

AN ORDINANCE TO REVISE THE CITY'S ANIMAL CONTROL ORDINANCE TO ALLOW FOR THE APPLICATION AND ENFORCEMENT OF THE FULTON COUNTY RABIES AND ANIMAL CONTROL ORDINANCES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

The Council of the City of Milton hereby ordains, while in regularly called Council meeting on the 4th day of June, 2018 at 6:00 p.m., as follows:

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 II thereof, that General Assembly may provide by law for the self-government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to municipalities;

WHEREAS, O.C.G.A. § 36-35-3 and Section 3.10 of the City Charter authorize the City to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any municipal charter provision;

WHEREAS, the City has contracted with Fulton County to provide animal control services within the boundaries of the City, and Fulton County has represented that its animal control officers are willing and able to enforce Fulton County ordinances throughout the County but are unwilling or unable to enforce city-specific animal control ordinances in the various municipalities of the County; and

WHEREAS, the City desires to adopt Fulton County's animal control ordinances so that they may be enforced by Fulton County animal control officers with respect to persons and property in the municipal boundaries of the City;

NOW THEREFORE, THE COUNCIL OF THE CITY OF MILTON HEREBY ORDAINS as follows:

SECTION 1. That Chapter 8, Article I of the Code of the City of Milton, Georgia, is hereby amended by adding a new Section 8.1, with current Sections 8.1 through 8.18 renumbered accordingly. The new Section 8.1 shall read:

Section 8.1 County regulations—Adopted.

The regulations of Fulton County, as amended, pertaining to rabies and animal control (Chapter 34, Article VI of the Fulton County Code of Ordinances) are hereby adopted and incorporated herein by reference, and the same shall be fully enforceable within the City of Milton. In the event of a conflict or inconsistency between the Fulton County regulations and the City of Milton regulations, the Fulton County regulations shall prevail. A copy of the Fulton County codified ordinances is available at:

https://library.municode.com/ga/fulton_county/codes/code_of_ordinances

SECTION 2. That all Ordinances, parts of Ordinances, or regulations in conflict herewith are hereby repealed.

SECTION 3. That this Ordinance shall become effective upon a majority vote by the City Council as ratified by the Mayor of the City of Milton, Georgia.

SO ORDAINED this 4th day of June, 2018.

Approved:

Joe Lockwood, Mayor

Attest:

Sudie Gordon, City Clerk