

**A RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE APPROVAL OF A DOUGHERTY COUNTY TIMBER
HARVESTING ORDINANCE WITHIN THE UNINCORPORATED AREAS OF DOUGHERTY
COUNTY ACCORDING TO THE OFFICIAL CODE OF GEORGIA ANNOTED SECTION 12-6-
24 ET SEQ; REPEALING RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT
HEREWITH; AND FOR OTHER PURPOSES.**

WHEREAS, the Board of Commissioners of Dougherty County has established a need for the implementation of a Dougherty County Timber Harvesting Ordinance within the unincorporated areas of Dougherty County according to Official Code of Georgia Annotated Section 12-6-24 et seq.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dougherty County and it is hereby resolved by Authority of same as follows:

SECTION I The attached Dougherty County Timber Harvesting Ordinance is hereby approved by the Board of Commissioners of Dougherty County to be effective on the date of the passage of this Resolution. The Clerk of Dougherty County is hereby authorized to forward the Dougherty County Timber Harvesting Ordinance to representatives of the Municipal Code Corporation to ensure its inclusion in the Code of Dougherty County, Georgia.

SECTION II All resolutions or parts of Resolutions in conflict herewith are hereby repealed.

This the 16th day of October, 2017.

BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA

BY: 

Chris Cohilas, Chairman

ATTEST:


County Clerk

DOUGHERTY COUNTY TIMBER HARVESTING ORDINANCE

Section 1 – Title: This ordinance shall be known as the Dougherty County Timber Harvesting Ordinance.

Section 2 – Preamble: The General Assembly of the State of Georgia having enacted laws set out in O.C.G.A. 12-6-24 effective July 1st, 2015, pertaining to authorizing the county governing authority to adopt an ordinance requiring notice of a bond not exceeding \$5000.00 for the harvesting of timber within the unincorporated areas of the county and the governing authority of Dougherty County having found that there is a need for such an ordinance, now therefore the governing authority of Dougherty County hereby enacts this local county ordinance.

Section 3 – Notice required prior to cutting any timber: All persons or firms harvesting standing timber in any unincorporated area of Dougherty County for delivery as pulpwood, logs, poles, posts, or wood chips, to any wood yard or processing plant located inside or outside this state shall provide notice of such harvesting operations to the county governing authority prior to cutting any timber.

Section 4 – Prior Notification and Bond Requirements: Prior written notice shall be required within 24 hours of any person or firm harvesting such timber for each separate tract to be harvested thereby, and shall be submitted on the Notice of Timber Harvesting Activity form, which shall consist of:

- a. A map of the area which identifies the location of the tract to be harvested and the main point of ingress from a public road and the main point of egress to a public road if different;
- b. A statement as to whether the timber will be removed pursuant to a lump sum sale, per unit sale, or owner harvest for purpose of ad valorem taxation under Georgia Code Section 48-5-7.5;
- c. The name, business address, business telephone number of the timber seller if the harvest is pursuant to a lump sum or per unit sale, or if the timber is an owner harvest; and
- d. The name, business address, business telephone number, and nighttime or emergency telephone number of the person or firm harvesting such timber.

1. Notice may be submitted in person, by transmission of an electronic record via facsimile or electronic mail, or such other means as approved by Dougherty County, or by mail;

2. Each notice of intent to harvest shall not be, or remain, in effect for such harvesting operations unless and until the person or firm providing such notice has delivered to the office of Dougherty County Public Works a surety bond in the amount of \$2,500.00 executed by a surety company licensed to do business within the State of Georgia or at the option of the person or firm harvesting timber, a valid and irrevocable letter of credit issued by a bank or savings and loan association, in the amount of and in lieu of such bond. For the purposes of this paragraph, any such surety bond or irrevocable letter of credit shall be valid for one year from the date of issuance.

The bond shall indemnify Dougherty County against any and all damages caused as a result of timber operations to any county roads, rights-of-way, points of ingress and egress, or other public property. The bond shall also indemnify Dougherty County for any costs incurred in the cleanup of waste and/or debris left on public property as a result of the timber operation. In the event repair exceeds \$2,500.00, the timber company shall be responsible for expenses in excess of \$2,500.00.

The bond or irrevocable letter of credit may cover more than on site; however, each site of operation must have a timber harvesting notification form on file.

Section 5 – Operational Requirements: The following minimum standards shall be met unless directed otherwise by the Dougherty County Public Works:

1. Temporary Construction Exit Installation
 - a. Mud shall not be carried onto paved roads by logging vehicles. A temporary construction exit of gravel shall be installed and maintained by the timber operation to eliminate any hazard to traffic or unsightly conditions on the public right-of-way at the main point of ingress from a public road and the main point of egress to a public road, if different.
 - b. Minimum drive width shall be 20 feet.
 - c. Use geotextile underliner minimum of 20 feet wide under gravel pad.
 - d. Maximum thickness of six inches constructed of 1.5 inches to 3.5 inches of coarse aggregate for a minimum drive length of 50 feet.
 - e. A temporary pipe may be required depending on the grade to protect the county roadway and to allow for adequate stormwater drainage.
 - f. The county road, at each ingress/egress point, shall be posted with four 48-inch orange “Trucks Entering Roadway” advance warning signs placed on the shoulder of the road at 500 feet and 1,000 feet intervals from both directions. Signs and posts shall conform to the current edition of the Manual for Uniform Traffic Control Devices.
2. An appointment for ingress/egress inspection shall be scheduled 24 hours in advance of the inspection with the Dougherty County Public Works to inspect the temporary construction exits prior to any activity at the proposed location.
3. No harvester equipment or vehicle(s) may be parked on a county right-of-way or use the county right-of-way as a loading facility.
4. There shall be no blockage of county roads at the access site and roads must remain open at all times.
5. Logging and skidding of logs on county roads and rights-of-way is strictly prohibited.

Section 6 – Concluding Operations: All temporary construction exits, temporary driveway pipes, and traffic signs shall be removed prior to the timber operator giving notification of the completion of operations. Upon notification of completion, Dougherty County Public Works shall inspect the site. Should it be determined that the road and right-of-way is in as good condition as prior to the commencement of the timber harvesting, the bond shall be void and the bond or letter of credit returned, unless kept on file for additional or future timber harvesting operations.

Section 7 – Severability Provision: If any person of this ordinance is held to be valid, the remaining provision shall continue in full force and effect.

Section 8 – Applicability of this Ordinance: The provisions of this ordinance are in addition to and supplementary to any existing county ordinance and existing laws of this state and shall not be constructed to repeal or supersede such existing laws.

Section 9 – Effective Date

This ordinance was duly enacted by the governing authority of Dougherty County on the _____ day of _____, 2017.

Christopher S. Cohilas
Chairman Dougherty County
Board of Commissioners

Witness:
