

ORDINANCE NO. 15- 388

AN ORDINANCE OF THE CITY OF CLARKSTON ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ARTICLE II OF CHAPTER 5 OF THE CITY CODE AND SECTION 12-53 OF THE CITY CODE REGARDING PROPERTY MAINTENANCE AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT HEREWITH.

The City Council of Clarkston does ordain as follows:

Section 1. That certain document, three (3) copies of which are on file in the office of the City Clerk of City of Clarkston, being marked and designated as the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Clarkston, in the State of Georgia for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Clarkston are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Section 2 of this ordinance.

Section 2. The following sections of the International Property Maintenance Code are hereby revised:

Section 101.1. Insert: City of Clarkston

Section 103.5. Delete this provision of the International Property Maintenance Code.

Section 110.3. Delete this provision of the International Property Maintenance Code and replace with "If the owner fails to comply the City will initiate a nuisance abatement action in Municipal Court."

Section 112.4. Insert: \$250 to \$1,000

Section 302.4: Insert: Twelve (12) inches

Section 304.14: Insert: April 1st to September 30th

Section 602.3: Insert: October 1st to March 31st

Section 602.4: Insert: October 1st to March 31st

Section 3. Article II of Chapter 5 of the City Code, concerning property maintenance, and Code Section 12-53 concerning weeds, junk and trash, and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. New Chapter 5, Article II of the Clarkston City Code is hereby adopted to read as follows: “The City adopts the International Property Maintenance Code of 2012, as amended by the City per Ordinance No. 15- 388, as the minimum requirements and standards for premises and buildings in the City.”

Section 5. If any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

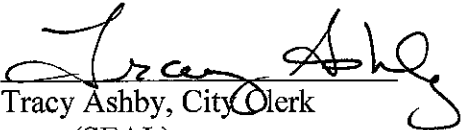
Section 7. The City Clerk is hereby ordered and directed to cause this legislation and the International Property Maintenance Code, 2012 edition, to be published on the City’s website.

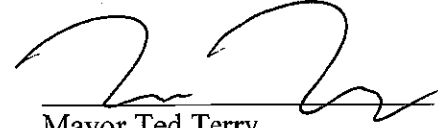
Section 8. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its final passage and adoption.

ADOPTED this 2nd day of June, 2015.


ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA


Tracy Ashby, City Clerk
(SEAL)


Mayor Ted Terry

Approved as to Form
City Attorney


Stephen G. Quinn