

AN ORDINANCE TO AMEND CHAPTED 34, 2012 INTERNATIONAL FIRE CODE, TO INCLUDE REGULATIONS FOR THE PROPER STORAGE METHODS OF ALL USED TIRES, SCRAP TIRES AND TIRE PIECES STORED WITHIN DAWSON COUNTY

WHEREAS, Dawson County has determined that tires are being improperly disposed of and storage throughout Dawson County; and

WHEREAS, tires provide habitats for rodents, insects, and other vermin and serve as excellent breeding grounds for mosquitoes that carry diseases and present a fire hazard; and

WHEREAS, the improper disposal of waste tires found throughout various areas of Dawson County is a major fiscal and waste management problem; and

WHEREAS, it is the intent and purpose of Dawson County to provide for the public health, safety and welfare of the residents of Dawson County specifically as it relates to the improper storage and disposal of tires in Dawson County; and

WHEREAS, Dawson County Commissioner have determined it is the best interest of the citizens of Dawson County to adopt this ordinance for the protection of the citizens and to establish standards for the proper storage and disposal of tires.

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COMMISSION OF DAWSON COUNTY, Chapter 34 2012 International Fire Code Section 3404, Section 3405, Section 3406, Section 3408, and Section 3409 Tire rebuilding and Tire storage, the State of Georgia minimum Standard Codes Adopted by the Board of Community Affairs and Dawson County with Georgia Amendments; with a new section to read as follows;

SECTION2. APPROVED STORAGE METHODS.

All used tires, scrap tire and tire pieces stored within Dawson County shall be kept in a manner which prevents their exposure to and collection of the elements of nature. Tires must not be allowed to hold water, dirt, rubbish or other foreign materials. Monitoring and control measures are to implemented as necessary to eliminate the presences of mosquito breeding and rodent harborage.

- a. Used tires, scrap tires and tire pieces shall be stored separately.
- b. Used tires, scrap tires and pieces stored outside shall be:
 - (1) Screened from public view:
 - (2) Properly stored:
 - (A) On racks or neatly stacked not in excess of 10 feet in height: or

- (B) In a roll-off container front-load dumpster with top, or other metal storage container, including a trailer not exceeding 45 ft x 8 ft by 13 ft if covered and if the stacked tires do not exceed height of 13 feet and the container and contents are shielded from rainwater. Trailers over 45 ft shall be approved by the Fire Official if in compliance with the Fire Code. No more than 2 containers may be stored at any one used tire facility location; and
- (3) In compliance with all applicable fire codes adopted by Board of Community Affairs with Georgia Amendments, the State of Georgia, and Dawson County.

SECTION 3. Definitions

- (A) Code Compliance Officer shall mean the Building Official, Code Marshal, Fire Marshal or their designees.
- (B) Facility shall mean all businesses referred to herein as, Mobile Tire Repair Business, Tire Business, and Tire Recycling Facility.
- (C) Mobile Tire Repair Business means a business that repairs tires at any temporary location, including but not limited to a roadway, alley, parking lot, or residence. The term does not include a business that only changes out or replaces tires, but does not make any repairs to a tire.
- (D) Mobile Tire Repair Unit means any vehicle or trailer used in a mobile tire repair business.
- (E) Scrap tire means a whole tire or any portion of a tire that can no longer be used for its original intended purpose.
- (F) Used tire means a tire that remains a scrap tire until it is installed on a vehicle.
- (G) Scrap Tire Facility means any business or establishment where 100 or more scrap tires per year are collected, repaired, processed, recycled, scrapped, sold, bought or stored.
- (H) Tire Recycling Facility means a state-registered facility that processes, recycles, or conducts energy recovery with scrap tires.
- (I) Tire means a continuous solid or pneumatic rubber covering encircling the wheel of a bicycle, motorcycle, automobile, truck, trailer, tractor or other vehicle.
- (J) Tire Business means any business or establishment where used tires are collected, repaired, processed, recycled, scrapped, sold, bought or stored.

SECTION 4. PENALTY

Any person or entity violating any provision of this ordinance shall be guilty of infraction and upon conviction thereof shall be subject to a fine or penalty of not less than \$250.00 nor more than \$500.00. **Jurisdiction to hear all cases related to alleged violation of this**

ordinance shall lie concurrently in Dawson County Magistrate Court and Dawson County Superior Court.

SECTION 5. SEVERABILITY

If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, then such invalidity shall not be construed to affect the portions of the ordinance not held to be invalid or the application of the resolution to other circumstances not held to be invalid. It is hereby declared to be the intent of the Board of Commissioners of Dawson County to provide for separable and divisible parts, and the Board of Commissioners hereby adopts any and all parts not held invalid.

SECTIONS 6. REPEALER

All resolutions or ordinances or parts of resolutions or ordinances in conflict with the terms of this ordinance are hereby repealed, but it is hereby provided that any resolution or ordinance that may be applicable hereto and aid in carrying out or making effective the intent, purpose, and provisions hereof, which shall be liberally construed in favor of Dawson County, is hereby adopted as a part hereof.

Approved this _____ day of _____ 2017.

ATTEST:

DAWSON COUNTY

BOARD OF COMMISSIONERS

County Clerk

By: _____
Billy Thurmond Chairman

Vote:

Yes: _____

Dates of Public Hearing: June 1, 2017 and June 15, 2017

No: _____

Dates of Advertising: May 24, 2017 and May 31, 2017