House Bill 509 (AS PASSED HOUSE AND SENATE)

By: Representatives Jones of the 38th, Burkhalter of the 36th, Coleman of the 65th, and Reece of the 21st

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 7 of Title 12 of the Official Code of Georgia Annotated, relating to control of soil erosion and sedimentation, so as to change certain provisions relating to adoption of comprehensive ordinances related to land-disturbing activities and delegation of responsibility to planning and zoning commissions; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 7 of Title 12 of the Official Code of Georgia Annotated, relating to control of soil erosion and sedimentation, is amended by striking Code Section 12-7-4, relating to adoption of comprehensive ordinances related to land-disturbing activities and delegation of responsibility to planning and zoning commissions, and inserting in lieu thereof the following:

"12-7-4.

The governing authority of each county and each municipality shall adopt a comprehensive ordinance establishing the procedures governing land-disturbing activities which are conducted within their respective boundaries. Such ordinances shall be consistent with the standards provided by this chapter. Local governing authorities shall have the authority, by such ordinance, to delegate in whole or in part the responsibilities of the governing authorities, as set forth in this chapter, to any constitutional or statutory local planning and zoning commission. Where the local governing authority deems it appropriate, it may integrate such provisions with other local ordinances relating to land development including but not limited to tree protection, flood plain protection, stream buffers, or storm-water management; and the properties to which any of the types of ordinances identified in this Code section shall apply, whether or not such ordinances are integrated, shall include without limitation property owned by the local governing authority or by a local school district, except as otherwise provided by Code Section 12-7-17."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.