

RESOLUTION

**A RESOLUTION OF THE GOVERNING AUTHORITY OF DEKALB COUNTY,
GEORGIA REQUESTING THE DEKALB COUNTY DELEGATION OF THE
GENERAL ASSEMBLY TO INCLUDE SANITATION FEES AND OTHER
UNREMUNERATED COSTS IN EVICTION CLOSING COSTS AND FILING FEES.**

WHEREAS, the governing authority of DeKalb County requests the General Assembly to enact legislation that allows the State Court clerk to collect a fee for the removal of personal property and other unremunerated costs incurred by DeKalb County after an eviction; and

WHEREAS, the governing authority of DeKalb County believes this legislation is necessary for the purpose of protecting and preserving the public health, safety, and welfare of the citizens of DeKalb County; and

NOW, THEREFORE, BE IT RESOLVED by the governing authority of DeKalb County, Georgia that the following is requested:

1. The language set forth in Exhibit 1 to this Resolution be considered, reviewed and enacted by the General Assembly as local law for DeKalb County during the 2020 session; and
2. The Executive Assistant or designee deliver a copy of this Resolution to each member of the Georgia General Assembly representing a portion of DeKalb County.

ADOPTED by the DeKalb County Board of Commissioners, this ___ day of _____, 2020.

STEPHEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2020.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

APPROVED AS TO FORM:

TRACY A. HUTCHINSON
Director of Sanitation

VIVIANE H. ERNSTES
County Attorney

Exhibit 1

Ga. L. 1951, p. 2401, as amended by Ga. L. 2010, p. 3677, as amended by Ga. L. 2012, p. 5059

SECTION 11B., MARSHAL shall be amended to read as follows:

* * *

[Requested revision in bold]

MARSHAL

To provide for the services of the marshal, the following fees shall be charged:

For serving copy of process or other pleading and returning original, per copy.	\$35.00
For serving action from another county, including second original.	35.00
For backing order.	13.00
For serving subpoena.	35.00
For each levy or writ of fieri facias.	35.00
For settling fi fa before sale of property.	13.00
For search and return of nulla bona.	20.00
For serving summons of garnishment or plaintiff's traverse of garnishee.	35.00
For each arrest in civil cases.	35.00
For taking and approving bond in any civil case, including forthcoming bond.	13.00
Commission on sales of property:	
On sums of \$50.00 or less.	8%
On excess above \$50.00 up to \$550.00.	6%
For all sums exceeding \$550.00, on excess.	3%
No commission shall be charged unless property is actually sold.	
For removing or storing or removing and storing property and keeping and feeding animals, the cost shall be actual expense incurred.	
For making out and executing titles to land.	25.00
If presented by purchaser.	13.00
For executing bill of sale to personal property, when demanded by purchaser.	13.00
For dispossessing tenant or intruder.	75.00
For the removal of personal property left for at least five business days after the execution of a writ of possession.	up to 150.00

Provided, however, that the cost for serving any paper or proceeding not provided for in this Act shall be \$35.00.

All costs provided for under this section shall be paid to the clerk's office at the time of filing.