

AN ORDINANCE

**AN ORDINANCE TO AMEND
THE CODE OF DEKALB COUNTY, AS REVISED 1988, CHAPTER 13, ARTICLE IV,
PERTAINING TO TOURIST ACCOMMODATIONS, AND FOR OTHER PURPOSES.**

WHEREAS, the Governing Authority of DeKalb County is tasked with the protection and preservation of the health, safety and welfare of the citizens of the county; and

WHEREAS, Chapter 13 of the Code of DeKalb County currently sets forth regulations relating to environmental health; and

WHEREAS, Chapter 13, Article IV of the Code of DeKalb County specifically regulates tourist courts, or tourist accommodations as they are now referred to, and adopts by reference the rules of the Georgia Department of Human Resources, Public Health (“DPH”), Chapter 290-5-18, Tourist Courts, as revised on April 27, 1984; and

WHEREAS, pursuant to OCGA 31-2A-6 and 31-28-1 *et seq.*, DPH has now adopted the Rules and Regulations for Tourist Accommodations, Chapter 511-6-2, which became effective on January 1, 2014; and

WHEREAS, the Governing Authority has determined that this Ordinance is necessary to update Chapter 13, Article IV of the Code of DeKalb County and facilitate the adoption of the 2014 Rules and Regulations for tourist accommodations operating within DeKalb County; and

WHEREAS, on May 24, 2018, the Board of Directors for the DeKalb County Board of Health conducted a public hearing regarding the proposed amendment, and following the same, voted unanimously to approve its adoption; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of same, that Chapter 13, Article IV of the Code of DeKalb County, Georgia, as Revised 1988, is hereby amended as follows:

PART I. ENACTMENT

By amending the title of Chapter 13, Article IV, replacing Section 13-71, and repealing Section 13-72 in its entirety, as follows:

ARTICLE IV. – TOURIST ACCOMMODATIONS

Sec. 13-71. Rules and Regulations for tourist accommodations adopted.

All tourist accommodations service providers shall be in compliance with the Rules of the Department of Public Health Chapter 511-6-2, Tourist Accommodations as introduced January 1, 2014, now and as may be amended hereafter, and the same are hereby adopted by reference as if fully set forth herein.

Sec. 13-72. Repealed.

PART II. EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after adoption by the Board of Commissioners and approval by the Chief Executive Officer.

PART III. SEVERABILITY

Should any court of this state declare any section, part, paragraph or clause of this Article unconstitutional or invalid for any cause or reason, then such decision shall affect only that section, part, paragraph or clause so declared to be unconstitutional or invalid, and shall not affect any other section, part, paragraph or clause of this Article.

ADOPTED by the DeKalb County Board of Commissioners this __ day of _____,
2019.

JEFF RADER
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

March 7, 2019

APPROVED by the Chief Executive Officer of DeKalb County this ___ day of _____, 2019.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

APPROVED AS TO FORM:

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

VIVANE H. ERNSTES
County Attorney