

## Exhibit 1

January 8, 2018

Ga. Code Ann., § 36-1-20

### **§ 36-1-20. Ordinances for governing and policing unincorporated areas**

- (a) The governing authority of each county, for the purpose of protecting and preserving the public health, safety, and welfare, is authorized to adopt ordinances for the governing and policing of the unincorporated areas of the county, violations of which ordinances may be punished by fine or imprisonment or both. Without limiting the generality of the foregoing, such ordinances may provide for traffic regulation, including adoption of the uniform rules of the road under Chapter 6 of Title 40, may provide for the regulation and control of litter in the same manner as municipal ordinances under Code Section 16-7-48, and may provide for the implementation and enforcement of any power or duty vested in the county governing authority.
- (b) Each such ordinance shall specify the maximum punishment which may be imposed for a violation of the ordinance; and in no case shall the maximum punishment for the violation of any such ordinance exceed a fine of \$1,000.00 or imprisonment for 60 days or both; provided, however, that for violation of a pretreatment standard or requirement adopted pursuant to the federal Clean Water Act<sup>1</sup> the ordinance may specify that the fine may be up to \$1,000.00 per day for each violation by an industrial user.
- (c) **The governing authority of each county, for the purpose of protecting the public health, safety, and welfare, is authorized to adopt ordinances for the governing and policing of the possession of less than one ounce of marijuana within their respective jurisdictions, which ordinances may be punished by fine. Each such ordinance shall specify the maximum punishment which may be imposed for a violation of the ordinance; and in no case shall the maximum punishment for the violation of any such ordinance exceed a fine of \$1,000.00. Any fines and bond forfeitures arising from the prosecution of such cases shall be retained by the governing authority issuing the citation and shall be paid into the treasury of such governing authority.<sup>2</sup>**
- (d) Jurisdiction over violations of such county ordinances shall be in the magistrate court of the county; and procedure for enforcement of such ordinances shall be as provided in Article 4 of Chapter 10 of Title 15; provided, however, jurisdiction over ordinances having to do with traffic offenses shall be in the court or courts having jurisdiction over state traffic offenses.
- (e) This Code section shall not affect the jurisdiction of or procedure in any other court which has jurisdiction over violations of county ordinances.

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<sup>1</sup> 33 U.S.C.A. § 1251 *et seq.*

<sup>2</sup> Bolded text is new. Remainder of section is current state law.