

Part 1: For the next few weeks we will be doing a series of questions on Union County Codes and Ordinances. We will touch briefly on some of the ordinances.

Q. How can I find out what ordinances Union County has?

A. You can find our ordinances on our website at www.unioncountyga.gov. Go to the “government” tab, select “Commissioner” and look on the left hand side for “Codes and Ordinances”. You can also come by the Commissioner’s Office and ask to see the Code Book.

Q. What exactly is an ordinance?

A. In order to perform its various functions, a county governing authority enacts its own legislation, usually in the form of an ordinance. An ordinance is a permanent rule of conduct. It is more formal than a resolution. It is a law or legislative act of the commissioner. Some areas in which counties have been expressly given the authority to regulate through ordinance include, building codes, signs, dangerous dogs, soil erosion and sedimentation control, litter, etc.

Q. How do you decide to enact an ordinance?

A. We really try NOT to adopt ordinances unless absolutely necessary. Adopting ordinances are hard decisions to make and require hours and hours of research, reading, and legal advice. However, in a growing community, sometimes they are necessary. One example is the billboard ordinance adopted in 2006. This ordinance came about as a result of the proliferation of billboards being erected along Hwy. 515. A similar issue involved RV Parks. RV Parks were being built with little consideration for how they would impact a neighborhood and thereby negatively affecting property values.

Q. How is an ordinance adopted in Union County?

A. There is a “first reading” held at a regular county meeting. This is the first public notice. Then at the next county meeting there is a “second reading” and no, we do not stand up and actually read the entire ordinance. In between the two readings we hold a public hearing and advertise this hearing in the newspaper. The second reading would include any changes made since the first reading, including any changes brought up as a result of the public hearing. If the changes are only minor changes, they can be made at the meeting and the ordinance is adopted at that second county meeting. However, if there are significant changes that need to be made, the ordinance will be tabled until a future meeting where the second reading will again be held and the ordinance considered for adoption. If necessary, a second public hearing will be held.

Q. How can we find out if an ordinance is going to be adopted?

A. The best way is to read the newspaper because the North Georgia News is the legal organ of the county and as such, we advertise our public hearings and notices in the NGN. We will also post all public hearings on our website under the “news” tab and on the doors of the courthouse.

Q. What happens if there are violations of an ordinance?

A. In general, violations of county ordinances are under the jurisdiction of the magistrate court and punishable by a fine of up to \$1,000 and/or 60 days in jail. The commissioner may designate the county attorney or some other attorney to prosecute violations of county ordinances in magistrate court.

Q. Do we normally have a problem with people violating ordinances?

A. We really do not. It is very rare. The biggest violation would be related to trash when someone is caught either throwing trash out their vehicle window, or when bags of trash are found on the side of the road after blowing off a pickup.

Q. What and who are the largest violators of the litter ordinance?

A. Sometimes we catch folks simply throwing trash out their windows. But the vast majority of trash blown out on our highways comes from pick up trucks. People either do not tie down their load or simply lay trash in their pick up bed thinking they are keeping from having to throw it on the ground and miraculously, when they get home, there is no trash in their truck. I seldom think that this is intentional, but never the less it helps spread litter throughout our county.

Part 2 next week.