

CITY OF LOVEJOY QUALITY OF LIFE CODE

Sec. 62-201. Purpose and definitions.

(a) *Purpose* The city council deems it in the best interest of the city and in furtherance of public safety and public welfare to enact certain requirements for the owners and occupants of real property which will require such property to be maintained in good repair, free from accumulation of rubbish and uncut vegetation, with pools and similar structures maintained in good repair or covered to prevent the breeding of mosquitoes, to provide for securing of vacant or abandoned structures and to control the parking of certain vehicles within residential districts of the city.

(b) *Definitions.* As used in this Quality of Life Code the following definitions shall apply:

(1) *Code official* shall mean any city law enforcement officer, code enforcement officer of the police department, and any employee designated by the mayor.

(2) *Notice* shall mean a notice of violation of these regulations by personal service or service by certified mail or first class mail to the last known address of the party responsible for the violation. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

(3) *Regulations* shall mean the requirements set out in the Quality of Life Code.

Sec. 62-202. Maintaining property and vacant structures, nuisance and abatement thereof.

(a) It shall be unlawful for the owner, occupant or person in possession of any real property to utilize such real property for the outside storage of any ice box, refrigerator, stove or other appliance, furniture, clothing, machinery, equipment, glass, iron, paper, cordage, or other waste material, including building rubbish, trash, garbage or similar items, without a special permit therefore issued by the director of the department of community development.

(b) It shall be unlawful for the owner, occupant or person in possession of any real

property to allow grass, weeds, and similar plants to grow on said property to a height in excess of ten inches. It shall be the duty and responsibility of every such owner, occupant or person in possession to keep the property clean and to remove from the premises all such abandoned or prohibited items listed in the Quality of Life Code, including but not limited to dead trees, trash, rubbish, garbage, and the like.

(c) It shall be unlawful for the owner, occupant or person in possession of any real property to allow a swimming pool, wading pool, hot tub or any similar structure to be in disrepair such that water can stand in the pool or structure and become a breeding ground for mosquitoes. All pools and similar structures must be in good operating condition with the water filtered and chlorinated or fully covered and any exposed water in the pool, structure or on the cover must be treated to prevent the breeding of mosquitoes.

(d) The owner, tenant, or person in possession of any real property may be punished as provided in section 1-12 of the Code of the City of Lovejoy for a violation of this section.

(e) After giving proper notice of a violation and five business days thereafter to correct the deficiencies, the city shall have the authority to enter the property and bring such structure into compliance with these regulations. The expense of such city action shall be charged against the property owner, become a lien on the property, and be collected by the same means, process and manner by which taxes are collected by the city. . If the property is owned by a homeowners' association or similar entity, the city may place liens upon the property of the homeowners. The amount of the lien placed upon the property of each homeowner shall a pro rata share of the expense of said city action.

Sec. 62-203. Abandoned or vacant buildings to be secured.

(a) The owner or person in possession of any abandoned or vacant buildings or structures shall secure and board up such buildings or structures to prevent entry by animals, vermin or trespassers. The structure shall be deemed secure if the windows, doors and other openings are boarded up or in the

case of solid doors, the doors are securely locked.

(b) The owner or person in possession of any real property may be punished as provided in section 1-12 of the Code of Lovejoy for a violation of this section.

(c) After giving proper notice of a violation and five business days thereafter to correct the deficiencies, the city shall have the authority to enter the property and bring it into compliance with these regulations. The expense of such city action shall be charged against the property owner, become a lien on the property, and be collected by the same means, process and manner by which taxes are collected by the city. If the property is owned by a homeowners' association or similar entity, the city may place liens upon the property of the homeowners. The amount of the lien placed upon the property of each homeowner shall a pro rata share of the expense of said city action.

Sec. 62-204. Parking or storage of commercial vehicles, buses, trailers, trucks or equipment.

(a) In all residential zoning districts the parking of the following commercial vehicles is prohibited: Limousines, flat bed trucks, dump trucks, tow trucks, transport wreckers, tandem axle trucks, cab-on-chassis trucks, tractor trailers, wheeled attachments or trailers, buses, earth-moving machinery, semi-trailers, and any vehicle over 20 feet in length, or seven feet in height, or seven feet in width. Vehicles or equipment used for agricultural purposes on agricultural zoned property with five or more acres are permitted if parked outside the required front yard setback.

(b) In all residential zoning districts, the parking of the following commercial vehicles is permitted:

- (1) An automobile, pick-up truck, van or SUV used to provide daily transportation to and from work.
- (2) A commercial vehicle that is parked temporarily in conjunction with a commercial service, sale, delivery or pick-up.

(c) In all residential zoning districts recreational vehicles or equipment, including non-commercial trailers, may be parked or stored only in the side yard or rear yard or in an enclosed building. No such recreational vehicle or equipment shall be used for living,

sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

(d) With the exception of recreational vehicles and commercial vehicles parked temporarily in conjunction with a service, sale, delivery or pick-up, no vehicle with more than six wheels or two axles or that weighs more than 14,000 pounds or that is over 20 feet in length, or seven feet in height, or seven feet in width shall be parked in a residential district.

(e) The owner or person in possession of any real property may be punished as provided in section 1-12 of the Code of the City of Lovejoy for a violation of this section.

(f) After giving proper notice of a violation and five business days thereafter to correct the deficiencies, the city shall have the authority to enter the property and bring it into compliance with these regulations by impounding any vehicle found parked on the property in violation of this section. The expense of such city action shall be charged against the property owner, become a lien on the property, and be collected by the same means, process and manner by which taxes are collected by the city. If the property is owned by a homeowners' association or similar entity, the city may place liens upon the property of the homeowners. The amount of the lien placed upon the property of each homeowner shall a pro rata share of the expense of said city action. The impounded vehicle may be reclaimed by the vehicle's owner who shall be responsible for payment of the towing and storage fees, otherwise the vehicle shall be disposed of in accordance with state law.

Sec. 62-205. Off-road parking or storage of unlicensed or inoperable vehicles, trailers or equipment.

(a) The owner, occupant or person in possession of real property within a residential zoned district shall not allow vehicles or trailers of any kind to be parked thereon without current license plates, unless such vehicle is parked within a fully enclosed garage or carport attached to the residence.

(b) The owner or occupant of real property within a residential zoned district shall not allow any vehicles, trailers or other motorized equipment to remain in an inoperable condition for more than 30 days

unless such vehicle, trailer or other motorized equipment is parked within a fully enclosed garage or carport attached to the residence. It shall be *prima facie* evidence of a violation of this section for a vehicle or trailer to be without one or more wheels or tires, or be in a state of disrepair for more than 30 days.

(c) The owner or occupant of real property within a residential zoned district shall not allow any vehicles or trailers to be covered so as to obscure the license plate unless such vehicle or trailer is parked within a fully enclosed garage or carport attached to the residence.

(d) The owner or person in possession of any real property may be punished as provided in section 1-12 of the Code of the City of Lovejoy for violation of this section.

(e) After giving proper notice of a violation and five business days thereafter to correct the deficiencies, the city shall have the authority to enter the property and bring it into compliance with these regulations by impounding any vehicle found parked on the property in violation of this section. The expense of such city action shall be charged against the property owner, become a lien on the property, and be collected by the same means, process and manner by which taxes are collected by the city. . If the property is owned by a homeowners' association or similar entity, the city may place liens upon the property of the homeowners. The amount of the lien placed upon the property of each homeowner shall a pro rata share of the expense of said city action. The impounded vehicle may be reclaimed by the vehicle's owner who shall be responsible for payment of the towing and storage fees, otherwise the vehicle shall be disposed of in accordance with state law.

Sec. 62-206. Property of dispossessed tenant or dispossessed mortgagor to be removed within 48 hours of the date and time of execution of the writ of possession.

(a) Personal property of a dispossessed tenant or dispossessed mortgagor must be removed from the property of the plaintiff in the writ of possession within 48 hours from the date and time the writ of possession is executed

pursuant to Article V of Chapter 82 of the Code of the City of Lovejoy.

(b) After the expiration of 48 hours from the date and time the writ of possession was executed, the city street department, or any other employee or agent designated by the council, shall have the authority to enter the property and bring it into compliance with these regulations by removing the abandoned personal property of a dispossessed tenant or dispossessed mortgagor to the city landfill or such other place as may be designated by the council. The expense of such city action shall be charged against the real property and become a lien on the real property, and be collected by the same means, process and manner by which taxes are collected by the city. . If the property is owned by a homeowners' association or similar entity, the city may place liens upon the property of the homeowners. The amount of the lien placed upon the property of each homeowner shall a pro rata share of the expense of said city action."

Section 62-207. Athletic Events upon Roadways.

(a) Definitions.

As used in this ordinance, the following definitions shall apply:

"Athletic event" shall mean any game; sport; contest; practice or other activity, by one or more persons, involving any sport, including but not limited to, football, basketball, baseball, softball, horseshoes, soccer, skateboarding, and rollerblading.

"Goal" shall mean any device, equipment or item used in any athletic event;

"Traffic obstruction" shall mean to impede, slow or stop motor vehicle or pedestrian traffic upon a private roadway or public roadway;

"Private roadway" shall mean any driveway or roadway, privately owned and/or maintained, connecting a development containing structures of more than one dwelling unit to a public roadway, directly or indirectly, normally used by motor vehicle traffic to reach the dwelling units from public roadways;

"Public roadway" shall mean any driveway or roadway maintained by the City

of Lovejoy, Clayton County, or the State of Georgia;

(b) Goals attached to the principal residential structure or erected adjacent to and abutting the driveway of the principal residential structure shall be allowed in the front yard but not within the right-of-way of a public street or sidewalk. No such goal shall be erected in such a manner that the play area for the athletic event or goal is located within any portion of a public right-of-way.

(c) Portable goals used for athletic events are allowed in the front yard but must be relocated to the side yard, rear yard, or placed inside the structure after use.

(d) No goal, including portable goals shall be placed in the public street or right-of-way, nor will a goal be placed so that the public street or sidewalk is the court or playing surface for the athletic event.

(e) Any goal or portable goal located within the public street or right-of-way is hereby declared a nuisance. After giving notice of the violation by posting a notice on the goal and sending a copy thereof by certified mail with return receipt requested to the address where the goal is located and giving ten calendar days after the notice has been posted to correct the deficiencies, the county shall have the authority to remove the nuisance objects and take it to the county landfill or such other place designated by the Mayor and Council. The expense of such county action shall be charged against the property owner, become a lien on the property, and be collected by the same means, process and manner by which taxes are collected by the city. The notice required by this subsection shall also be sent by first class mail to the last known address of the property owner if different from the resident.

(f) If notice has been given by posting the illegally placed or by mail to a property owner or renter regarding the illegal placement of a goal on the public right-of-way within 24 months of a new or subsequent violation, the goal is to be removed from the public right-of-way without further notice, taken to the landfill and the cost for the removal will become a lien on the property to be collected by the same means, process and manner by which taxes are collected by the city.

(g) It shall be unlawful for the owner or person in possession of the real

property to allow a goal or portable goal to be located on the real property in violation of this section.

(h) It shall be unlawful for any person participating in an athletic event to conduct that event on the public roadways or private roadways within the city in such a manner that pedestrian or vehicular traffic is obstructed, impeded, slowed or diverted, or that an unsafe condition is created creating a substantial risk to persons or property. Any law enforcement officer or code enforcement officer authorized to enforce the city's ordinances may issue a summons for any person violating this subsection without the notice requirements contained in the remainder of this section.

(i) When a law enforcement officer or code enforcement officer of the city, authorized to enforce the city's ordinances, finds a violation of this code section has occurred, a summons may be issued by such officer or designated employee to the owner or person in possession of the real property where the violation has occurred, and said owner or person in possession may be punished by a fine not exceeding \$1,000.00 or six months imprisonment, or both, except as otherwise provided by general law. The fines imposed therefor may be collected by execution. However, in no event shall the maximum penalties and punishment exceed a fine of \$1,000.00 and an imprisonment for six months for any single offense."