

**CANDLER COUNTY GARBAGE AND SOLID WASTE DISPOSAL
AND COLLECTION FEE ORDINANCE**

**ARTICLE ONE
GENERAL**

1.1 TITLE.

This Ordinance shall be known as and may be cited as the "Candler County Garbage and Solid Waste Disposal and Collection Fee Ordinance."

1.2 PURPOSE.

The purpose of this Ordinance is to help spread more evenly the cost of Candler County's garbage disposal and collection expenses among those who are using or may use the services.

**ARTICLE TWO
DEFINITIONS**

2.1 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) Dwelling unit means any structure suitable or commonly used for residential purposes by a single family or family group, and includes all single-family residences, including modular and manufactured/mobile homes, and includes each apartment, townhouse, condominium or cooperative unit of a multifamily structure.
- (2) Business unit means any commercial establishment, industry, professional establishment, trade or service establishment, store, organization, or enterprise, whether for profit or non-profit.

**ARTICLE THREE
GARBAGE AND SOLID WASTE DISPOSAL
SPECIAL DISTRICT**

3.1 CREATION.

In accordance with the purpose of this Ordinance, there is hereby created a Garbage and Solid Waste Disposal special district coterminous with the incorporated and unincorporated areas of Candler County.

3.2 FEE FOR DWELLING UNIT.

The Board of Commissioners of Candler County, pursuant to Georgia Constitution, Article 9, Section 2, Paragraph 6, shall levy a landfill service fee per dwelling unit on the owners of real property within the area of the Garbage and Solid Waste Disposal special district for each dwelling unit situated on their property.

3.3 FEE FOR DWELLING UNIT CLASSIFIED AS NON-HOMESTEAD MANUFACTURED/MOBILE HOME.

In the case of each dwelling unit classified as a non-homestead manufactured/mobile home, the Board of Commissioners of Candler County, pursuant to Georgia Constitution, Article 9, Section 2, Paragraph 6, shall levy a landfill service fee on the owner of each non-homestead manufactured/mobile home situated within the area of the Garbage and Solid Waste Disposal special district unless it is being levied under Section 3.2 above.

3.4 FEE FOR BUSINESS UNIT.

The Board of Commissioners of Candler County, pursuant to Georgia Constitution, Article 9, Section 2, Paragraph 6, shall levy a landfill service fee per business unit on the owners of real property within the Garbage and Solid Waste Disposal special district for each business unit situated on their property.

3.5 ESTABLISHMENT OF SERVICE FEE AMOUNT.

The Board of Commissioners shall set the amount of the aforementioned landfill service fee each year as part of its annual budget process. Funds collected from these landfill service fees for garbage and solid waste disposal shall be expended by the Board of Commissioners in any manner deemed by it to be in the best interest of the public as determined pursuant to its lawful authority.

3.6 NEWLY ESTABLISHED UNITS AND REESTABLISHED UNITS.

The landfill service fees shall be immediately due and payable on a prorated basis for each dwelling unit and business unit that is newly established or being reestablished. Thereafter, the fee shall be due at the same time the ad valorem taxes are due for the subject property.

3.7 ABATEMENT.

Dwelling units and business units that meet the following requirements shall be eligible for abatement of the landfill service fee:

- (1) A dwelling unit that is not being permanently occupied shall be eligible for abatement from the service fee.

- (2) A business unit that is not in operation shall be eligible for abatement from the service fee.

The abatement reporting period shall be from January 1st to June 1st of each year. The owner(s) of the dwelling unit or business unit shall be required to submit an Application for Abatement to the Candler County Tax Assessors office. The Application for Abatement may be for a full or partial abatement. The Chief Appraiser or his/her designee shall verify the dwelling unit or business unit qualifies for the abatement. The owner(s) shall notify the Board of Assessors in writing within thirty (30) days following a change in condition(s) that nullifies the abatement. Owner(s) shall be responsible for payment of all service fees for all years improperly abated plus penalties and interest.

3.8 PENALTYFORLATEPAYMENT.

Any fee not paid by the due date for paying the ad valorem taxes on the subject property shall be levied interest and penalties in the same manner and rate as the ad valorem tax bill to which the fee is attached.

ARTICLE FOUR GARBAGE AND SOLID WASTE COLLECTION SPECIAL DISTRICT

4.1 CREATION.

In accordance with the purpose of this Ordinance, there is hereby created a Garbage and Solid Waste Collection special district coterminous with the unincorporated areas of Candler County.

4.2 FEE FOR DWELLING UNIT.

The Board of Commissioners of Candler County, pursuant to Georgia Constitution, Article 9, Section 2, Paragraph 6, shall levy a polycart service fee per dwelling unit on the owners of real property within the area of the Garbage and Solid Waste Collection special district for each dwelling unit situated on their property.

4.3 FEE FOR DWELLING UNIT CLASSIFIED AS NON-HOMESTEAD MANUFACTURED/MOBILE HOME.

In the case of each dwelling unit classified as a non-homestead manufactured/mobile home, the Board of Commissioners of Candler County, pursuant to Georgia Constitution, Article 9, Section 2, Paragraph 6, shall levy a polycart service fee on the owner of each non-homestead manufactured/mobile home situated within the area of the Garbage and Solid Waste Disposal special district unless it is being levied under Section 4.2 above.

4.4 FEE FOR BUSINESS UNIT.

The Board of Commissioners of Candler County, pursuant to Georgia Constitution, Article 9, Section 2, Paragraph 6, shall levy a polycart service fee per business unit on the owners of real property within the Garbage and Solid Waste Collection special district for each business unit situated on their property.

4.5 ESTABLISHMENT OF SERVICE FEE AMOUNT.

The Board of Commissioners shall set the amount of the aforementioned polycart service fees each year as part of its annual budget process. Funds collected from these polycart service fees for garbage and solid waste collection shall be expended by the Board of Commissioners in any manner deemed by it to be in the best interest of the public as determined pursuant to its lawful authority.

4.6 NEWLY ESTABLISHED UNITS AND REESTABLISHED UNITS.

The polycart service fees shall be immediately due and payable on a prorated basis for each dwelling unit and business unit that is newly established or being reestablished. The Candler County Tax Assessor's office shall notify the polycart service provider to place a polycart at the unit. Thereafter, the fee shall be due at the same time the ad valorem taxes are due for the subject property.

4.7 ABATEMENT.

Dwelling units and business units that meet the following requirements shall be eligible for abatement of the polycart service fee:

- (1) A dwelling unit that is not being permanently occupied shall be eligible for abatement from the service fee.
- (2) A business unit that is not in operation shall be eligible for abatement from the service fee.

The abatement reporting period shall be from June 1st to June 30th each yearⁱ. The owner(s) of the dwelling unit or business unit shall be required to submit an Application for Abatement to the Candler County Tax Assessors office. The Application for Abatement may be for a full or partial abatement. The Chief Appraiser or his/her designee shall verify the dwelling unit or business unit qualifies for the abatement. The Candler County Tax Assessor's office shall notify the polycart service provider to remove the polycart from the unit. The owner(s) shall notify the Board of Assessors in writing within thirty (30) days following a change in condition(s) that nullifies the abatement. Owner(s) shall be responsible for payment of all service fees for all years improperly abated plus penalties and interest.

4.8 PENALTY FOR LATE PAYMENT.

Any fee not paid by the due date for paying the ad valorem taxes on the subject property shall be levied interest and penalties in the same manner and rate as the ad valorem tax bill to which the fee is attached.

**ARTICLE FIVE
LEGAL STATUS PROVISIONS**

5.1 REPEAL OF CONFLICTING ORDINANCES.

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

5.2 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 13th day of April 2009, at a Regular Meeting of the Board of Commissioners of Candler County.

BOARD OF COMMISSIONERS OF CANDLER COUNTY



Glyn Thrift, Chairman



Attest

Revised and adopted, June 5, 2023

