

STATE OF GEORGIA
CITY OF SOCIAL CIRCLE

ORDINANCE NO. ORD-2021-12

AN ORDINANCE TO REVISE CHAPTER 6, ARTICLE III OF THE CODE OF ORDINANCES, CITY OF SOCIAL CIRCLE, GEORGIA TO PROVIDE FOR THE REGULATION OF YARD TRIMMINGS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Mayor and Council desire to amend an ordinance to make it illegal to leave yard trimmings and debris in a public road within the city limits of the City of Social Circle; and

WHEREAS the placement of leaves, grass, and other yard trimming and debris makes traveling city streets hazardous to operators of motorcycles and vehicles. A Michigan Department of Transportation study found that a vehicle traveling 40 mph on dry pavement took 80 feet to stop, on wet pavement the same vehicle took 160 feet to stop, and on wet leaves the same vehicle took 250 feet to stop. The combination of rain on leaves and grass was found to be similar to driving on ice. For motorcycle operators the placement of grass and leaves in the street can cause the motorcycle tires to lose contact with the road surface which could result in an accident if the driver is unable to avoid the materials in the roadway; and

WHEREAS, the placement of yard debris on city streets and in ditches can lead to the storm drains becoming clogged and cause drainage and flooding of city streets and properties; and

WHEREAS, yard waste disposal is provided for all city residents as part of the normal city services; and

WHEREAS, the Mayor and City Council have determined that it is in the best interests of the citizens of Social Circle to adopt an ordinance to regulate yard trimmings and debris being left in public streets to promote the health, safety and welfare of the citizens;

NOW, THEREFORE, BE IT ORDNANIED by the Mayor and Council of the City of Social Circle, Georgia, and it is hereby ordained by authority of same, as follows:

SECTION 1. Chapter 6, Section 6-53, Subsection (b) of the Code of Ordinances of the City of Social Circle is hereby deleted in its entirety and replaced with the following:

“(b) *Placement and disposal of yard trimmings—Prohibitions.* It shall be unlawful for any person to place, dispose of, or mix yard trimmings.

(1) With other municipal solid waste within the incorporated area of the city.

(2) Yard trimmings shall not be disposed of at any municipal solid waste disposal facility having a liner and

leachate collection system or requiring vertical expansion located within the city.

(3) Deposit or cause for disposal of leaves, grass clippings, or other vegetation in or upon any street, ditch, gutter, or storm drain.”

SECTION 2. Unless otherwise provided herein, the penalties provided for violations of this Ordinance are set out in the general penalties’ sections of the Code of Ordinances of the City of Social Circle, are under the authority of the Municipal Court as established by the Code and are hereby incorporated herein as if fully set out.

SECTION 3. Except as provided otherwise herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. Pursuant to the Section 2.25 of the City Charter, authority is hereby delegated to the City Clerk to cause this Ordinance to be numbered and codified in the City Code of Social Circle, Georgia, in such a way as to place this Ordinance in the Code in an organized and orderly sequence to maximize the organization of the Code. The City Clerk is authorized to designate to the City Attorney or to such other Mayor and Council approved contractors to assist in the effort to codify this provision provided the decision of the City Clerk is final as to the placement of this Ordinance within the City Code of Social Circle, Georgia. The goal of this authorization is to codify and number this Ordinance in the Code in such a way as to be clear and orderly.

SECTION 5. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Social Circle, Georgia.

SECTION 6. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.


SO ORDAINED this 16 day of November 2021.


David Keener, Mayor

ATTEST:


Susan M. Roper, City Clerk

APPROVED AS TO FORM:


Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law P.C.

Adopted by the City Council at a regular meeting on November 16, 2021.

4 Council members voting in favor
0 Council members voting against
0 Council members abstaining