

ORDINANCE NO. 19- 435

AN ORDINANCE BY THE CITY OF CLARKSTON TO ADOPT THE 2018 EDITION OF THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES IN THE CITY; TO PROVIDE THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND FOR OTHER PURPOSES.

The City Council of Clarkston hereby ordains as follows:

Section 1. That certain document, three (3) copies of which are on file in the office of the City Clerk of City of Clarkston, being marked and designated as the *International Property Maintenance Code*, 2018 edition, as published by the International Code Council, be and is hereby adopted by the City of Clarkston, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Section 2 of this ordinance.

Section 2. The following sections of the International Property Maintenance Code are hereby revised:

Section 101.1. Insert: City of Clarkston

Section 103.5. Delete this provision of the International Property Maintenance Code.

Section 110.3. Delete this provision of the International Property Maintenance Code and replace with "If the owner fails to comply the City will initiate a nuisance abatement action in Municipal Court."

Section 112.4. Insert: \$250 to \$1,000

Section 302.4. Insert: Twelve (12) inches

Section 304.14. Insert: April 1st to September 30th

Section 602.3. Insert: October 1st to March 31st

Section 602.4. Insert: October 1st to March 31st

Section 3. Division 1 of Article II of Chapter 5 of the City Code, which adopted the 2012 edition of the *International Property Maintenance Code* is hereby repealed. However, Division 2 of Article II of Chapter 5, the "City of Clarkston Local Property Maintenance Code" shall remain in full force and effect.

Section 4. New Chapter 5, Article II of the Clarkston City Code is hereby adopted to read as follows: "The City adopts the International Property Maintenance Code of 2018, as amended by the City per Ordinance No. 19-435, as the minimum requirements and standards for premises and buildings in the City."

Section 5. If any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

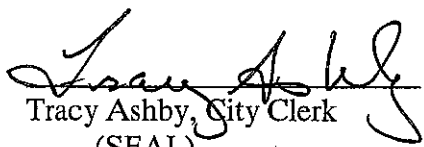
Section 7. The City Clerk is hereby ordered and directed to cause this legislation and the *International Property Maintenance Code*, 2018 edition, to be published on the City's website.

Section 8. This law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its final passage and adoption.

ADOPTED this 5th day of February 2019.


ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA


Tracy Ashby, City Clerk
(SEAL)


Mayor Ted Terry

Approved as to Form:


Stephen G. Quinn, City Attorney