

**FULTON COUNTY CODE OF ORDINANCES AND CODE OF RESOLUTIONS**

**CHAPTER 34 - HEALTH AND SANITATION**

**ARTICLE VII – NUISANCES**

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## ARTICLE VII. NUISANCES

### Sec. 34-361. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Department* means the Fulton County Department of Health and Wellness or its authorized representative(s).

*Nuisance* means whatever is dangerous or detrimental to human life or health and whatever renders or tends to render soil, water or food impure or unwholesome.

*Person* means any individual, permit holder, owner, partnership, corporation, or association, and including governmental agencies.

(Res. of 8-12-81(1), ' 30-2-4.01)

**Cross reference(s)**--Definitions generally,-' 1-2.

### Sec. 34-362. Specific nuisances.

The following are declared to be specific nuisances:

- (a) Conditions conducive to the breeding of flies or mosquitoes.
- (b) Any foul, decaying, or putrescent material kept, used, or disposed of in such a manner or place as to be or become offensive, objectionable or detrimental to health or well-being.

### Sec. 34-363. Nuisance prohibited.

No person shall create, maintain, support, aid or continue any condition declared to be a nuisance.

(Res. of 8-12-81(1), ' 30-2-4.03)

### Sec. 34-364. Penalty for violation of article.

Any person who violates any provisions of this article shall be guilty of a misdemeanor. Each and every violation of the provisions of this article shall constitute a separate offense.

(Res. of 8-12-81(1),-' 30-2-4.04)

**State law reference(s)**--Punishment for misdemeanors generally, O.C.G.A. ' 17-10-3; maximum punishments which may be imposed for violations of county ordinances, O.C.G.A.-' 36-1-20(b).

### Sec. 34-365. Repeal and date of effect.

All regulations or parts of regulations in conflict with this article are hereby repealed, and this article shall be in full force and effect immediately upon its adoption and its publication as provided by law. (Res. of 8-12-81(1),-' 30-2-4.05)

**Sec. 34-367. Severability.**

Should any section, paragraph, sentence, clause or phrase of this article be declared unconstitutional or invalid for any reason, the remainder of said article shall not be affected thereby. (Res. of 8-12-81(1), 30-2-4.06)