

House Bill 1369

By: Representatives Kaiser of the 59<sup>th</sup> and Ashe of the 56<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 15-6-67 of the Official Code of Georgia Annotated, relating to the  
2 recordation of maps and plats and specifications for such maps and plats, so as to provide  
3 that certain data shall be shown on certain maps and plats; to provide for certain restrictions  
4 regarding a plat of a subdivision; to provide for related matters; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 15-6-67 of the Official Code of Georgia Annotated, relating to the recordation  
9 of maps and plats and specifications for such maps and plats, is amended by revising  
10 paragraph (4) of subsection (b) by deleting "and" at the end of subparagraph (M), substituting  
11 "; and" for the period at the end of subparagraph (N), and adding a new subparagraph to read  
12 as follows:

13 "(O) A statement shall be shown on the map or plat that neither the surveyor's seal nor  
14 the recordation of the map or plat shall constitute approval or recognition by a  
15 municipality or county of any entitlement to use or develop the land other than in  
16 accordance with any applicable municipal or county ordinance, including but not  
17 limited to zoning or subdivision."

18 **SECTION 2.**

19 Said Code section is further amended by revising subsection (d) as follows:

20 "(d) Whenever the municipal planning commission, the county planning commission, the  
21 municipal-county planning commission, or, if no such planning commission exists, the  
22 appropriate municipal or county governing authority prepares and adopts subdivision  
23 regulations, and ~~upon receiving~~ receives approval thereon by the appropriate governing  
24 authority, ~~then~~ no plat of subdivision of land within the municipality or the county shall be  
25 filed or recorded in the office of the clerk of the superior court of a county without the

26 approval thereon of the municipal or county planning commission or governing authority  
27 and without such approval having been entered in writing on the plat by the secretary of  
28 the municipal or county planning commission or governing authority. The clerk of the  
29 superior court shall not file or record a plat of subdivision which does not have the  
30 approval of the municipal or county planning commission or governing authority as  
31 required by this subsection. Notwithstanding any other provision of this subsection to the  
32 contrary, no approval shall be required if each lot shown on the plat of subdivision is  
33 greater than one acre in size and if no new streets or roads are created or no new utility  
34 improvements are required or no new sanitary sewer or approval of a septic tank is  
35 required. Any plat of survey containing thereon a certification from the licensed surveyor  
36 that the provisions relative to this subsection do not require approval shall entitle said plat  
37 to record."

38 **SECTION 3.**

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