

Senate Bill 354

By: Senators Shafer of the 48th, Mullis of the 53rd, Butterworth of the 50th, Moody of the 56th and Hudgens of the 47th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 32-7-2 of the Official Code of Georgia Annotated, relating to
2 procedure for abandonment of public roads and streets, so as to further declare the authority
3 of counties and municipalities to remove roads and streets from their road and street systems
4 when it is determined that removal is in the best public interest; to provide for related
5 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 32-7-2 of the Official Code of Georgia Annotated, relating to procedure for
9 abandonment of public roads and streets, is amended by revising paragraph (1) of
10 subsection (b) and subsection (c) as follows:

11 "(b) (1) When it is determined that a section of the county road system has for any reason
12 ceased to be used by the public to the extent that no substantial public purpose is served
13 by it or that its removal from the county road system is otherwise in the best public
14 interest, the county, by certification recorded in its minutes, accompanied by a plat or
15 sketch, and, after notice to property owners located thereon, after notice of such
16 determination is published in the newspaper in which the sheriff's advertisements for the
17 county are published once a week for a period of two weeks, and after a public hearing
18 on such issue, may declare that section of the county road system abandoned. Thereafter,
19 that section of road shall no longer be part of the county road system and the rights of the
20 public in and to the section of road as a public road shall cease."

21 "(c) When it is determined that a section of the municipal street system has for any reason
22 ceased to be used by the public to the extent that no substantial public purpose is served by
23 it or that its removal from the municipal street system is otherwise in the best public
24 interest, the municipality, by certification recorded in its minutes, accompanied by a plat
25 or sketch, and after notice to property owners located thereon, may declare that section of
26 the municipal street system abandoned. Thereafter, that section of road shall no longer be

27 a part of the municipal street system and the rights of the public in and to that section of
28 street as a public road shall cease. The property may be disposed of by the municipality
29 as provided in Code Section 32-7-4."

30 **SECTION 2.**

31 This Act shall become effective upon its approval by the Governor or upon its becoming law
32 without such approval.

33 **SECTION 3.**

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