

DRAFT FOR COUNTY COMMISSION CONSIDERATION

ORDINANCE FOR ENFORCEMENT OF

COUNTY ENVIRONMENTAL HEALTH REGULATIONS

AN ORDINANCE ADOPTING AND ENACTING A CODE OF ENFORCEMENT OF RULES AND REGULATIONS OF THE EVANS COUNTY BOARD OF HEALTH; EXPRESS ADOPTION OF APPLICABLE RULES AND REGULATIONS; DELEGATION OF DUTIES OF IMPLEMENTATION AND ENFORCEMENT TO EVANS COUNTY BOARD OF HEALTH; PROVISION FOR CRIMINAL PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR PROVISION OF PROCEDURAL RIGHTS; ESTABLISHMENT OF JURISDICTION OF MAGISTRATE'S COURT OVER VIOLATORS OF THIS ORDINANCE.

ALL FOR THE PROTECTION AND PRESERVATION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE PEOPLE OF EVANS COUNTY, GEORGIA.

I.

There are currently in existence certain rules and regulations adopted by the Evans County Board of Health with the purpose of preserving the public health, safety, and welfare of citizens of Evans County, Georgia. This ordinance specifically incorporates by reference the provision of the following rules and regulations which are in force at the time of the adoption of this ordinance:

- A. Rules and Regulations pertaining to Rabies Control (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-2 and the "Rabies Control Ordinance" as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Rabies Control;
- B. Rules and Regulations pertaining to Food Service (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-14 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Food Service;

- C. Rules and Regulations pertaining to Tourist Accommodations (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-18 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Tourist Accommodations;
- D. Rules and Regulations for Land Disposal of Domestic Septage (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-25 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Land Disposal of Domestic Sewage;
- E. Rules and Regulations for On-Site Sewage Management Systems (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-26 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to On-Site Sewage Management Systems;
- F. Rules and Regulations pertaining to Drinking Water Supply (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-55 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Drinking Water Supply;
- G. Rules and Regulations pertaining to Solid Waste (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-56 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Solid Waste;
- H. Rules and Regulations pertaining to Public Swimming Pools, Spas, and Recreational Water Parks (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-57 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Public Swimming Pools, Spas, and Recreational Water Parks;

- I. Rules and Regulations pertaining to Special On-Site Sewage Management Systems (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-59 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Special On-Site Sewage Management Systems;
- J. Rules and Regulations pertaining to Georgia Smoke Free Air Act of 2005 (adopted by the Department of Human Resources and the Evans County Board of Health and being Chapter 290-5-61 as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Smoke Free Air;
- K. Rules and Regulations pertaining to Body Art (adopted by the Department of Human Resources and/or the Evans County Board of Health and being rules and regulations for Body Art Studios and Artists as subsequently amended and updated), and policies of the Evans County Board of Health pertaining to Body Art; and

A copy of all these rules and regulations are attached to this ordinance.

II.

The duty of implementation and enforcement of these regulations rest with the Evans County Board of Commissioners, and by virtue of this ordinance is hereby expressly delegated to the Evans County Board of Health who is hereby charged with promulgation of sufficient procedures for insuring compliance with these rules and regulations by the citizens of Evans County or those individuals found within the boundaries of Evans County. The Evans County Board of Health is directed to implement procedures which will insure that the citizens of Evans County or those individuals found within the boundaries of Evans County will receive all procedural rights to which they are entitled under the laws of the State of Georgia.

III.

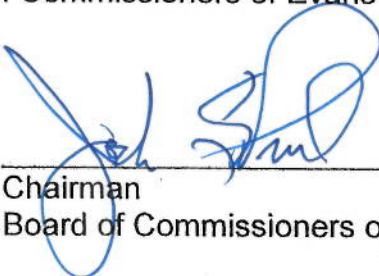
Any violation of the rules and regulations hereby referenced shall be a violation of this ordinance and shall be a misdemeanor offense. Any violator shall be subject to the imposition of a fine not to exceed \$500.00 and/or imprisonment for a period not to exceed sixty (60) days. Any failure of payment of inspection fees listed within the fee

schedule adopted by Evans County Board of Health and approved the Evans County Board of Commissioners within 60 days of first notice, may result in suspension of permit.


IV.

The magistrate's court of Evans County shall have jurisdiction over violators of this ordinance and all procedures for enforcement of such ordinance shall be as provided in Article 4, Chapter 10 of Title 15, Official Code of Georgia. Complaints of violation of any provision of this ordinance shall be brought before the magistrate's court by a designated representative of the Evans County Board of Health and shall be prosecuted through that court.

The effective date of this ordinance shall be January 11, 2006  
Passed in regular session of the Board of Commissioners of Evans County, Georgia,  
on January 11, 2006.

  
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Chairman  
Board of Commissioners of Evans County

Attest:

  
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Clerk  
Board of Commissioners of Evans County