

**FORSYTH COUNTY, GEORGIA**  
**ORDINANCE NUMBER 88 (Amendment C), otherwise codified at**  
**CHAPTER 18, ARTICLE VI, SECTION 18-185(c)**

An Ordinance by the Board of Commissioners of Forsyth County to amend Chapter 18, Article VI, Section 18-185 of the Code of Forsyth County, Georgia, regarding certain notification procedures related to violation of restricted outdoor water use; to repeal conflicting language; and to provide for an effective date.

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the county may adopt clearly reasonable ordinances, resolutions and regulations; and

**WHEREAS**, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety and welfare of the population of the unincorporated areas of the county; and

**WHEREAS**, in the interests of the health, safety, and general welfare of the citizens of Forsyth County, Georgia, the Board of Commissioners of Forsyth County desires to amend Ordinance 88 (Amendment B) Chapter 18, Article VI, Section 18-185(c) of the Code to incorporate additional options regarding the delivery of initial violation notices to the property where the violation of outdoor water use restrictions occurred, to provide that such notices may be posted at the property, hand-delivered or mailed to the property by both regular and by certified mail; and

**WHEREAS**, appropriate notice and hearing on the matters contained herein have been provided according to the general and local law.

**NOW THEREFORE**, be it ordained and resolved by the Board of Commissioners of Forsyth County, Georgia, as follows:

1. Chapter 18, Article VI, Section 18-185(c) of the Code of Forsyth County, Georgia ("Code"), shall be amended as follows - by removing the language that is lined through and by adding the language in bold type:

“(1) *First violation.* Written notice ~~posted at~~ **delivered by one of the following methods: (a) posting at the property, (b) hand delivery or (c) by sending both regular and certified mail to** the property where the violation occurred. The notice shall be in writing and shall include the address of where the violation occurred, a description of the violation, and notification of the consequences of subsequent violations.”

2. The first sentence of Chapter 18, Article VI, Section 18-185(d) of the Code shall be amended as follows - by removing the language that is lined through and by adding the language in bold type:

“(d) Notice. In addition to ~~the posting at the property for the~~ **delivering a first violation notice to the property as provided in Section 18-185(c)(1) above**, notices of violation for the first violation and all subsequent violations of the restrictions in this article or issued pursuant to this article shall be sent by **regular and by** certified mail to the customer of record at the customer's billing address.”

3. All remaining portions of the Code shall continue in full force and effect, and shall remain unaffected by this amendment.

4. **Severability**. It is the express intent of the Forsyth County Board of Commissioners that this Ordinance be consistent with both federal and State law. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

5. **Conflicting Ordinances Repealed**. Any and all Ordinances or parts of Ordinances in conflict herewith shall be, and the same are, hereby repealed to the extent of such conflict.


6. **Effective Date**. This Ordinance shall become effective immediately upon passage.

**PASSED AND ADOPTED** this 1st day of June, 2017, the public health, safety, and welfare demanding it.

**FORSYTH COUNTY BOARD OF COMMISSIONERS:**

  
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Todd Levent, Chairman

  
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Rick Swope, Vice Chairman

  
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Laura Semanson, Secretary

  
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Ralph J. Amos, Member

  
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Cindy J. Mills, Member

Attest:  
  
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Clerk to the Board