

C.A. 07-01-03(4)
C.A. 07-08-03(2)

AN ORDINANCE

No. 03-56

03-56

An Ordinance amending Sections 8-46 and 8-47 of the Columbus Code (Buildings) so as to conform with House Bill 748 passed by the 2003 Georgia General Assembly; and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

SECTION 1.

Columbus Code Section 8-46 is hereby amended by deleting subsection (a) in its entirety and inserting a new subsection to read as follows:

"(a) *Right of entry.* The housing official shall enforce the provisions of this article and when there is probable cause to believe that there is or has been a violation or violations of this article, he, or his duly authorized representative, upon presentation of proper identification to the owner, agent, or tenant in charge of such property, may enter any building, structure, dwelling, apartment, apartment house, or premises, during all reasonable hours, except in cases of emergency where extreme hazards are known to exist which may involve the potential loss of life or severe property damage, in which case the above limitations shall not apply."

SECTION 2.

Columbus Code Section 8-47 is hereby amended by deleting the second sentence in its entirety and by substituting a new second sentence to read as follows:

"When there is probable cause to believe that there is or has been a violation or violations of this article, the housing official, or his agent, is hereby authorized to enter, examine, and survey at all reasonable times all residential buildings and premises."

SECTION 3.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Introduced at a regular meeting of the Council of Columbus Georgia, held on the 13th day of July, 2003 introduced a second time at a regular meeting of said Council held on the 8th day of July, 2003 and adopted at said meeting by the affirmative vote of eight members of said Council.

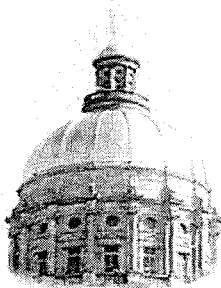
- Councilor Allen voting YES
- Councilor Anthony voting ABSENT
- Councilor Davis voting YES
- Councilor Henderson voting YES
- Councilor Hunter voting YES
- Councilor McDaniel voting YES
- Councilor Rodgers voting YES
- Councilor Suber voting ABSENT
- Councilor Pugh voting YES
- Councilor Woodson voting YES

This ordinance received, signed by the Mayor at 10:38 A.M. on the 10th day of July 2003, and became law at said time received and became effective at 12:00 noon the following day.
Sec: 3-202 (a) *Tiny E. Washington*
Clerk of Council

This ordinance submitted to the Mayor for his signature, this the 8th day of July, 2003.
Sec: 3-202 (b) *Robert S. Poydasheff*

Tiny E. Washington
TINY E. WASHINGTON, CLERK

Robert S. Poydasheff
ROBERT S. POYDASHEFF, MAYOR



Georgia General Assembly

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03 HB 748/AP

House Bill 748 (AS PASSED HOUSE AND SENATE)

By: Representatives Buck of the 112th, Smyre of the 111th, Buckner of the 109th, Royal of the 140th, and Hugley of the 113th

A BILL TO BE ENTITLED AN ACT

To amend Chapter 88 of Title 36 of the Official Code of Georgia Annotated, relating to enterprise zones, so as to change certain provisions regarding definitions; to provide for additional qualifying businesses and services; to amend Code Section 36-74-13 of the Official Code of Georgia Annotated, relating to enforcement of local codes, so as to provide for limitations with respect to residential rental property; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 88 of Title 36 of the Official Code of Georgia Annotated, relating to enterprise zones, is amended by striking Code Section 36-88-3, relating to definitions, and inserting in its place a new Code Section 36-88-3 to read as follows:

"36-88-3.

As used in this chapter, the term:

- (1) 'Ad valorem tax' ~~shall mean~~ means property taxes levied for state, county, or municipal operating purposes but does not include property taxes imposed by school districts or property taxes imposed for general obligation debt.
- (2) 'Business enterprise' means any business ~~which is~~ engaged primarily in retail, manufacturing, warehousing and distribution, processing, telecommunications, tourism, research and development industries, new residential construction, and residential rehabilitation.
- (3) 'Department' means the Department of Community Affairs.
- (4) 'Enterprise zone' means the geographic area designated pursuant to Code Section 36-88-5.
- (5) 'Full-time job equivalent' means a job or jobs with no predetermined end date, with a

regular work week of 30 hours or more, and with the same benefits provided to similar employees.

(6) 'Low-income and moderate-income individual' means a person ~~who is~~ currently:

(A) Unemployed or unemployed for three of the six months prior to the date of hire;

(B) Homeless;

(C) A resident of public housing;

(D) Receiving temporary assistance for needy families or who has received temporary assistance for needy families at any time during the 18 months previous to the date of hire;

(E) A participant in the Job Training Partnership Act or who has participated in the Job Training Partnership Act at any time during the 18 months previous to the date of hire;

(F) A participant in a job opportunity where basic skills are required or who has participated in such a job opportunity at any time during the 18 months previous to the date of hire;

(G) Receiving supplemental social security income; or

(H) Receiving food stamps.

(7) 'New job' means employment for an individual created within an enterprise zone by a new or expanded qualified business or service enterprise at the time of the initial staffing of such new or expanded enterprise.

(8) 'Qualified or qualifying business' means an employer that meets the requirements of Code Section 36-88-4 and other applicable requirements of this chapter.

(9) 'Service enterprise' means an entity ~~which is~~ engaged primarily in finance, insurance, and real estate activity or activities listed under the Standard Industrial Classification (SIC) Codes 60 through 67 according to the Federal Office of Management and Budget Standard Industrial Classification Manual, 1987 edition, or engaged primarily in day-care activities."

SECTION 2.

Code Section 36-74-13 of the Official Code of Georgia Annotated, relating to enforcement of local codes, is amended by designating the existing text of the Code section as subsection (a) and inserting a new subsection (b) to read as follows:

(b) ~~Notwithstanding any other law, no local government shall require the registration of residential rental property, or the inspection of residential rental property, if the property is in compliance with all applicable codes, and in no event may a local government require the registration of residential rental property. Conditions which appear to be code violations which, in the view of the local government, may form the basis for probable cause, shall not constitute a violation of this section.~~

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.