

ORDINANCE NO. 98-1

AN ORDINANCE TO AMEND AND MODIFY THE ORDINANCES ESTABLISHING A CODE OF ENFORCEMENT OF RULES AND REGULATIONS OF THE LOWNDES COUNTY BOARD OF HEALTH AND THE GEORGIA DEPARTMENT OF HUMAN RESOURCES; delegation of duties implementation and enforcement to Lowndes County Board of Health; provision for criminal penalties for the violation thereof; providing for provision of procedural rights; establishment of jurisdiction of The Magistrate Court of Lowndes County over violators of this ordinance and;

WHERE, this is for the protection and preservation of the public health, safety and welfare of the people of Dasher, Georgia;

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DASHER, GEORGIA, that prior Ordinance to Establish a Code of Enforcement of Rules and Regulations the Lowndes County Board of Health and the Georgia Department of Human Resources, as enacted by the Mayor and Council of the City of Dasher, Georgia, it is hereby amended by striking said Ordinance in its entirety and substituting in its place the following:

RULES AND REGULATIONS

There are currently in existence certain rules and regulations adopted by the Lowndes County Board of Health and the Georgia Department of Human Resources with the purpose of preserving the public health, safety, and welfare of citizens of Dasher, Georgia. This ordinance specifically incorporates by reference the provision of the following rules and regulations which are in force at the time of the adoption of this ordinance and as amended:

(a) Rabies control rules and regulations of Lowndes County Board of Health;

(b) Rules and regulations for on-site sewage management systems (adopted by Department of Human Resources and Lowndes County Board of Health and being Chapter 290-5-26);

(c) Rules and Regulations for water supply of Lowndes County Board of Health;

(d) Rules and Regulations pertaining to food service (adopted by the Department of Human Resources and Lowndes County Board of Health and being Chapter 290-5-15);

(e) Rules and regulations for public swimming pools, spas, and natural beaches of Lowndes County Board of Health; and

(f) Rules and regulations for tourist courts (adopted by the Department of Human Resources and Lowndes County Board of Health and being Chapter 290-5-18.)

IMPLEMENTATION AND ENFORCEMENT

The duty of implementation and enforcement of these regulations rests with the Dasher Council, and by virtue of this ordinance is hereby expressly delegated to the Lowndes County Board of Health who is hereby charged with promulgation of sufficient procedures for insuring compliance with these rules and regulations by the citizens of Dasher, Georgia. The Lowndes County Board of Health is directed to implement procedures which will insure that the citizens of Dasher will receive all procedural rights to which they are entitled under the laws of the State of Georgia.

PENALTIES

Any violation of the rules and regulations hereby referenced shall be a violation of this ordinance and shall be a misdemeanor offense. Any violator shall be subject to the imposition of a fine not to exceed \$500.00 and/or imprisonment for a period not to exceed sixty (60) days.

JURISDICTION

The Lowndes County Magistrate Court shall have jurisdiction over violators of this ordinance and all procedures for enforcement of such ordinances shall be as provided in Article 4, Chapter 10 of Title 15, Official Code of Georgia. Complaints of violation of any provision of this ordinance shall be brought before the Magistrate Court by a designated representative of the Lowndes County Board of Health and shall be prosecuted through that Court.

SEVERABILITY

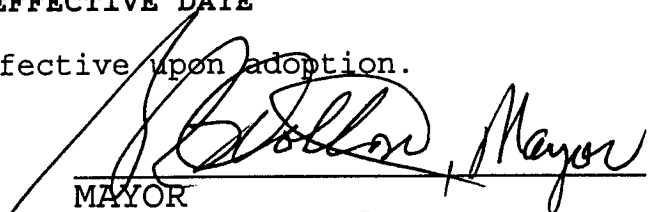
If any provision of this ordinance shall be held to be invalidity shall not effect any other provision herein which can be given effect without the invalid provision and to this end the provision of this ordinance are hereby declared to be severable.

CONFLICTS

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE

This ordinance shall be effective upon adoption.


MAYOR

1-5-98

DATE

ATTEST: Jonie S. Studstill