

**LUMPKIN COUNTY RESOLUTION No. 2015 – 09**

**A RESOLUTION TO AMEND THE LUMPKIN COUNTY ANIMAL CONTROL  
AND DANGEROUS AND VICIOUS DOGS ORDINANCE  
AND TO DESIGNATE AN ATTORNEY TO PROSECUTE COUNTY ORDINANCE VIOLATIONS**

**Whereas**, the existing provisions of the Lumpkin County Animal Control and Dangerous and Vicious Dogs Ordinance provide that any person who does anything prohibited by these regulations or who fails to do anything required by these regulations shall be guilty of a misdemeanor, amenable to the process of the Magistrate Court of Lumpkin County, and upon conviction shall be punished by a fine not exceeding \$1,000.00 or incarceration for a term not exceeding 60 days or both. Each day of a continuing violation shall constitute a separate offense. (Lumpkin Code of Ordinances, Chapter 8, Article II, Section 8-21); and

**Whereas**, the Board of Commissioners now desires to amend such penalty provisions to remove the possibility of incarceration as a penalty; and

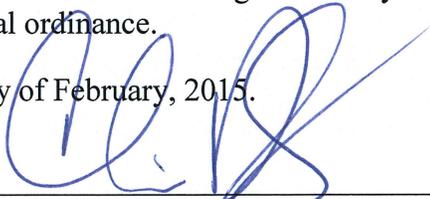
**Whereas**, the Board of Commissioners also desires to clarify the designation of an attorney to prosecute county ordinance violations,

**Now, therefore, be it resolved** that the Lumpkin County Animal Control and Dangerous and Vicious Dogs Ordinance set forth in the Lumpkin County Code of Ordinances, Chapter 8, Article II, Section 8-21 is hereby amended to provide that any person who does anything prohibited by these regulations or who fails to do anything required by these regulations shall be guilty of a misdemeanor, amendable to the process of the Magistrate Court of Lumpkin County, and upon conviction shall be punished by a fine not exceeding \$1,000.00. Each day of a continuing violation shall constitute a separate offense; and

**It is further resolved** that the Magistrate Court Solicitor shall continue to be responsible for prosecuting county ordinance violations in the Magistrate Court and shall also be responsible for prosecuting such violations in the Superior Court upon removal or transfer to the Superior Court or upon appeal to the Superior Court; and

**It is further resolved** that this amendment shall have no effect on any violations of State law; all penalties and punishments for State law violations are governed by State law. This amendment only applies to violations of the local ordinance.

**Resolved, adopted and effective** this 24<sup>th</sup> day of February, 2015.

  
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Chris Dockery, Chairman  
Lumpkin County Board of Commissioners

Attest:

  
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Kathleen C. Walker  
Clerk, Lumpkin County