; state commission on physical fitness created, O.C.G.A. §50-12-40 et seq.

- (g) The members of this Advisory Board shall serve staggered terms of office, with four (4) members coming up for appointment one (1) year, and the other three (3) coming up the following year.
- (h) The term of appointment shall run from January first to December thirty-first, biennially, except for special interim appointments.
- (i) The first class of appointments to this Advisory Board shall serve a one-year term of office, in order to implement this plan of rotation and staggered terms.
- (j) It is understood that the members of the Advisory Board serve at the pleasure of the Board of Commissioners and are subject to recall upon a simple majority vote of the Commissioners in any regular session of business.

Sec. 8-27 – Duties and Functions.

- (a) The Advisory Board of Lake Meriwether shall meet for the purpose of conducting business at least once every six (6) months.
- (b) The Advisory Board shall elect each year a Chairman and a secretary from among their membership.
- (c) The Chairman shall call the meetings as needed, and shall serve as Chairman of these meetings. He/she shall also call a meeting at any time if requested by any three (3) members of the Board.
- (d) The secretary shall notify all members of the date and time of such meetings, and shall keep minutes of the business conducted during these meetings. He/she shall submit a copy of the minutes of these meetings to the County Clerk within fifteen (15) days in order that they may be filed as record.
- (e) In the absence of the Chairman or secretary, the membership present shall elect a Chairman pro tem, or secretary pro tem to serve in that capacity until either or both return to duty.
- (f) A quorum of the membership necessary for the conduction of business shall include:
 - (1) The Chairman and any three (3) voting members, or
 - (2) The Chairman pro tem and any three (3) voting members.
- (g) Repeal.
- (h) The Advisory Board of Lake Meriwether shall:

- (1) Help develop programs and activities and encourage use of Lake Meriwether Recreation Facility by all citizens of the county.
- (2) Make recommendations to the Board of Commissioners concerning matters of personnel, fees, finance and maintenance, suggesting changes or improvements where needed.
- (3) Repeal.
- (4) Repeal.
- (5) Make recommendations to the Board of Commissioners as to rules, guidelines and fees for the facility.
- (6) Encourage municipalities and other organizations within the county to utilize the facility for special functions, on a first come, first served basis.
- (7) Repeal.
- (8) Make recommendations to protect and preserve the Lake Meriwether Recreation Facility as a source of water for the City of Woodbury and any future users, under the guidelines and restrictions established by the appropriate local, state and federal agencies.
- (9) Help develop public service advertisements annually in county papers and on social media to inform citizens of services offered, fees charged and other information pertinent to the use of the Lake Meriwether Recreation Facility.

(Mo. Of 7-1085)

Sec. 8-28 – Restrictions on Entering Lake Meriwether for the Purposes of Fishing.

Fishing on Lake Meriwether without entering the front gate and paying the customary fees or without owning property or residing as a member of the immediate family of a person owning property adjacent to Lake Meriwether shall be considered a misdemeanor violation of the Ordinances of Meriwether County and, upon conviction, shall be punishable in accordance with the provisions of section 1-11.

(Res. Of 5-28-85)

Sec. 8-29 – Parking Restrictions in Vicinity of Lake Meriwether.

Parking of a motor vehicle on the public right-of-way on the L.W. Owens Road (CR 138) within one hundred fifty feet (150') of the center of the discharge channel of Lake Meriwether,

or on the dam itself, shall constitute a misdemeanor violation of the Ordinances of Meriwether County and, upon conviction, shall be punishable in accordance with the provisions of section 1-11.

(Ord. of 10-14-87(2))

Sec. 8-30 – Docks, Piers, Boathouses.

All new private docks, boathouses, piers or related structures are prohibited in a one hundred fifty-foot (150') buffer area measured back from the water's edge and in the reservoir. Existing structures are permitted provided that:

- (1) Structure was existing before the adoption of these regulations.
- (2) Structure cannot be improved or enlarged. This requirement does not prevent property owner from maintaining a safe and hazard free structure.
- (3) No vessel shall be stored in a boathouse with a gasoline, diesel or other internal combustion engine or power plant. Storage will be limited to electric motored vessels, canoes, and kayaks only.
- (4) No cleaning agents are allowed for storage or any other purpose in or on the docks, piers or boathouses.
- (5) The county assumes no responsibility or liability for the integrity or soundness of said structures.
- (6) The county reserves the right to require docks, piers and/or boathouses to be moved, relocated or removed from the reservoir at the property owner's expense upon reasonable request at any time for purposes of maintaining water quality.
- (7) The county reserves the right to remove the dock, pier or boathouse from the reservoir at the owner's expense and without liability for damage to the dock or the owner's private property if the owner fails to comply with the county's rules, regulations and directions.
- (8) Cleaning of docks, decking, piers, boathouses or boats moored at same with soaps or solvents is prohibited.

(Ord. No. 01-10, §1, 9-11-01)

Sec. 8-31. Public Access.

The county reserves the right to, at any time, restrict or prevent the use of the reservoir during periods of emergency or circumstances demanding such restrictions or prevention of use.
(Ord. No. 01-10, § 1, 9-11-01)

Sec. 8-32. Additional Restrictions on Use of Lake Meriwether Reservoir and Lake Meriwether Park.

The following are expressly prohibited at the reservoir and reservoir property:

- (1) The possession or consumption of alcohol, drugs or any controlled substance.
 - (2) The possession or use of firearms, ammunition, bow and arrow, loaded firing devices or explosives.
 - (3) The operation or use of any audio or noise producing devices in such a manner as to unreasonably annoy or endanger other individuals.
 - (4) Glass containers of any kind.
 - (5) Littering or dumping.
 - (6) Jet-skis, wind surfer boards or similar motorized or non-motorized vessels.
 - (7) Cleaning of boats with soaps or solvents.
 - (8) Boats that do not carry appropriate floatation devices.
 - (9) The discharge of any pollutant.
- (Ord. No. 01-10, § 1, 9-11-01)

Sec. 8-33. Damage, Trespassing.

It shall be unlawful for any persons to damage, tamper with, trespass, or alter any property, barricades, structures or appurtenances owned by the county.

(Ord. No. 01-10, § 1, 9-11-01)

Sec. 8-34. Dam and Intake Restrictions.

The dam, intake structure and immediate surround area is not available to private property owners and/or the public without authorization from the County. This does not prohibit crossing of the dam. No person shall enter the restricted area, attempt to operate or tamper with said structures, physically climb or attempt to reach by shoreline such structures, or in any way attempt to manipulate water levels around said structures.

(Ord. No. 01-10, § 1, 9-11-01)

Sec. 8-35. Saving Clause.

Any sections or subsections repealed by this Ordinance, shall remain in force to authorize the arrest, prosecution, conviction and punishment according to the provisions of section 1-11, of a person who violated these sections or subsections prior to the effective date of this Ordinance.

Sec. 8-36.

Should any provision of this Ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the county governing authority.

Sec. 8-37.

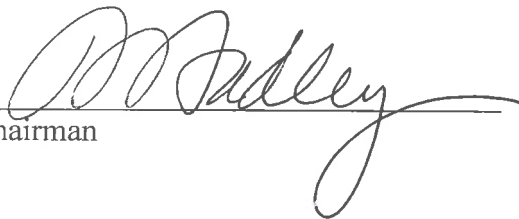
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Sec. 8-38 – 50. Reserved.

Effective Date and Repealer Provision

This ordinance shall become effective immediately upon its adoption and any and all existing or pre-existing Meriwether County, Georgia ordinances, amendments, and resolutions in conflict with the terms of this Ordinance are hereby repealed.

ADOPTED this 24 day of January, 2017 by the Board of Commissioners of Meriwether County, Georgia.


Chairman

ATTEST: Beverly Thomas