

CANDLER COUNTY ELECTRICAL PERMIT ORDINANCE

ARTICLE ONE GENERAL

1.1 TITLE.

This Ordinance shall be known as and may be cited as the “Candler County Electrical Permit Ordinance.”

1.2 AUTHORITY AND JURISDICTION.

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 TWO GENERAL PROVISIONS

2.1 DEFINITIONS.

Building. Any structure having a roof and intended for shelter, housing or enclosure of persons, animals, or property of any kind.

Service Point. The point of connection between the facilities of the serving utility company and the premises wiring.

2.2 LIABILITY.

This Ordinance shall not be construed as imposing upon the county any liability or responsibility for damages to any person or property caused by defect in any wiring or appliance or installation of any products. Nor shall the county or any official employee be held as assuming any such liability or responsibility by means of the inspection authorized under this Ordinance.

ARTICLE THREE ELECTRICAL PERMITS

3.1 REQUIREMENTS.

A. Electrical Service.

No electrical service (drop or lateral) shall be provided to any building by a utility company without an approved electrical permit from the county.

Further, any service entrance/equipment upgrade requiring a utility company to disconnect an electrical service (drop or lateral) shall not be reconnected without an approved electrical permit from the county.

B. Premises Wiring.

The premises wiring of a building shall not be extended to another building whether by feeder circuit, branch circuit, drop/extension cords, or any other means without an approved electrical permit from the county. This provision shall not apply where a permit has been obtained under section 3.1 A. above.

3.2 APPLICATION.

Prior to the issuance of an electrical permit, the owner of the property or an agent of the owner, shall apply to the designated county office for an electrical permit. The application shall, without limitation, include the following:

- (1) Name of the landowner.
- (2) Name of the building owner, if different from the landowner.
- (3) Tax map and parcel number assigned to the property by the tax assessors.
- (4) Mailing address of the building owner.
- (5) Type and use of building, i.e. conventional residential, residential mobile home, storage mobile home, utility building, commercial building.
- (6) Name of the electric utility provider.
- (7) Signature of Applicant.

Other documents which shall be required if the structure is residential or commercial use, and will become part of the application include:

- (a) Copy of septic tank inspection approval issued by the county health inspector after system is completed.
- (b) Copy of receipt showing user fees have been paid for the current year.
- (c) If building is a mobile home, copy of approved mobile home location permit and certification from the installer that the home has been set-up and installed in accordance with the requirements of chapter 120-3-7 Rules and Regulations for Manufactured Homes, or the manufacturer's installation instructions, whichever is appropriate.

3.3 FEE.

An applicant for an electrical permit shall pay a fee for the permit to be established by the county governing authority.

3.4 ISSUANCE.

Upon the completion of the application for an electrical permit and payment of the permit fee, and inspection by a county official to ascertain that the building is in compliance with all county ordinances, a county electrical permit shall be issued to acquire electrical service from the appropriate utility provider.

**ARTICLE FOUR
ENFORCEMENT AND PENALTIES**

4.1 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.

4.2 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.
- (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 as described in Section 4.1 or by accusations. Such proceedings may be tried with or without a prosecuting attorney. The county attorney shall serve as 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 FIVE
LEGAL STATUS PROVISIONS**

5.1 INTERPRETATION.

The regulations expressed in this document shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience and welfare of the general public.

5.2 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.

5.3 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.

5.4 REPEAL OF CONFLICTING ORDINANCES.

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

5.5 SAVINGS PROVISIONS.

These regulations shall not be construed as abating any action now pending under, or by virtue of, the prior existing mobile home site permit ordinance, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the county under any section or provision existing at the time of adoption of these regulation, or as vacating or annulling any rights, obtained by any person, firm, or corporation, by lawful action of the county or its governing authority except as shall be expressly provided for in these regulations.

5.6 EFFECTIVE DATE.

This Ordinance shall take effect and be in full force on and after the date that it is enacted by the governing authority.

Adopted, approved and enacted this ^{1st}~~2nd~~ day of March, 2004, at the Regular Meeting of the Board of Commissioners of Candler County.

CANDLER COUNTY BOARD OF COMMISSIONERS

By: W. Lamar Samples
W. Lamar Samples, Chairman

Attest: Doris Strickland
Doris Strickland, Clerk