

House Bill 1064

By: Representatives Spencer of the 180<sup>th</sup>, Stephens of the 164<sup>th</sup>, Stephens of the 161<sup>st</sup>,  
Williams of the 165<sup>th</sup>, Atwood of the 179<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 12-5-288 of the Official Code of Georgia Annotated, relating to  
2 activities and structures considered to be contrary to the public interest for purposes of  
3 issuing permits allowing alteration of coastal marshlands, so as to repeal the provision related  
4 to occupying live-aboards; to repeal conflicting 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 12-5-288 of the Official Code of Georgia Annotated, relating to activities and  
8 structures considered to be contrary to the public interest for purposes of issuing permits  
9 allowing alteration of coastal marshlands, is amended by revising subsection (b) as follows:

10 "(b) The amount of marshlands to be altered must be minimum in size. The following  
11 activities and structures are normally considered to be contrary to the public interest when  
12 located in coastal marshlands but the final decision as to whether any activity or structure  
13 is considered to be in the public interest shall be in the sound discretion of the committee:

- 14 (1) Filling of marshlands for residential, commercial, and industrial uses;  
15 (2) Filling of marshlands for private parking lots and private roadways;  
16 (3) Construction of dump sites and depositing of any waste materials or dredge spoil;  
17 (4) Dredging of canals or ditches for the purpose of draining coastal marshlands;  
18 (5) Mining;  
19 (6) Construction of lagoons or impoundments for waste treatment, cooling, agriculture,  
20 or aquaculture which would occupy or damage coastal marshlands or life forms therein;  
21 and  
22 (7) Construction of structures which constitute an obstruction of view to adjoining  
23 riparian landowners, including signs and enclosures; ~~and~~  
24 ~~(8) Occupying a live-aboard for more than 30 days during any calendar year; provided,~~  
25 ~~however, that the commissioner may grant extensions of time beyond 30 days to persons~~  
26 ~~making a request in writing stating the reasons for such extension. Owners of docks~~

27 ~~where live-aboards are moored as well as owners and occupants of live-aboards are~~  
28 ~~responsible under this part."~~

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.