

CANDLER COUNTY
HUNTING CAMP ORDINANCE

WHEREAS, Hunting Camps often provide hunters a place of gathering, shelter, and residence while in Candler County;

WHEREAS, Hunting Camps require water supply and sewage disposal systems, garbage and solid waste disposal and collection services, and emergency medical services;

WHEREAS, the Candler County Board of Commissioners deems it necessary and desirable that the owners of property where hunting camps are located be subject to the same regulations and fees with respect to water supply and sewage disposal systems, garbage and solid waste disposal and collection services, and emergency medical services as other property owners in Candler County;

WHEREAS, the Candler County Board of Commissioners deems it necessary and desirable that individuals be prohibited from depositing or permitting to be deposited in an unsanitary manner upon public or private property within the jurisdiction of the county any portion or part of a dead animal, including but not limited to carcasses or other objectionable waste;

WHEREAS, the Candler County Board of Commissioners further deems it necessary and desirable that the owners of property in Candler County on which hunting camps are located shall be required to obtain hunting camp decals for purposes of ensuring compliance with the requirements of this Ordinance; and

WHEREAS, consistent with Georgia Law, the Candler County Board of Commissioners has the authority to establish by ordinance or resolution such local rules and regulations, not in conflict with existing State or Federal Law, relating to the health, safety and welfare of the public;

NOW, THEREFORE, BE IT RESOLVED that the following rules and regulations are hereby adopted. These regulations shall apply to all unincorporated land located within the boundaries of Candler County, Georgia.

ARTICLE ONE
GENERAL

1.1 TITLE.

This Ordinance shall be known as and may be cited as the “Candler County Hunting Camp Ordinance.”

1.2 PURPOSE.

The purpose of this Ordinance is to ensure that owners of property where hunting camps

are located be subject to the same regulations and fees with respect to water supply and sewage disposal systems, garbage and solid waste disposal and collection services, and emergency medical services as other property owners in Candler County and to prohibit unsanitary deposits of dead animals on public or private property in Candler County.

ARTICLE TWO DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) Hunting Camp: A location at which a permanent and/or temporary housing facility or facilities are located for temporary occupancy by two or more hunters or two or more housing units which facilities include, but are not limited to, recreational vehicles, campers, travel trailers, tents, houses, mobile homes and any other type of abode, habitation or structure.

ARTICLE THREE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS

A property owner where a hunting camp is located shall be required to obtain from the Candler County Health Department a new construction permit or an existing system permit indicating that the hunting camp has approved water supply and sewage disposal systems.

ARTICLE FOUR GARBAGE AND SOLID WASTE DISPOSAL AND COLLECTION SERVICES

A property owner where a hunting camp is located shall be required to pay the fees established to offset the cost of garbage disposal and collection services as set forth under the Candler County Garbage and Solid Waste Disposal and Collection Fee Ordinance. The Garbage and Solid Waste Disposal and Collection fees shall be immediately due and payable on a prorated basis for each newly established hunting camp or existing hunting camps which have not been paying the fees. Thereafter, the fee shall be due at the same time the ad valorem taxes are due for the subject property. The fees shall be prorated based on the number of months during which the hunting camp is utilized.

ARTICLE FIVE EMERGENCY MEDICAL SERVICES

A property owner where a hunting camp is located shall be required to pay the fees established to offset the cost of Emergency Medical Services as set forth under the Candler County Emergency Medical Services Fee Ordinance. The Emergency Medical Services

(E.M.S.) fees shall be immediately due and payable on a prorated basis for each newly established hunting camp or existing hunting camps which have not been paying the fees. Thereafter, the fees shall be due at the same time the ad valorem taxes are due for the subject property. The fee shall be prorated based on the number of months during which the hunting camp is utilized.

ARTICLE SIX UNSANITARY DEPOSITS OF DEAD ANIMALS

It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the County any portion or part of a dead animal, including but not limited to carcasses or other objectionable waste.

ARTICLE SEVEN HUNTING CAMP DECAL

7.1 REQUIRED.

The lessee of property in Candler County on which a hunting camp is located shall be required to obtain one hunting camp decal per housing unit that shall be visibly affixed to each permanent and/or temporary housing facility for purposes of ensuring compliance with the requirements of this Ordinance. If the lessee fails to obtain the permit, the owner of the property on which a hunting camp is located shall be required to obtain the decal.

7.2 APPLICATION.

The lessee of property in Candler County on which a hunting camp is located shall make application for the hunting camp decals. If the lessee fails to make application, the owner of the property shall be responsible for making application for hunting camp decals. Application shall be made in the tax assessors' office and without limitation shall include the following:

- (1) Name and addresses of the landowner where the hunting camp is located or will be located.
- (2) If applicable, names and addresses of individuals or entity leasing hunting camp property for hunting purposes.
- (3) Tax map and parcel number of hunting camp.
- (4) Number of months hunting camp property is being utilized for hunting purposes.
- (5) Applicant's signature.

Other documents, which shall be required, and shall become part of the application include:

- (a) Copy of Candler County health department new construction permit or an existing system permit indicating that the hunting camp has approved water supply and sewage disposal systems.
- (b) Copy of receipt or other evidence showing user fees (county landfill fee, polycart/collection fee, and ambulance fee) have been paid for the current year. In lieu of a polycart per living unit, the owner of the hunting camp property may choose to obtain approval from the County Administrator to provide a dumpster of sufficient size and with a sufficient dumping schedule to handle the waste generated at the hunting camp.

7.3 FEE.

Applicants for hunting camp decals shall pay a fee for the decals to be established by the county governing authority. The fee must be paid before the issuance of the decals. If a property owner where a hunting camp is located fails to obtain the required hunting camp decal(s), the property owner may choose to pay an administrative penalty of \$100.00 per housing unit in lieu of having enforcement proceedings instituted hereunder.

7.4 ISSUANCE.

Upon the completion of the application for hunting camp decals as set forth in this Ordinance, the payment of the decal fees, verification of compliance with the requirements of this Ordinance, hunting camp decals shall be issued.

7.5 WAITING PERIOD.

There may be a waiting period of up to fifteen working days after a completed hunting camp decal application is submitted to the tax assessors' office before issuance of an approved decal. This waiting period will allow the tax assessors' office time to verify compliance with the requirements of this Ordinance. If required by the Candler County Health Department, this waiting period may be extended to allow for verification of compliance with the Ordinance requirements.

ARTICLE EIGHT ENFORCEMENT AND PENALTIES

8.1 ENFORCEMENT.

The tax assessors of the county, the sheriff of the county, the deputies thereof, constables, and all other law enforcement officers shall be authorized to issue citations to violators of any provisions of this Ordinance. Such citation shall state the time and place at which the accused is to appear for trial; shall identify the offense with which the accused is charged; shall have an identifying number by which it shall be filed with the court; shall indicate the identity of the accused and the date of service; and shall be signed by the officer who completes and serves it.

8.2 PENALTY AND COURT PROCEEDINGS

- (a) Any person violating this Ordinance, or any provision hereof, upon conviction, shall be punished by imposition of a fine not to exceed \$1000.00, by imprisonment in the county jail for a period not to exceed 60 days, or by both such fine and imprisonment, or up to the limits of any penalty provided by state law. Each housing unit without a decal shall constitute a separate offense.
- (b) No person accused of violating this Ordinance shall be arrested prior to trial, but any defendant who fails to appear for trial shall be arrested thereafter on a warrant of the court, and required to post a bond for his future appearance.
- (c) Violations of this Ordinance shall be tried either by citation or by accusations. Such proceedings may be tried with or without a prosecuting attorney.
- (d) Violations of this Ordinance shall be tried in the state court or magistrate court of Candler County.
- (e) Each day any violation of this Ordinance shall continue shall constitute a separate offense. Each violation of this Ordinance shall constitute a separate offense.

ARTICLE NINE LEGAL STATUS PROVISIONS

9.1 CONFLICT WITH OTHER LAWS, ORDINANCES, AND REGULATIONS.

Whenever the requirements made under authority of this Ordinance impose higher standards than are required in any other statute of local ordinance or regulation, provisions of this Ordinance shall govern.

9.2 SEPARABILITY.

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such a declaration shall not affect the Ordinance as a whole, or any other part thereof other than the part so declared to be unconstitutional or invalid.

9.3 REPEAL OF CONFLICTING ORDINANCES.

All ordinances, or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

9.4 EFFECTIVE DATE.

This Ordinance shall take effect and be in full force beginning September 1, 2005, to allow sufficient time to prepare for implementation of the Ordinance.

Adopted, approved and enacted this 4th day of August 2005, at a Called Meeting of the Board of Commissioners of Candler County.

BOARD OF COMMISSIONERS OF CANDLER COUNTY

By: *Kent Campbell*
Kent Campbell, Chairman

Attest: *Doris Strickland*
Doris Strickland, Clerk