

House Bill 42

By: Representatives Barnard of the 166th, Stephens of the 164th, Lane of the 167th, Hill of the 180th, and Carter of the 159th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-5-295 of the Official Code of Georgia Annotated, relating to
2 inapplicability of the Coastal Marshlands Protection Act to certain activities, so as to provide
3 for matters relative to certain private docks exempted from said Act; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 12-5-295 of the Official Code of Georgia Annotated, relating to inapplicability
8 of the Coastal Marshlands Protection Act, is amended by revising paragraph (7) as follows:

9 "(7) The building of a private dock exclusively for the noncommercial use of the owner
10 or his or her invitees and constructed on pilings, the walkways of which are above the
11 marsh grass not obstructing tidal flow, by:

12 (A) The owner of a lot on which a detached single-family residence is located on high
13 land adjoining such dock; or

14 (B) The owner of a lot having at least 50 front feet of land abutting the marshlands
15 which contains high land suitable for the construction of a detached single-family
16 residence and where the construction of such a residence is not prohibited;

17 provided, however, that any revocable license issued for use of beds of tidewaters owned
18 by the state for purposes of a private dock exempted by this paragraph shall not be
19 revoked solely because of maintenance or repairs made to such dock as long as such
20 maintenance and repairs do not change the original plan for which license was granted.

21 The licensee shall have the authority to replace walkway, pilings, platform, and floating
22 dock with like kind material for which it was originally licensed. In no way shall the
23 licensee enlarge the length or width of structure without obtaining a modification of the
24 original license; or"

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.