

Subject Matter: Health and Sanitation Chapter of Code

Date First Presented at Council Public Meeting:
February 18, 2016

Date of Second Reading and Adoption: March 3, 2016

**CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA**

ORDINANCE NO. 0-1-16

AN ORDINANCE OF THE CITY OF FAYETTEVILLE, GEORGIA AMENDING THE CITY'S CODE OF ORDINANCES, TO AMEND THE CITY'S HEALTH AND SANITATION CHAPTER OF THE CODE AND ADOPT THE RULES AND REGULATIONS OF THE FAYETTE COUNTY BOARD OF HEALTH

ARTICLE ONE

WHEREAS, the City's Health and Sanitation Chapter of the Code adopts the Rules and Regulations of the Fayette County Board of Health and assigns primary enforcement of those rules to that agency; and

WHEREAS, the Fayette County Board of Health has requested amendments to the City's Health and Sanitation Chapter to ensure the City has properly adopted appropriate regulations to permit such enforcement; and

WHEREAS, the Fayette County Board of Health has requested that certain provisions of the City's Health and Sanitation Chapter be repealed as certain items are no longer enforced locally.

THE MAYOR AND CITY COUNCIL OF THE CITY OF FAYETTEVILLE, GEORGIA ORDAINS AS FOLLOWS:

RESOLUTION

WHEREAS IT IS HEREBY ORDAINED AND ENACTED AS FOLLOWS:

1.

The following Sections of City's Code of Ordinances are hereby repealed and deleted from the City's Code:

Section 58-126
Section 58-127

Section 58-128
Section 58-129
Section 58-130
Section 58-131
Section 58-132

2.

There is hereby enacted and ordained the following new and replacement Article V entitled: “Health Rules and Regulations”:

Section 58-126. – Tourist Accommodations.

That certain code known as "Tourist Accommodations," Chapter 511-6-2, as promulgated by the Georgia Department of Public Health, and as hereafter amended, is hereby adopted.

Sec. 58-127. - Food service.

That certain code known as "Food Service," Chapter 511-6-1, as promulgated by the Georgia Department of Public Health, and as hereafter amended, is hereby adopted.

Sec. 58-128. - Water quality.

Any and all health codes and water quality control acts as adopted by the State of Georgia and enforceable by the city board of health, and as hereafter amended, are hereby adopted.

Sec. 58-129. – On-Site Sewage Management.

That certain code known as "On-Site Sewage Management Systems," Chapter 511-3-1, as promulgated by the Georgia Department of Public Health, and as hereafter amended, is hereby adopted.

Sec. 58-130. – Portable Sanitation Contractors.

That certain code known as "Portable Sanitation Contractors," Chapter 511-3-6, as promulgated by the Georgia Department of Public Health, and as hereafter amended, is hereby adopted.

Sec. 58-131-58-150. - Reserved.

3.

This newly enacted provisions shall be codified within the City’s Code at Article V, Sections 58-126, 58-127, 58-128, 58-129, 58-130.

ARTICLE TWO

This Ordinance shall become immediately effective upon its second reading and adoption by the City Council.

ARTICLE THREE

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as if fully set out herein.

ARTICLE FOUR

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

ARTICLE FIVE

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF FAYETTEVILLE, at a regular meeting of the Mayor and Council on the 3rd day of March, 2016, by the following voting for adoption:

ATTEST:

Edward J. Johnson, Jr. Mayor

Anne Barksdale, City Clerk

Scott Stacy, Mayor Pro Tem

Kathaleen Brewer, Council Member

Harlan Shirley, Council Member

Paul C. Oddo, Jr., Council Member

James B. Williams, Council Member