



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File ID: 2023-1403

Substitute 2/27/2024

Public Hearing: YES NO

Department: Board of Commissioner - District 4

SUBJECT:

Commission District(s): All Districts are affected by this item.

An Ordinance to Amend the Code of DeKalb County, as Revised 1988, Chapter 18 Pertaining to Dwellings, Rooming and Boarding Houses, and for Other Purposes to avoid conflicts with the adoption of the International Property Maintenance Code.

Information Contact: Commissioner Stephen Bradshaw

Phone Number: 404-371-4907

PURPOSE:

To consider adopting the attached ordinance, amending Chapter 18 of the Code of DeKalb County, Georgia, as revised, 1988, pertaining to Dwellings, Rooming and Boarding Houses, and for Other Purposes.

NEED/IMPACT:

County staff has identified apparent conflicts between the International Property Maintenance Code and Chapter 18 of the Code of DeKalb County. County staff has determined that adoption of the International Property Maintenance Code requires the striking of several sections to ensure clarity for citizens and Code enforcement officers.

FISCAL IMPACT:

None.

RECOMMENDATION:

Adopt the attached ordinance at the same meeting the International Property Maintenance Code is adopted and authorize the chief executive officer to execute all necessary documents.

**AN ORDINANCE TO AMEND
THE CODE OF DEKALB COUNTY, GEORGIA, CHAPTER 18, ARTICLE III
(PROPERTY MAINTENANCE), AND FOR OTHER PURPOSES.**

WHEREAS, the Governing Authority of DeKalb County intends to adopt the International Property Maintenance Code;

WHEREAS, County staff has identified apparent conflicts between the International Property Maintenance Code and Chapter 18 of the Code of DeKalb County;

WHEREAS, County staff has determined that adoption of the International Property Maintenance Code requires striking of several sections to ensure clarity for citizens and Code enforcement officers;

NOW, THEREFORE, be it ordained by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of the same, that Chapter 18 of the Code of DeKalb County, Georgia, as Revised 1988, be amended as follows:

PART I. ENACTMENT

By revising portions of Sections 18-30 and 18-31; and striking the entirety 18-33 through 18-36 of the Code of DeKalb County as revised 1988, due to redundancies to read as follows:

PART II. GENERAL PROVISIONS

DIVISION 2. - DWELLINGS, ROOMING AND BOARDING HOUSES

Sec. 18-30. - Minimum requirements for safety.

There shall be no obstruction to or of fire escapes, ladders which may be used as escapes, stairways, aisles, exits, doors, windows, passageways or halls, that are likely in the event of fire to interfere with the operations of the fire department or of the safety and ready egress of occupants.

Sec. 18-31. -Heating Facilities

Every dwelling shall have adequately vented heating facilities:

(1) The heating facility shall be capable of maintaining a minimum room temperature of sixty-eight (68) degrees Fahrenheit at a point three (3) feet above the floor and two (2) feet from exterior walls in all habitable rooms and every room containing a toilet, shower or bathtub.

(2) The heating facilities shall be properly installed, maintained in a safe manner, and capable of delivering heat to the dwelling as required.

(3) Fuel fired heating equipment shall be connected to an approved chimney or vent.

Sec. 18-33. - Reserved.

Sec. 18-34. - Reserved.

Sec. 18-35. - Reserved.

Sec. 18-36. - Reserved.

PART III. EFFECTIVE DATE

This ordinance shall become effective upon adoption by the Board of Commissioners and approval by the Chief Executive Officer.

PART IV. 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 _____, 2024.

MEREDA DAVIS JOHNSON
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2024.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

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

APPROVED AS TO FORM:

VIVIANE H. ERNESTES
County Attorney

APPROVED AS TO SUBSTANCE:

TIMOTHY C. HARDY
Director of Code Compliance