

**AN ORDINANCE OF THE CITY OF AUSTELL MAYOR AND CITY COUNCIL, AMENDING SECTION 14, ARTICLE IV, "SOLID WASTE COLLECTION AND DISPOSAL" OF THE CODE OF ORDINANCES, AS AMENDEMENT, TO DELETE ARTICLE IV IN ENTIRETY, INLCUDING ANY AMENDMENTS THERETO, AND REPLACE IT WITH A NEW SECTION 14, ARTICLE IV, "SOLID WASTE COLLECTION, DISPOSAL, AND RECYCLING" TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES**

**WHEREAS**, Article IX, Section II, of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens.

**WHEREAS**, pursuant to this authority, the City of Austell, Georgia, pursuant to the Mayor and City Councils adoption of the new Solid Waste Agreement, the current Ordinance needs to be revised in order to be in compliance with new contractual agreements, to include residential solid waste.

**WHEREAS**, Section 14, Article IV of the Code of Ordinances of the City of Austell, Georgia must be amended to reflect these changes.

**BE IT ORDAINED AND IT IS HEREBY ORDAINED** that the following Ordinance is adopted and the Code of Ordinances for the City of Austell be amended to include the following sections:

- Section 14-60. General.
- Section 14-61. Solid Waste Management Plan.
- Section 14-62. Definitions.
- Section 14-63. Residential Refuse Collection.
- Section 14-64. Residential Container and Handling Requirements.
- Section 14-65. Bulk Waste Collection.
- Section 14-66. Yard Waste Collection.
- Section 14-67. Construction and Demolition Wastes from Private Properties; Building Permit Required.
- Section 14-68. Special Wastes and Collection of Dead Animals.
- Section 14-69. Recycling.
- Section 14-70. Scavenging.
- Section 14-71. Disposal of Garbage and Waste Material Not Generated on Property; Nuisance.
- Section 14-72. Vehicle Loads Causing Litter.
- Section 14-73. Required Service; Fees.
- Section 14-74. Exclusive Contractual Agreements.
- Section 14-75. Intent; Applicability; Compatibility; Severability.
- Section 14-76. Violations.
- Section 14-77. Penalties.
- Section 14-78. Enforcement.

## **SECTION 14-60. GENERAL.**

This Ordinance shall be known as the “City of Austell, Georgia Solid Waste Collection, Disposal, and Recycling Ordinance”.

## **SECTION 14-61. SOLID WASTE MANAGEMENT PLAN.**

In accordance with the Minimum Planning Standards and Procedures for Solid Waste Management, the City of Austell, Georgia’s comprehensive Solid Waste Management Plan is hereby adopted as the official Solid Waste Management Plan for the City of Austell and shall be adopted, from time to time, as required by law<sup>1</sup>.

## **SECTION 14-62. DEFINITIONS.**

For the purposes of this article, the following terms shall have the respective meanings ascribed to them:

1. **Bags:** Plastic or paper sacks designed for refuse with sufficient wall strength to maintain physical integrity when lifted by top. The total weight of a bag and its contents shall not exceed fifty pounds.
2. **Bulk Waste:** Stoves, hot water tanks, washing machines, dryers, furniture, and other waste materials other than construction debris, hazardous waste, or auto parts with weights or volumes greater than those allowed for bags or carts.
3. **Backdoor Service:** A service provided at no additional charge to customers that are handicapped, over 65 years of age or infirm. Qualification for this service shall be based on the customer providing Austell Public Works with a letter from a physician, licensed in the State of Georgia, and the City verifying the customer is handicapped, over 65 years of age, or infirm. All solid waste collected pursuant to this service must be bagged and shall be placed in a cart.
4. **Cart:** A 95 gallon roll receptacle, with wheels and lid, designed for the purpose of the collection of refuse.
5. **City:** City of Austell, Georgia.
6. **Construction Debris:** Waste building materials resulting from construction, remodeling, repair, or demolition operations. This shall include scrap building materials from the construction, reconstruction, remodeling or repair of a building, walkway, driveway, sign or other structure, including but not limited to, excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber, or any other similar material used in construction or the containers or wrappings thereof.
7. **Contractor:** The person, corporation, or partnership responsible for performing refuse and recycling collection and disposal, under exclusive contract with the City of Austell.

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<sup>1</sup> **State law references:** Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq.; local, multijurisdictional and regional solid waste plans, O.C.G.A. § 12-8-31.1; yard trimmings disposal restrictions, O.C.G.A. § 12-8-40.2; authorization to provide garbage and solid waste collection and disposal, Constitution of the State of Georgia, Article IX, § II, ¶ III(a)(2); transporting garbage or waste across state or county boundaries without permission, O.C.G.A. § 36-1-16; transportation of biomedical waste, O.C.G.A. § 40-6-253.1; solid waste management education program; establishment of Georgia Clean and Beautiful Advisory Committee and Interagency Council on Solid Waste Management, O.C.G.A. § 50-8-7.3.

8. Control: The possession, directly or indirectly, of the power to direct or cause direction of the management and policies of a person or entity, whether through ownership of voting securities, by entreat, or otherwise.
9. Disposal Site: A refuse or recycling depository, including but not limited to, sanitary landfills, transfer stations, and waste processing separation centers licensed, permitted, or approved by all governmental bodies and agencies having jurisdiction and requiring such licenses, permits, or approvals to receive refuse or recycling for processing or final disposal.
10. Director: The Public Works Director or his/her authorized agent.
11. Garbage: Every accumulation of waste (animal, vegetable and/or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruit, grains, or other animal or vegetable matter (including, but not limited to, used tin cans and other food containers or easily decomposable animal or vegetable waste matter which is likely to attract flies or rodents), except (in all cases) any matter included in the definition of construction debris, hazardous waste, yard trimmings, or rubbish.
12. Hazardous Waste: Waste, in any amount, which is defined, characterized, or designated as hazardous by the United States Environmental Protection Agency, Georgia Environmental Protection Division, or other federal, state, or local agency by or pursuant to federal, state, or local law, or waste, in any amount, which is regulated under such law. The term hazardous waste shall include, but not limited to, motor oil, gasoline, diesel fuel, paint, paint cans, and items containing Freon or chlorofluorocarbons.
13. Multi-Family Unit: Individual residential units in a multi-family structure (for example, apartment building) which units are not separately owned by or owned by one common entity, for which refuse collection using carts, dumpsters, and recycling containers, is deemed appropriate.
14. Producer: An occupant of a residential unit who generates refuse and/or recyclable materials.
15. Public Works: The department of City government empowered by the Mayor and City Council to direct the refuse and recyclable collection and disposal activities of the City of Austell.
16. Recyclable Materials: Corrugated cardboard, chipboard, office paper, computer paper, colored paper, newsprint, magazines, glass bottles and jars (green, brown, and clear), aluminum and bi-metal cans, HDPE clear plastic jugs and PET plastic soft drink containers or any other commodity agreed upon in writing by the City of Austell and contractor.
17. Recycling Waste Cart: A receptacle with a capacity of up to 65 gallons made of plastic and designed for the purpose of residential curbside collection of recyclable materials.
18. Refuse: All garbage and/or rubbish and/or bulk waste and/or yard waste generated by a producer.
19. Resident: Owner, lessee, or occupant.

20. Residential Unit: (a) A free standing dwelling within the corporate limits of the City of Austell occupied by a person or group of persons and (b) a residential unit contained in a building consisting of not more than four such units, and for which refuse collection service using carts if appropriate, as determined by the City of Austell. A residential unit shall be deemed occupied when either water or domestic energy (light and power) services are being supplied thereto.
21. Rubbish: All chips, shavings, sawdust, printer matter, paper, pasteboard, rags, straw, used and discarded clothing, shoes and boots, combustible waste pulp and other products such as are used for packaging or wrapping crockery and glass, ashes, cinders, floor sweepings, glass, mineral or metallic substances, and all other similar waste materials not included in the definition of construction debris, garbage, or hazardous waste.
22. Scavenging: Uncontrolled picking of discarded solid waste materials and/or recyclable materials.
23. Service Area: The entire geographic area within the corporate limits of the City of Austell, unless otherwise agreed to by the City of Austell and the contractor in writing.
24. State: The State of Georgia.
25. Unacceptable Waste: Highly flammable substances, hazardous waste (as defined herein), liquid waste, special waste, certain pathological and biological waste, explosives, toxic materials, radioactive materials, materials that the disposal facility is not authorized to receive and/or dispose of, and other materials deemed by federal, state, or local law, or in the reasonable discretion of the contractor, to be dangerous or threatening to health or the environment, or which cannot be legally accepted.
26. Yard Waste: All tree trimmings, dead plants, weeds, leaves, and dead tree debris not exceeding two feet in length, three quarter inches in diameter, or forty pounds. In addition, yard waste shall include Christmas trees of any length, diameter, or weight.
27. Yard Waste Bags: Biodegradable paper bags specially made to dispose of yard waste.

**SECTION 14-63. RESIDENTIAL REFUSE COLLECTION.**

- (1) The Public Works Director shall have the authority to make and modify, as necessary, collection schedules, type of collection containers used, location for collection, and such other matters pertaining to the collection, transportation, and disposal of waste and recyclables in accordance with the provisions of this article.
- (2) Public Works or its designated contractor, shall collect and remove all residential garbage and recyclables one day per week, except in weeks when holidays occur, in the event of inclement weather, or otherwise as directed by the Mayor and City Council or the Public Works Director.
- (3) Public Works employees, or its designated contractor, shall not enter on to private property to collect garbage, wastes, or recyclables nor shall they accept any money or other items of value for services rendered. The only exception to this is those customers approved for backdoor collection.
- (4) Residents may request an additional unscheduled pickup. This service will be provided at such fees or charges as established.

- (5) The City of Austell shall charge an extra fee for call-back service to residential customers whose container was not at the designated pickup location at the required time or was not accessible by the City or its vendor.
- (6) The Public Works Director shall have the authority to require additional service charges of any residential establishment that requests and received additional or special waste collection and disposal services greater than those normally provided by the department. Any such additional charges shall be based upon the cost to the City of Austell, or its designated contractor, for providing such additional or special services.
- (7) It is the responsibility of all new property owners acquiring a residential unit within the City of Austell to provide contact and billing information within thirty days of acquiring the property. For those property owners who lease or rent their residential unit(s), the property owner must provide information to the City of Austell regarding who is residing at the residential unit. If there is a change in residents, the property owner has thirty days from the date the resident vacated the property to notify the City of Austell of the new resident's name and contact information or apply for a temporary suspension of the service fee as provided in Section 14-73 if the unit is going to remain unoccupied for more than thirty consecutive days.

#### **SECTION 14-64. RESIDENTIAL CONTAINER AND HANDLING REQUIREMENTS.**

- (1) The following practices and procedures shall be followed in order to facilitate the collection of garbage.
  - (a) Every customer shall be provided one standardized container; unauthorized containers will not be serviced. Additional containers may be obtained from the City of Austell for an additional fee. The containers are not to be used for any other purpose.
  - (b) The Public Works Director may authorize certain residential units to provide their own containers. The residential unit shall provide written justification prior to changing containers. If approved, the residential units must adhere to the same rules and specifications described herein.
  - (c) Each container issued by the City of Austell has an imprinted serial number that is assigned to a specific address (not resident). If the resident moves, the container must remain at the assigned address. If resident removes container from its assigned residence, the customer will be charged for the replacement container.
  - (d) The customer is responsible for keeping their assigned container secure and in good condition. If the container is stolen or vandalized, the customer must provide a valid police report before the container will be replaced. If a container must be replaced due to negligence, the customer shall be required to pay for a replacement container.
  - (e) In the event of normal wear to assigned container, the City of Austell, or its designated contractor, will either repair or replace said container.
- (2) Residential Use.
  - (a) All garbage, disposable diapers, animal excrement and/or pet litter shall be placed in a securely tied, leak proof plastic bag of sufficient strength to resist tearing under normal handling before it is deposited in the container.

- (b) All garbage filled plastic bags must be placed inside the authorized container; the container may be filled to capacity as long as the lid can be closed.
- (c) Unauthorized containers and bags outside the assigned container will not be picked up. The only exception to this provision will be made during the period of December 25 through January 5.
- (d) Containers shall be placed adjacent to the curb of the resident's property by 7:00 AM on the resident's scheduled collection date in such a position as not to obstruct the sidewalk, gutter, mailbox, free movement of traffic, or hinder collection. The container shall be securely sealed to control odors, prevent littering, and to keep out rain and animals.
- (e) If a container is not placed out in time for collection, the resident may request a special pick up for which a fee will be assessed.
- (f) Containers shall be removed from the curb location no later than the day following the scheduled collection day and stored on the residential premises at a location not generally visible from the street. Containers shall be securely sealed at all times to control odors, prevent littering, and to keep out rain and animals.
- (g) Any garbage that litters the ground because a container was not securely sealed, overfilled, or overturned shall be the responsibility of the resident.
- (h) Special wastes including medical and infectious waste, lancets, syringes and hypodermic needles shall be placed in a rigid, leak-proof, puncture resistant container with a secured and taped lid. All special wastes shall also be clearly labeled identifying the contents before being placed in the container.
- (i) Collectors will not service any container with commingled or bulk waste, construction debris, hazardous materials, green waste, or improperly secured special wastes. State law prohibits commingling of household garbage with other types of waste.

**SECTION 14-65. BULK WASTE COLLECTION.**

- (1) The City of Austell will collect bulk waste, as defined herein, during the months of April and October of each year. All bulk waste must be placed at the curbside by 7:00 AM on the scheduled day of collection, but in no case be placed in such a position as to obstruct the sidewalk, gutter, mailbox, free movement of traffic, or hinder collection. City staff will not enter onto private property to pick up any materials.
- (2) No person shall leave outside in a place accessible to children any appliance, refrigerator, or other container which has an airtight snap lock or other similar device without first removing the door.
- (3) All white goods shall have a tag signed by a United States Environmental Protection Agency certified technician certifying that all environmentally hazardous materials have been removed.
- (4) The Public Works Director may limit the amount of bulk waste collected at any one location.
- (5) All commercial tree, landscaping, yard care firms, and contractors shall be responsible for collection and disposal of their own debris.

- (6) It shall be unlawful to commingle or mix yard waste, garbage, or other wastes described in this article with bulk waste.

**SECTION 14-66. YARD WASTE COLLECTION.**

- (1) The Public Works Director shall establish a schedule for collection of residential yard waste.
- (2) Yard waste shall be collected in the following manner:
  - (a) Branch, limb, and shrubbery piles shall be neatly stacked parallel to the street on the resident's property next to the curb for collection by the City of Austell.
  - (b) The City of Austell shall not collect any limbs or branches exceeding two feet in length, three quarter inches in diameter, or forty pounds. In addition, yard waste shall include Christmas trees of any length, diameter, or weight.
  - (c) The City of Austell shall not collect yard waste transported from locations other than the point of collection.
  - (d) The Public Works Director may limit the amount of yard waste collected at any one location.
  - (e) Crews and equipment used in the collection of yard waste often leave behind small debris which is the responsibility of the resident to clean up.

**SECTION 14-67. CONSTRUCTION AND DEMOLITION WASTES FROM PRIVATE PROPERTY; BUILDING PERMIT REQUIRED.**

- (1) Public Works shall not be responsible for collecting, hauling, or disposing of construction wastes or demolition wastes originating from private property preliminary to, during, or prior to the construction of new, remodeled, or renovated structures. These materials shall be removed by the owner, lessee, or tenant of the property or the contractor.
- (2) The City of Austell Building Inspector shall not issue a certificate of occupancy for residential, commercial, or industrial developments until all construction and demolition waste is removed by the owner or contractor.

**SECTION 14-68. SPECIAL WASTES AND COLLECTION OF DEAD ANIMALS.**

- (1) Public Works shall not be responsible for the collection or disposal of any dangerous or hazardous material as described in this article.
- (2) No special wastes shall be placed or caused to be placed with garbage, bulk waste, or other wastes as defined in this article, for collection by Public Works.
- (3) The City of Austell is not responsible for removal and disposal of dead animals from private property.

## SECTION 14-69. RECYCLING.

In order to protect the environment by conserving natural resources and preserving rapidly dwindling landfill space as well as minimizing waste disposal costs, the City of Austell encourages recycling for all residential occupants within the city limits to recycle all recyclable materials and implement reduction activities. All City residents shall be charged a recycling fee as established by the Mayor and City Council. The recycling fee shall be charged to each resident on their utility bill for the purpose of revenue collection and the continuation of city services.

- (1) Collection and container requirements will be the same as those outlined in this article.
- (2) Residential occupants shall utilize commingled single stream recycling for all materials considered recyclable.
- (3) Items accepted for City recycling are:
  - (a) All glass products, bi-metal containers, and metal containers.
  - (b) Corrugated paper and other container board.
  - (c) Newspaper, office paper, including junk mail and school papers, white, brown and manila envelopes.
  - (d) Rigid plastic containers clearly marked with SPI letter and number codes including PETE, HDPE, PVC, LDPE, PP, PS.
  - (e) Metal food or beverage container caps, lids, and scrap metal.
  - (f) All non-paper recycled items shall be rinsed clean of all product residue and well drained and free of all debris. All paper recycled items shall be flattened and free of all bindings, wraps, or clips.
- (2) Items not accepted for City recycling collection include the following:
  - (a) Electronic waste (E-Waste).
  - (b) Foam polystyrene packaging.
  - (c) Lead acid batteries.
  - (d) Waste oil.
  - (e) Waste tires.
  - (f) Any items listed herein that are not accepted for recycling collection shall be appropriately disposed of by delivery to any business that collects and/or recycles that type of material.



**SECTION 14-70. SCAVENGING.**

Unauthorized persons shall not touch, pilfer, or disturb any garbage, waste materials, or recyclables as defined in this article once those materials are placed for collection. All materials placed for collection pursuant to this Ordinance shall thereupon become the property of the City of Austell, or, the City of Austell's authorized agent. Only persons authorized by the City of Austell shall collect or handle garbage, waste or recyclable materials once those materials have been placed appropriately for collection. Each collected item by an unauthorized person in violation of this provision shall constitute a separate and distinct offense punishable as provided in Section 14-77.

**SECTION 14-71. DISPOSAL OF GARBAGE AND WASTE MATERIAL NOT GENERATED ON PROPERTY; NUISANCE.**

- (1) It is a violation of this article to transfer garbage or other waste material from the property upon which it was generated to any other property.
- (2) When garbage or waste material contains identifying matter that depicts the name of a person, there is a presumption that that garbage or waste material belonged to the person identified and was under his or her control at the time it was discarded. "Identifying matter" may include, but is not limited to, envelopes, letterhead, or junk mail containing a person's name and address.
- (3) Any accumulation of garbage, litter, or other waste items on any lot, property, premises, public street, alley or other public or private place not permitted by this article is hereby declared to be a nuisance, regardless of whether the City of Austell provides municipal garbage collection service for same. Failure of the owner, resident, or occupant to remove and correct any such accumulation of garbage, litter, or other waste items after appropriate notice from the Public Works Director, Code Enforcement Officer, or other designee, shall raise the presumption that such person intended to violate this article. The City of Austell may, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings, for abatement, removal, or injunction thereof in the manner provided under the City of Austell's Code of Ordinances and in a manner provided by law.
- (4) Any violation of the provisions of this section shall be punishable as provided herein.

**SECTION 14-72. VEHICLE LOADS CAUSING LITTER.**

No person shall operate any motor vehicle with a load on or in such vehicle unless the load on or in such vehicle is adequately secured to prevent the dropping or shifting of materials from such load onto the roadway.

**SECTION 14-73. REQUIRED SERVICE; FEES.**

- (1) The City of Austell shall service all non-commercial units located in the City for garbage and recyclable collection unless:
  - (a) An exception is made by the Public Works Director at his or her discretion; or
  - (b) The unit is unoccupied for a period of more than thirty days and the resident applies for and is granted a temporary suspension of the service fee.
- (2) The Mayor and City Council shall establish and amend the fees for all sanitation services as defined in this article.

- (3) All accounts shall be paid by the due date; a late fee will be assessed for all payments made after that date. A service charge shall be assessed for all dishonored checks or dishonored credit card charges.
- (4) Any account that becomes three months in arrears shall have their service terminated. In order to reinstate the service, the property owner shall pay a reinstatement fee prior to the service being re-established. An additional fee shall be assessed to collect any accumulated garbage.
- (7) If an account becomes delinquent for more than four months, the account will be turned over to the City of Austell's authorized collection agency.
- (8) Administrative remedy - temporary suspension of service and fee
  - (a) A resident whose residential unit will be unoccupied for more than thirty consecutive days may make application with the Public Works Department for a temporary suspension of the service and fee. Such application may be made by the resident on a form made available by the Public Works Department. The length of suspension of the service and fee shall not exceed six months unless authorized by the Public Works Director.
  - (b) Within fourteen days of the decision by the Public Works Department, any resident aggrieved by a decision to refuse to suspend may appeal that decision to the Public Works Director for a final administrative hearing and determination. The Public Works Director shall conduct an informal administrative hearing within ten business days of the resident appealing the original decision to not suspend. The resident and the City of Austell shall have the right to present sworn testimony and evidence. Upon the final administrative decision of the Public Works Director to approve or deny the suspension under this chapter, such decision being in writing and including a notice of the decision and reasons therefore to the resident, the applicant may appeal the decision to the Cobb County Superior Court by writ of certiorari. There shall be no suspension of the service or fee during the appeal notification period or while an appeal is pending before the Public Works Director.
  - (c) Residents not utilizing the City of Austell's solid waste services, not including recycling services, but having other means of disposing such solid waste, shall file with the Public Works Department, an affidavit certifying such statement. If, at any time, if there is cause to believe that solid waste is not being disposed of in accordance with the affidavit, the Public Works Department will notify the resident in writing of such and solid waste services shall be imposed on to the customer. All affidavits must be renewed annually, no later than December 30.

#### **SECTION 14-74. EXCLUSIVE CONTRACTUAL AGREEMENTS.**

Pursuant to this article, all residential owners, occupants, or lessees shall be required to exclusively use a solid waste company selected by the City of Austell as of October 1, 2014.

## **SECTION 14-75. INTENT; APPLICABILITY; COMPATIBILITY; SEVERABILITY.**

- (1) *Purpose and intent.* The purpose of this article is to protect the public health, safety, environment, and general welfare through the regulation and prevention of litter. The objectives of this article are to provide for uniform prohibition throughout the City of Austell any and all littering on public or private property; and, prevent the desecration of the beauty and quality of life of the City of Austell and prevent harm to the public health, safety, environment, and general welfare, including the degradation of water and aquatic resources caused by litter.
- (2) *Applicability.* This article shall apply to all public and private property within the City of Austell.
- (3) *Compatibility with other regulations.* This article is not intended to interfere with, abrogate, or annul any other Ordinance, rule or regulation, statute, or other provision of law. The mandatory provisions of this article should be considered minimum requirements, and where any provision of this article imposes restrictions different from those imposed by any other Ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or stringent or impose higher protective standards for human health safety and wellbeing or the environment shall be considered to take precedence.
- (4) *Severability.* The Mayor and City Council hereby declare their intention to be that the section(s), paragraph(s), sentence(s), clause(s) and phrase(s) of this Ordinance be severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance shall be judged, decreed or declared by a court of competent jurisdiction to be invalid or unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this article since the remainder of the Ordinance would have been adopted and enacted by the Mayor and City Council without the inclusion of any such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.

## **SECTION 14-76. VIOLATIONS.**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. Any person who violates, has violated, or continues to violate the provisions of this article, may be subject to an enforcement action or such penalties as are outlined in this article, or may be restrained by injunction or otherwise sentenced in a manner provided by law.

## **SECTION 14-77. PENALTIES.**


*Criminal Penalties:* For intentional and flagrant violations of this Ordinance, a citation may be issued to the responsible person, requiring such person to appear in City of Austell Municipal Court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for sixty days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

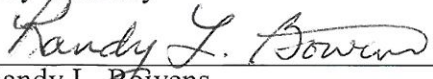
## **SECTION 14-78. ENFORCEMENT.**

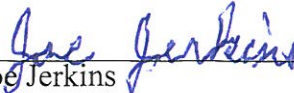
All law enforcement agencies, officers, and officials of this state or any political subdivision thereof, or any enforcement agency, officer or any official of any commission of this state or any political subdivision thereof, are hereby authorized, empowered, and directed to enforce compliance with this article.

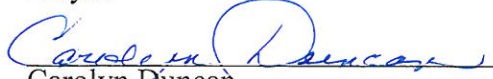
**ADOPTED** by the City Council of the City of Austell this 21st day of July 2014.


APPROVED AS TO FORM:

  
M. Scott Kimbrough  
City Attorney

  
Randy L. Bowens  
Director, Public Works

  
Joe Jerkins  
Mayor

  
Carolyn Duncan  
City Clerk

Certified By:   
Carolyn Duncan, City Clerk

Date: Monday, July 21, 2014

