

## RESOLUTION

GEORGIA, MILLER COUNTY

**BE IT RESOLVED** by the Board of Commissioners of Miller County, Georgia in a meeting lawfully assembled as follows:

**WHEREAS**, it has come to the attention of the Board of Commissioners of Miller County that agricultural irrigation systems located adjacent to both paved and graded county roads, in some instances, are creating a hazard to the public health, safety, and welfare of the Citizens of Miller County, as well as damage and destruction to the public roads and rights-of-way; and

**THEREFORE**, in order to preserve and protect public property and to promote public health, safety, and welfare, the County does adopt the following ordinance pursuant to the authority of Article IX, Sec. 2, ¶4, of the Constitution of the State of Georgia and O.C.G.A. §36-1-20, as follows:

1.

All functioning and operating irrigation systems and which are adjacent to a public county road, paved and/or graded, shall be equipped with a correctly operating end-gun shutoff system, which will discontinue or shutoff the operation of the water system, when the system is at a location that will spray or apply water onto the public road.

2.

Any landowner, tenant, or leasee of landowner whose

irrigation systems is adjacent to the public road shall construct the appropriate shut-off system or stop gate to prevent the system from spraying, crossing or entering the public road.

3.

The provisions of this ordinance shall be enforced by the official so designated by the Board of Commissioners. Said official shall have the right to enter any property area, at any reasonable time, for the purpose of making inspection of the irrigation system regulated herein and to carry out his duties in the enforcement of this regulation.

4.

Any landowner, tenant, or leasee cited for the first violation of this ordinance shall have 30 days to install an end-gun shutoff system, which will prevent the spray or application of water upon the public roads. Upon any landowner being cited for a second violation, a fine will be imposed by the County in the amount of \$600.00 and upon a third violation, a fine will be imposed in the amount of \$1,000.00.

5.

All resolutions or parts of resolutions, in conflict herein are repealed.

6.

Ordered for adoption by and first and second reading and notice for public hearing, as initiated by the Board of

Commissioners of Miller County, Georgia, and approved and implemented on this 13<sup>th</sup> day of October, 2008. This resolution and ordinance shall become effective upon approval after its second reading.

**BE IT RESOLVED** by the Board of Commissioners of Miller County, Georgia on the 13<sup>th</sup> day of October, 2008.

MILLER COUNTY BOARD OF COMMISSION

BY: Barbie Womble  
Chairman

Howard Small  
Commissioner

Ge Jenkins Jr  
Commissioner

[Signature]  
Commissioner

Frankie Phillips  
Commissioner

  
ATTEST: Mary Stewart  
Clerk