

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2015-86

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY CHAPTER 38 “ENVIRONMENT”, ARTICLE VIII, “CLAYTON COUNTY STREAM BUFFER PROTECTION ORDINANCE”, DIVISION 2, “APPLICABILITY”, SECTION 38-143.2, “EXEMPTIONS”, SO AS TO DELETE THE EXISTING SUBSECTION (b) AND SUBSTITUTING IN LIEU THEREOF A NEW SUBSECTION (b); SO AS TO ADD A NEW SUBSECTION (g) THERETO, TO ALLOW THE CONSTRUCTION OF MULTI-USE TRAILS; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED

Section 1. The *CODE OF CLAYTON COUNTY, GEORGIA*, as amended is hereby further amended by amending specifically Chapter 38 “Environment”, Article VIII “Clayton County Stream Buffer Protection Ordinance”, Division 2 “Applicability”, Section 38-143.2 “Exemptions”, so as to delete the existing subsection (b) and substituting in lieu thereof a new subsection (b) which shall read as follows:

“(b) Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.”

Section 2. The *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, is hereby further amended by amending specifically Chapter 38 “Environment”, Article VIII “Clayton County Stream Buffer Protection Ordinance”, Division 2 “Applicability”, Section 38-143.2

“Exemptions”, so as to add a new subsection (g) thereto, to allow the construction of multi-use trails and shall read as follows:

“(g) Multi-use trails identified in the Clayton County Greenway Trail Master Plan. Additionally, trail improvements to be constructed within the buffer as a part of a land development related project, will not be included in the development site's impervious area calculations and regulations.”

Section 3. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

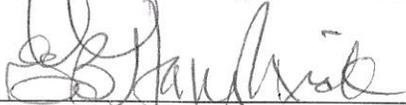
Section 4. If any part of this Ordinance shall be declared unconstitutional by the valid judgment of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

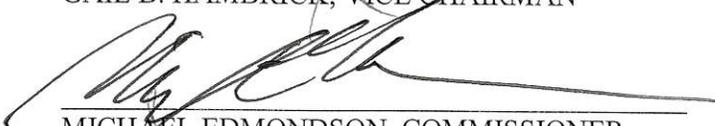
Section 5. This Ordinance shall become effective upon its approval by the Board of Commissioners.

SO ORDAINED this 7th day of April, 2015.

CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN


GAIL B. HAMBRICK, VICE CHAIRMAN


MICHAEL EDMONDSON, COMMISSIONER


SONNA GREGORY, COMMISSIONER


SHANA M. ROOKS, COMMISSIONER

ATTEST:


SANDRA T. DAVIS, CLERK