

Senator Gooch of the 51st offered the following amendment:

1 *Amend SB 445 (House Sub) (LC 39 1947S) by inserting after "procedure;" on line 4 the*
 2 *following:*

3 to provide for limitations on restrictions of commercial motor vehicle traffic on certain
 4 county road systems;

5 *By inserting after "penalty;" on line 6 the following:*

6 to revise provisions regarding the procedure for disposition of property;

7 *By inserting between lines 56 and 57 the following:*

8 Said title is further amended in Code Section 32-4-42, relating to powers, by revising
 9 paragraphs (10) and (11) and by adding a new paragraph to read as follows:

10 "(10) In addition to the powers specifically delegated to it in this title and except as
 11 otherwise provided by Code Section 12-6-24, a county shall have the authority to adopt
 12 and enforce rules, regulations, or ordinances; to require permits; and to perform all other
 13 acts which are necessary, proper, or incidental to the efficient operation and development
 14 of the county road system; and this title shall be liberally construed to that end. Any
 15 power vested in or duty placed on a county but not implemented by specific provisions
 16 for the exercise thereof may be executed and carried out by a county in a reasonable
 17 manner subject to such limitations as may be provided by law; ~~and~~

18 (11) In all counties of this state having a population of 550,000 or more according to the
 19 United States decennial census of 1970 or any future such census, the county governing
 20 authority shall be empowered by ordinance or resolution to assess against any property
 21 the cost of reopening, repairing, or cleaning up from any public way, street, road, right
 22 of way, or highway any debris, dirt, sediment, soil, trash, building materials, and other
 23 physical materials originating on such property as a result of any private construction
 24 activity carried on by any developer, contractor, subcontractor, or owner of such property.
 25 Any assessment authorized under this paragraph, the interest thereon, and the expense of
 26 collection shall be a lien against the property so assessed coequal with the lien of other
 27 taxes and shall be enforced in the same manner as are state and county ad valorem
 28 property taxes by issuance of a fi. fa. and levy and sale as set forth in Title 48, known as
 29 the 'Georgia Public Revenue ~~Code.~~ Code'; and

30 (12) Municipalities whose incorporating Acts became of full force and effect on or after
31 May 1, 2017, but prior to January 1, 2019, shall not establish or maintain restrictions on
32 access by commercial motor vehicles as defined in paragraph (8.3) of Code Section
33 40-1-1 to portions of the road system providing access to commercial driveways as
34 defined in Code Section 32-6-130, except as to the applicable road system, exceeding any
35 county restrictions in effect on such portions on the date of incorporation unless such
36 county by ordinance or resolution concurs on such restriction."

37

SECTION 5.

38 *By redesignating Sections 5 and 6 as Sections 6 and 7, respectively.*