
Enforcement and Penalty Provisions in New Chapters

May 26, 2022

Chapter C: Leased Property

Section 6: Violations, Penalties and Enforcement

- A. Any person ~~convicted of a found in~~ violation of any provision of this Article shall be ~~guilty of a misdemeanor, and upon conviction thereof, shall be~~ punished ~~by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or~~ as provided and stipulated by law. ~~Each occurrence shall be deemed a separate offense.~~
- B. ~~In addition to any penalty assessed by the judge upon conviction of a violation of this Article, the Authority shall~~ may impose additional penalties or requirements for violations, including but not limited to the following:
1. Issuing a Cease-and-Desist letter to the leaseholder responsible for the violation to prevent further encroachment and damage to ~~the non-leased~~ Authority property;
 2. Imposing an assessment to the leaseholder responsible for the violation for the full cost to the Authority to remediate the damage to ~~the non-leased~~ Authority property or recover any costs to the Authority resulting from such violation;
 3. Assessment of the costs on utility bills invoiced to the leaseholder responsible for the violation; and
 4. Placement of a lien on the property of the leaseholder responsible for the violation to recover the costs to the Authority.
- C. **Liability Disclaimer:** This section is adopted to address the interest of protecting the public lands of the Authority. The use of property by a leaseholder of said property that is not included in their lease, presents a threat to the open space, environment and public interest of the Island. The Authority, by regulating limitations on the encroachment upon property that the leaseholder does not have a right to alter or occupy is merely trying to protect the public lands of the Authority. The Authority has no liability under any theory of liability and the Authority assumes no liability for the damage caused by encroachments off of leased property.

Chapter D: Building Codes

Article IV: Administration

Section 1: Relationship between the Authority and Glynn County

C. Appointment of Code Compliance Officer – Authority

1. The Authority Code Compliance Officer is hereby recognized and shall be empowered to enforce their respective duties as specifically granted under the building and construction codes as promulgated by mutual agreement between Glynn County and the Authority. These duties include:
 - a. Supplement the work of the Building Official, to include issue of building permits and collection of building permit fees.
 - b. Issue Stop Work Orders under the building and construction codes where necessary for immediate enforcement and compliance.
 - c. Enforce the Authority’s local and supplemental standards and codes under this Chapter.
 - d. To review, coordinate with the Glynn County Building Official, within a reasonable time, all building permit applications, plans, and specifications.
 - e. Answer questions from owners, contractors, and the general public relative to this Chapter.

Section XX: Violations, Penalties and Enforcement

- A. Any person found in violation of any provision of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. Each occurrence shall be deemed a separate offense.
- B. In addition to the penalty and punishment for violation of this Chapter, the Authority may take any action not prohibited by law to prevent or halt a violation or threatened violation of this Chapter, including without limitation, commencing legal proceedings to prevent, correct, or abate such violation or threatened violation.

Chapter E: Environmental Regulations

Article I: Landscape and Tree Protection Ordinance

Section 17: ~~Violations, and Penalties~~ and Enforcement

- A. ~~It shall be unlawful for any person to Removeal, destruction, or damage to any Protected Tree in any manner except in accordance with the requirements of this Chapter is considered a violation of this ordinance. Each Protected Tree, or each limb or branch of any Protected Tree where less than the entire Protected Tree is affected, that is so removed, destroyed or damaged shall constitute a separate offense.~~
- B. ~~It shall be unlawful for any person to Failure-fail to install landscaping in accordance with the any required landscaping plan approved by the Authority as part of a building permit is considered a violation of this ordinance. Each day such violation persists shall constitute a separate offense.~~
- C. ~~It shall be unlawful for any person to fail to mitigate the removal, destruction or damaging of any Protected Trees in accordance with the requirements of this Chapter within twelve (12) months of the date of such removal, destruction or damaging of trees, as determined by the Authority. Each tree removed shall be identified as a separate offense.~~
- ~~C. If the tree inspector finds that any of the provisions of this article are being violated, the Authority shall in writing notify the owner or lessee of the property and may also notify the landscaper or the general building contractor, if appropriate. Written notification shall indicate the nature of the violation and/or the action necessary to correct the violation.~~
- ~~D. Failure to mitigate the removal of Protected Trees within twelve (12) months of the removal of trees shall be deemed as a violation of this ordinance. Each tree removed shall be identified as a separate offense.~~
- D. ~~Any person found in violation of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law; provided:~~
 - 1. ~~The failure to obtain any required authorization shall result in a fine of \$500.00 for each violation;~~
 - 2. ~~The failure to mitigate the removal, destruction or damaging of any Protected Tree or limb or branch of any Protected Tree where less than the entire Protected Tree is affected as required by this Chapter shall result in a fine not to exceed \$50.00 per day per violation until mitigation is accomplished; and~~

3. In addition to any fine assessed pursuant to this Chapter, the person or persons responsible shall be liable for, and pay to the Authority, all mitigation fees attributable to such violation, if any.
- E. Any person who violates any of the provisions of this article, for each such violation, shall be subject to a fines and mitigation requirements. In addition to the enforcement of this Chapter by citation or accusation, the Authority may take any action not prohibited by law to prevent or remediate a violation or threatened violation of this Chapter, including without limitation, rescinding any issued permit, issuing a stop work order, or commencing legal proceedings to prevent, correct, or abate such violation or threatened violation or to recover any monetary damages, or both.
- F. Nothing in this Article shall be deemed to preclude the Authority from obtaining the voluntary compliance of any person where the Authority finds that such person has violated or threatens to violate any of the provisions of this Chapter and gives written notice to the responsible person or persons of the nature of the violation and/or the action necessary to correct or prevent the violation.
- G. Repeated Three or more violations within any three-year period may may, at the Authority's option, result in land lease default.
- E. Each tree or branch removed or destroyed in violation of this article represents a separate offense.
- i. Failure to obtain any required authorization shall result in a fine of \$500 for each violation.
- ii. Failure to mitigate as required shall result in a fine not to exceed \$50.00 per day per mitigation requirement until mitigation is accomplished.
- F.H. Any owner, lessee, or any agent or representative thereof person who commits, or participates, or assists in such violation may shall be each be found guilty of a separate offense misdemeanor and punished as provided herein be subject to the penalties herein provided.

Article II: Flood Protection

Section 6: Violations, Penalties for violation and Enforcement.

- A. It shall be unlawful for any person to Failure-fail to comply with the provisions of this chapter or with the terms of any written directive or variance of its requirements, including conditions and safeguards issued or established by the Authority pursuant to this Chapter in connection with grants of variance or special exceptions, shall constitute a violation.

- B. ~~Any person found in violation of any provision of this Article shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. Any person who violates this chapter or fails to comply with any of its requirements shall, shall be subject to a fine as established by the Authority.~~ Each day such violation continues shall be considered a separate offense.
- C. Nothing herein contained shall prevent the Authority from taking such other lawful actions as is necessary or prudent as determined by the Authority in its discretion to prevent or remedy any violation or threatened violation.

Article III: Stormwater

Sub-Article IV: Violations, Penalties and Enforcement and Penalties

Section 41: Penalties and abatement Unlawful conduct.

- A. It shall be a unlawful for any person to commence or conduct ~~A~~ any development activity ~~that is commenced or is conducted~~ contrary to this ~~article~~ Chapter ~~be subject to a fine as established by the Authority, or otherwise abated in a manner provided by law.~~

Section 42: Notice of violation.

- A. When the Authority determines that an activity ~~is not being carried out in accordance with the requirements~~ constitutes a violation of this ~~article~~ Chapter, the Authority shall issue a written notice of violation to the owner of the property. The notice of violation shall contain:
1. The name and address of the owner or applicant
 2. The address when available or a description of the building, structure or land upon which the violation is occurring
 3. A statement specifying the nature of the violation
 4. A description of potential remedial measures necessary to bring the development activity into compliance with this article and a time schedule for the completion of such remedial action
 5. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed
 6. A statement that the determination of violation may be appealed to the Authority by filing a written notice of appeal within fifteen days of service of notice of violation

Section 43: Stop work orders.

- A. Persons receiving a notice of violation may be required to halt all construction activities. This "stop work order" will be in effect until the Authority confirms that the development activity is in compliance and the violation has been satisfactorily addressed.
- B. Failure to address a notice of violation in a timely manner can result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this article.

Section 44: Civil and criminal penalties.

- A. In addition to or as an alternative to any penalty provided herein or by law, any person found in violation of any provision of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. ~~any person who violates the provisions of this article shall be punished by a maximum fine of up to \$1,000 or sixty (60) days in jail or both in accordance with the Code of Ordinance of Jekyll Island State Park Authority and applicable Code of Georgia law. Each day such violation continues shall be considered a separate offense. Such person shall be guilty of a separate offense for each day during which the violation occurs or continues.~~

Section 45: Restoration of lands.

- A. Any violator may be required to restore land to its undisturbed condition.
- B. In the event that restoration is not undertaken within a reasonable time after notice, the Authority may take necessary corrective action, the cost of which shall be recovered from the violator.

Article V: Beach and Resource Protection

Section 6: Enforcement ~~of rules and regulations.~~

- A. ~~Enforcement of these rules and regulations shall be by t~~The members of the Uniform Division of the Department of Public Safety and ~~or the~~ duly authorized agents of the Authority shall have the authority to enforce the provisions of this Article.
- B. It shall be unlawful for any person to violate the provisions of this Article or to refuse the lawful orders of any person authorized to enforce the provisions of this Article. ~~The duly authorized personnel are authorized to require persons using the beach or structures erected thereon to obey reasonable commands designed to~~

~~protect the public and public property, and the failure to obey any lawful command of those individuals shall be a violation of this section.~~

Section 7: Penalty for violation.

~~A. Penalty Generally. Any person found in violation of any provision of this Article shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law; provided:~~

~~1. For~~ Where the basis for a violation is the disturbance of land or the removal of vegetation occurring in off lease areas on Authority property that are identified as Conservation Priority Areas in the Authority's Conservation Plan, the fine per violation will not exceed \$1000.00;

~~A.2.~~ Where the basis for a violation is the disturbance of land or the removal of vegetation occurring on ~~For disturbances occurring in all other areas of Authority property off lease areas,~~ the fine per violation will not exceed \$500.00 per violation; ~~Any person convicted of violating any of the provisions of this section shall be punished by a fine not to exceed \$1,000.00 or imprisonment for a term not exceeding six months and to perform community service for a period not exceeding 60 days any or all such penalties as ordered by the court. When found by authorized personnel as described above, the person responsible for the violation will be issued a citation and subpoena which identifies the violation and establishes a date for the violator to appear in the Magistrate Court of Glynn County to answer the charge. Violators may elect to pay the fine without appearing in court.~~

~~B. Penalty for off lease disturbance. At the Authority's discretion, the number of violations assessed as off lease disturbances under Section 1. A. 11. may be quantified on a per instance basis, as a count of individual vegetation cuts, or as the number of square feet within an area of disturbance. For disturbances occurring in off lease areas that are identified as Conservation Priority Areas in the Authority's Conservation Plan, the fine per violation will not exceed \$1000. For disturbances occurring in other off lease areas, the fine per violation will not exceed \$500.~~

~~C.3.~~ Penalty for pet violations. The fine for ~~the offense of a~~ violation ing of Section 2-(A)-5 of this Article pertaining to , Pets, shall not exceed \$200.00 for the first offense within a 12-month period and \$400.00 for each subsequent offenses occurring within a 12-month period of a preceding offense;~~;~~

4. Penalty for litter. The fine for violating Section 2 (A) 1 shall not exceed \$300.00 for a first offense, \$600.00 for a second offense, and \$1000.00 for a third or

subsequent offense. Each instance of littering shall constitute a separate offense ~~and shall be punishable as such hereunder.~~

- B. In addition to the enforcement of this Chapter by citation or accusation, the Authority may take any action not prohibited by law to prevent or remediate a violation or threatened violation of this Chapter, including without limitation, rescinding any issued permit, issuing a stop work order, or commencing legal proceedings to prevent, correct, or abate such violation or threatened violation or to recover any monetary damages, or both.
- C. Nothing herein contained shall prevent the Authority from taking such other lawful actions as is necessary or prudent as determined by the Authority in its discretion to prevent or remedy any violation or threatened violation of this Article.
- ~~D.~~

Article VI: Beach Lighting

Section 8. Noncompliance and enforcement.

- A. The authority shall have the power to enforce the provisions of this article by all legal or administrative means.
- B. Each violation of any provision of this article shall subject the person committing the violation to a fine up to \$500.00 plus costs and any or all penalties to be imposed at the discretion of the judge. Each day of any such violation shall constitute a separate and distinct offense.
- C. No permit may be issued by the authority to improve or expand any facility that is in violation of this ordinance unless such violation has been corrected.

Article VIII: Clean Community

Section 12: Clearing Litter from Leaseholds by Jekyll Island Authority.

- A. *Notice to Remove.* The Jekyll Island Authority Code Enforcement Officer or their designee is hereby authorized and empowered to notify the lease holder or the agent of any leasehold within Jekyll Island that the conditions of such owner's property constitute a danger to the public health, safety or welfare. Such notice shall be handed directly to the leaseholder or agent or sent registered or certified mail, addressed to such owner at his last-known address.
- B. *Action Upon Noncompliance.* Upon the failure, neglect or refusal of any owner or agent so notified to properly dispose of litter dangerous to the public health, safety or welfare within thirty (30) days after receipt of written notice or if the same is returned to the post office because of its inability to make delivery

thereof, provided the same was properly addressed to the last-known address of such owner or agent, the Authority is authorized and empowered to ~~either~~ remove the litter, ~~or~~ to pay for its removal or to take any other action as provided under this Article.

C. Charge for Removal. When the Authority has borne the cost of litter removal due to noncompliance of the responsible party, the actual cost, plus accrued interest (at the rate of six percent per year) from the date of the completion of the work, shall be charged to the owner of such property.

D. In addition to the removal of litter as provided by this Section 12 and the enforcement of this Article by citation or accusation as provided by Section 13 of this Article, the Authority may take any action not prohibited by law to prevent or remediate a violation or threatened violation of this Article, including without limitation, rescinding any issued permit, issuing a stop work order, or commencing legal proceedings to prevent, correct, or abate such violation or threatened violation or to recover any monetary damages, or both.

~~E.~~

Section 13: Penalties.

- A. Any person who violates the Jekyll Island Clean Community Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as follows:
1. The punishment imposed for any violation of this Chapter shall not exceed a fine of \$1,000.00 or sixty (60) days imprisonment or both; however, the minimum fine which will be imposed shall be not less than \$300.00 for a first offense, \$600.00 for a second offense, and \$1000.00 for a third or subsequent offense within a 12-month period. Each occurrence such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.
 2. The person may be directed to pick up and remove from any public property or private right-of-way, for a distance not to exceed two miles, any litter the person has deposited and any and all litter deposited thereon by anyone else prior to the date of execution of sentence.
 3. The person may be directed to pick up and remove from any private property upon which it can be established by competent evidence that the person has deposited litter, any and all litter deposited thereon prior to the date of execution of sentence so long as the legal owner or tenant in lawful possession of such private property has given prior permission.
 4. If in the sound discretion of the Judge of the Magistrate Court, removal of the litter by the person would be unsafe, impractical, not feasible, or impossible,

the person may be directed to reimburse Jekyll Island for the cost of removal and/or cleanup of the litter that the person deposited on public property.

5. The Judge of the Magistrate Court may publish the names of persons convicted of violating this ordinance.

Article IX: SLR Resilience

No change.

Article X: Water Conservation

Section 5. Violations, Penalties and Enforcement

~~A. Any person found in violation of any provision of this Article shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. Violation of the provisions of this article shall be subject to a fine as established by the Authority, or otherwise abated in a manner provided by law.~~

~~A.B. In addition to the enforcement of this Chapter by citation or accusation, the Authority may take any action not prohibited by law to prevent or remediate a violation or threatened violation of this Chapter, including without limitation, rescinding any issued permit, issuing a stop work order, or commencing legal proceedings to prevent, correct, or abate such violation or threatened violation or to recover any monetary damages, or both.~~

Chapter F: Streets and Rights of Way

Article V: Generally

Section 1: Uniform Rules of the Road adopted by reference.

A. Adoption by reference. The Uniform Rules of the Road ~~contained in Chapter 6 of Title 40 of the Official Code of Georgia Annotated, O.C.G.A. § 40-6-1~~ and the definitions contained in O.C.G.A. § 40-1-1 are hereby adopted as ~~and for~~ the traffic regulations of the Authority, with like effect as if recited in full herein.

~~B. Penalties. Any person convicted of a violation of any provision of this section shall be punished as provided and stipulated by law.~~

~~C.B.~~ ____ Repeal. All ordinances, code sections, or parts of ordinances or code sections inconsistent with the provisions of this section are hereby repealed.

Article VI: Motorized Carts

~~Section 5: Penalties.~~

~~A. Violations of the provisions of this Article shall be punishable as a misdemeanor by a fine not to exceed \$1,000.00 per offense. Any person that violates this Article shall be cited to appear before the Glynn County Magistrate Court as provided and stipulated by law.~~

Article VII: Rental of Certain Vehicles

~~D. Impoundment. The Authority or any member of the Uniform Division of the Department of Public Safety, and any other law enforcement officer or agency having jurisdiction within Jekyll Island, may impound any rented on demand device that has been offered for use, placed in the public right-of-way or on public property, or operated in a public right-of-way or on public property in violation of this section. The impoundment shall be subject to an impound and storage fee as may from time to time be established by the Authority.~~

~~D. Article XX: Violations, Penalties and Enforcement.~~

~~a. Any person convicted of a violation of any provision of this section shall be punished as provided by applicable law. Unless otherwise provided by applicable law, any person found in violation of any provision of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law.~~

~~a.b. Violations of this section will subject the offender to a fine set by court system or as shall be provided and stipulated by law. The Board may establish a schedule of fines applicable to violations of this Chapter for first and subsequent offenses where no specific fine is otherwise required by applicable law.~~

~~b.c. The members of the Uniform Division of the Department of Public Safety and the duly authorized agents of the Authority, and any other law enforcement officer or agency having jurisdiction within Jekyll Island, Georgia State Patrol officers, Authority code enforcement officers, and those Authority officials or designees otherwise designated by the Executive Director of the Authority are authorized to enforce the provisions of this Chapter by citation or accusation as provided by applicable law impound any rented on demand device that has~~

~~been offered for use, placed in the public right of way or on public property, or operated in a public right of way or on public property in violation of this section. The impoundment shall be subject to an impound and storage fee as may from time to time be established by the Authority.~~

Chapter G: Residential Regulations

Article IV: Residential Project Review Process

Section 5: Submission Stages

7. Construction Site Visits.

a. Remedying Violations.

i. For violations that ~~are determined by JIA staff as a representative of the DRG to be~~constitute an immediate threat to the health and safety of the public, the ~~DRG~~Authority may issue an immediate “Stop Work Order” and ~~facilitate~~require the stoppage of all work on the site.

ii. Construction deemed by the DRG to be in violation of the approved drawings and of the guidelines shall be corrected as instructed by the ~~DRG~~Authority within fourteen (14) days of written notice to the owner of such violation.

~~iii.~~ The Authority shall have the right, but not the obligation, to enter such work site or premises with its employees, agents or contractors and Failure to take all reasonable actions to halt, correct or remediate such unapproved or unauthorized construction that continues beyond within the fourteen (14) day time frame automatically gives the DRG and its authorized agents the unrestricted right to enter the premises and take whatever action is necessary, including an immediate “Stop Work Order” to stop construction until further notice.

~~iii.~~iv. The cost of such correcting violations, abatement or removal shall be a binding obligation on the ~~owner person or persons responsible for~~of the project, including the owner or lessee of the premises and any agent or contractor, and the costs incurred shall become a lien on the property.

b. No Liability. ~~So long as the DRG acts in good faith and with due diligence, Nothing in this Article either the DRG nor any representative thereof shall establish nor be deemed to establish shall be any liable liability or duty on the part of the Authority nor any employee, agent or contractor of the Authority, to any owner, applicant, or any other~~

person, ~~nor shall any provision of this Article establish any cause of action or right in favor of any person, for any damage, loss or prejudice suffered or claimed on account of any relating to the Authority's review, evaluation, approval or denial of any plans, specifications, or documentation, nor of any work performed pursuant to any plans, specifications, or documentation~~ review study and/or approval of any documentation. The review and ~~delivery of a form of~~ approval or disapproval of any plans, specifications or documentation under this Article does not constitute and should not be construed as constituting ~~is not to be considered~~ an opinion as to whether such plans, specifications or documentation or the ~~the design, the proposed~~ construction means or methods, or the accomplishment of the work proposed therein is sound or defective, fit for a particular purpose, nor compliant with all laws and regulations applicable to such work.

Article V: Supplemental Uses

Section 2: Short-Term Rentals

D. Violations, Penalties and Enforcement.

1. **Authority Enforcement.** The Authority's Code Enforcement Officer, and such other Authority personnel as may be designated by the Executive Director or its duly appointed representatives thereof, shall be empowered to enforce this article; provided, nothing herein shall preclude any member of the Uniform Division of the Georgia Department of Public Safety from enforcing this Article or any other applicable law.
2. **Penalties.**
 - a. **Generally.** Unless otherwise provided by applicable law, any person found in violation of any provision of this Section 2 pertaining to short term rentals shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law.
 - ~~2.b.~~ **Revocation of license.** In addition to the enforcement of this Section 2 by citation or accusation, the Authority may revoke any rental license issued under this Article where (i) ~~Should~~ any licensee fails to comply with the ~~conditions requirements of set forth in~~ this Section 2 or any license issued pursuant to this Section 2 and such noncompliance ~~continues~~ for a period of thirty (30) days after notice ~~thereof of a violation by the Authority,~~ or (ii) ~~in the event~~ a licensee ~~has received~~ three

violation notices during any three-year period. In the event, the Authority shall revoke the license under this Section 2, ~~and the related~~ licensee shall not be eligible to reapply for a license until the date that is 6 months following after the date all violations have been cured to the Authority's satisfaction.

3. **Refusal to issue or renew license.** The Authority shall not issue or renew any license for any licensee person or property who is not in compliance with its lease, this article, or island ordinances other applicable law. The issuance or denial of a license under this Section 2 shall be in the sound discretion of the Authority.

~~4. **Citation Violation by Licensee.** It shall be unlawful for any person holding a license issued under this Section 2 to allow or permit the violation of this Section 2 by any occupant or tenant of the licensed property. The Authority may enforce any violation of this Section 2 against such licensee in addition to the enforcement of this Section 2 against such occupant or tenant; provided, however, the Authority shall issue such citation by personal service or by sending the citation certified mail or statutory overnight delivery, return receipt requested, to the licensee at the address of record maintained by the applicable tax commissioner, or their duly appointed representatives thereof, may issue a citation to the owner, rental agent, and/or responsible party for a violation this Section. An owner not present during the loud or unruly gathering may be issued a citation for any subsequent violation of subsection (b) after personal service of a written warning, or, if the written warning is only mailed, ten (10) calendar days after the mailing of the written warning to the owner. The citation to the owner who is not present during the loud or unruly gathering may be issued by personal service or by depositing in the mail for delivery by the United States Postal Service, in a sealed envelope, postage prepaid, addressed to the owner.~~

~~5. Notwithstanding anything to the contrary herein, the imposition of a fine, punishment, or other penalty under the provisions of this section shall not prevent the suspension or revocation of any Residential Rental License upon violation of this ordinance.~~

4.

~~a.5. **Other Remedies.** Nothing in this Section 2 shall be deemed to preclude the Authority from exercising any right or remedy available to it under applicable law or under any real property lease. Violations of this ordinance may also subject the violator to any and all other remedies, legal or equitable, available to the Authority to the extent provided by law, including injunctive~~

~~relief and breach of lease contract.~~

~~6. Violation; penalties; continuing violations and penalty therefor. In addition to any rights and remedies available to the Authority under the related lease and this article, any licensee or lessee who rents a residential property or any portion thereof in violation of this article shall be subject to a fine as established by the Authority.~~

Section 4: Vehicles and Parking

~~H.~~ Penalties.

~~H.1.~~ Any person who violates any provision of this article shall pay a fine and costs, including all direct and indirect expenses incurred by the Authority.

~~1.~~ Any person found in violation of any provision of this Section 4 shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. Each day such violation continues shall be considered a separate offense. Each day a violation remains uncorrected is a distinct and separate violation subject to an additional citation and fine.

~~1.~~

~~2.~~ The Authority may establish a schedule of monetary fines for each violation shall be as established by the Authority.

~~2.~~

~~1.3.~~ In addition to the fines and costs, a Any unit-Unit that is parked or stored in violation of this article is deemed to be illegally parked. The Authority may, in addition to any other enforcement action, remove or impound such illegally parked vehicle. and may be removed or towed away by the Authority. Any towing and storage fees will be the owner's responsibility once the unit-Unit is towed and shall be paid for before the unit is released.

Section 5: Home Occupations

G. Penalties.

~~H.1.~~ Generally. Any person found in violation of any provision of this Section 5 shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. Each day such violation continues shall be considered a separate offense. Any person found in violation of any of the

~~provisions of this article shall be subject to a fine set by court system or as shall be provided and stipulated by law.~~

~~2. In addition to the enforcement of this Section 5 by citation or accusation, the Authority may take any action not prohibited by law to prevent or remediate a violation or threatened violation of this Section 5, including without limitation, rescinding any issued permit, issuing a stop work order, or commencing legal proceedings to prevent, correct, or abate such violation or threatened violation or to recover any monetary damages, or both. Home business activities that violate this article may be enforced by a cease and desist order issued by the Authority, and if the home business activity continues, such order may be enforced by injunctive relief in the Superior Court of Glynn County. In such event, the leased property shall also be subject to an action in remedy for damages, with all costs and attorney's fees of the Authority charged to the lessee of the premises.~~

~~1.3. **Other Remedies.** Nothing in this Section 5 shall preclude the Authority from exercising any right or remedy available to it under applicable law or under any real property lease. Such uncured violation may be enforced as a default of any lease.~~

Chapter H: Commercial and Business Regulations

Article I: Commercial Project Review Process

Section 5: Submission Stages

7. Construction Site Visits.

a. Remedying Violations.

~~i. For violations that constitute an immediate threat to the health and safety of the public, the Authority may issue an immediate "Stop Work Order" and require the stoppage of all work on the site. For violations that are determined by JIA staff as a representative of the DRG to be an immediate threat to the health and safety of the public, the DRG may issue an immediate "Stop Work Order" and facilitate the stoppage of all work on the site.~~

~~ii. Construction deemed to be in violation of the approved drawings and of the guidelines shall be corrected as instructed by the Authority within fourteen (14) days of written notice to the owner of such violation. Construction deemed by the DRG to be in violation of the approved drawings and of the guidelines shall be corrected as instructed by the DRG within fourteen (14) days of written notice to the owner of such violation. Failure to correct such unapproved or~~

~~unauthorized construction within the fourteen (14) day time frame automatically gives the DRG and its authorized agents the unrestricted right to enter the premises and take whatever action is necessary, including an immediate "Stop Work Order" to stop construction until further notice.~~

~~iii. The Authority shall have the right, but not the obligation, to enter such work site or premises with its employees, agents or contractors and to take all reasonable actions to halt, correct or remediate such unapproved or unauthorized construction that continues beyond the fourteen (14) day time frame.~~

~~iii.iv. The cost of such correcting violations, abatement or removal shall be a binding obligation on the person or persons responsible for the project, including the owner or lessee of the premises and any agent or contractor, and the costs incurred shall become a lien on the property. The cost of such correcting violations, abatement or removal shall be a binding obligation on the owner of the project and the costs incurred shall become a lien on the property.~~

- b. No Liability. ~~Nothing in this Article shall establish nor be deemed to establish any liability or duty on the part of the Authority nor any employee, agent or contractor of the Authority, to any person, nor shall any provision of this Article establish any cause of action or right in favor of any person, relating to the Authority's review, evaluation, approval or denial of any plans, specifications, or documentation, nor of any work performed pursuant to any plans, specifications, or documentation. The review and approval or disapproval of any plans, specifications or documentation under this Article does not constitute and should not be construed as constituting an opinion as to whether such plans, specifications or documentation or the proposed construction means or methods, or the accomplishment of the work proposed therein is sound or defective, fit for a particular purpose, nor compliant with all laws and regulations applicable to such work. So long as the DRG acts in good faith and with due diligence, neither the DRG nor any representative thereof shall be liable to any owner, applicant, or any other person for any damage, loss or prejudice suffered or claimed on account of any review study and/or approval of any documentation. The review and delivery of a form of approval or disapproval is not to be considered an opinion as to whether the design, the construction means or methods, or the accomplishment of the work proposed therein is sound or defective.~~

Article III: Commercial Project Review Process

Section 6: Alcoholic Beverage Catering.

E. Violations.

1. It shall be unlawful for any person Licensed to sell Alcoholic Beverages for on-premises consumption to sell or distribute Alcoholic Beverages outside of such person's Licensed Premises at an Alcoholic Beverage Catered Function without an Alcoholic Beverage Caterer License issued or otherwise authorized under this Section and without an Event Permit issued under this Section.
2. It shall be unlawful for any person holding an Alcoholic Beverage Caterer License and/or an Event Permit to distribute, sell or otherwise provide Alcoholic Beverages in any manner inconsistent with such License, permit, or the requirements or conditions for of this Article.

2.

Section 12: Revocation and Suspension of License.

- A. Revocation and Suspension. Upon violation of any provision of this division or of any law or regulation of the state relating to Alcoholic Beverages, or, in the event of a Material Change in Licensee, the Authority at a regular or specially called meeting, after written notice to the Licensee and an opportunity to be heard, may revoke or suspend the License for all or a portion of the License Year. ~~When a License is revoked or suspended, no portion of the License tax or fee shall be refundable.~~ Upon proof of disorderly conduct at any Licensed Premises Licensed under the provisions of this division, or if, in the opinion of the Authority, any Licensed ~~premises~~ Premises has become a nuisance or threat to public health and safety, the Authority may temporarily revoke or suspend such License for a period not to exceed 30 days pending a hearing and action by the Authority.
- B. Effect on Fees. In case of revocation, suspension or surrender of such License due to a violation of this Article before the expiration of the Licensed ~~Y~~ year, the Licensee shall not be entitled to receive any refund whatsoever.

Section 14. Consumption of Alcoholic Beverages in Public Areas

- ~~B.~~ H. Penalties. Any person found in violation of any provision of this Section 14 shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. The Authority may establish a schedule of monetary fines applicable to each violation.

Article IV: Compactor requirements

Section 4: Violations, Penalties and Enforcement.

- A. It shall be unlawful for any Commercial Establishment to operate except in compliance with this Article.
- ~~A.B.~~ When-Where the Authority determines a Commercial Establishment is determined to be in non-compliance not compliant with this Article, the Authority shall deliver-give written notice of the violation to the Commercial Establishment (i) by personal service upon its manager or owner (ii) by certified mail or statutory overnight delivery, return receipt requested, at the address of record maintained by the applicable tax commissioner for the Commercial Establishment, or (iii) by such other method of service allowed by applicable law for such Commercial Establishment, setting for the nature of the violation and providing a cure period of notification in writing to provide notice of the start of the thirty (30) days period-from the date of notice in which the Commercial Establishment must to bring the compactor into compliance-correct the violation.
- C. If, after the thirty (30) day compliance period, Any person who fails to cure a noticed violation of this Article within the 30-day cure period shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. The Authority may establish a schedule of monetary fines applicable to each violation. Each day a violation continues constitutes a separate offense.any person who violates any provision of this article shall pay a fine and costs,
- ~~B.D.~~ In addition to the enforcement of this Article by citation or accusation, the Authority may take any action not prohibited by law to prevent or remediate a violation or threatened violation of this Article, including without limitation, rescinding any issued permit, issuing a stop work order, or commencing legal proceedings to prevent, correct, or abate such violation or threatened violation or to recover any monetary damages, or both-including all direct and indirect expenses incurred by the Authority.
- ~~C.~~ Each day a violation remains uncorrected is a distinct and separate violation subject to an additional citation and fine.

Article V: Management of Fats, Oils and Grease (FOG)

Section 9: Enforcement

- A. Inspection and Entry.

1. Authority staff, after proper identification, shall be permitted to enter the premises of an originator, transporter, processor, disposal site, or food service establishment at any reasonable time for the purpose of making inspections to determine compliance with commercial transporter permit/manifest requirements or any other provisions of this Article.
 2. Representatives of the Authority during inspections of the originator, transporter, processor and the disposal site operator, may review records to determine compliance with provisions of this Article.
 3. The right of inspection shall include the right to measure, observe, sample, test, record, review and make copies of all pertinent documents to determine compliance with provisions of this Article.
- B. Monitoring
1. The Authority may require the user to provide, operate, and maintain, at the owners' expense, appropriate monitoring facilities, such as a manhole, that are safe and accessible at all times, for observation, inspection, sample collection, and flow measurement of the originator's discharge into the Jekyll Island Authority sewer system.
 2. The Authority may impose additional limitations and monitoring requirements for the discharge to the Authority sewer system in accordance with provisions set forth in this Article.
- C. Violations
1. Jekyll Island Authority Facility Management Practices
 - a. Written Warning. A written warning shall be issued to an Originator for any one or multiple violations as set forth below. The originator shall have ten (10) working days to complete corrective action and submit evidence of compliance to the Authority. A written warning shall be issued for failure to:
 - i. Report pumping activities on the manifest;
 - ii. Maintain onsite records at all times;
 - iii. Maintain the pretreatment device/interceptor and associated components at required time intervals; or
 - iv. Maintain inspection access.
 - b. Notice of Violation. Upon re-inspection, a notice of violation shall be issued to an originator for failure to comply with the corrective action specified in the written warning. The user shall have five (5) working days

to complete the corrective action and submit evidence of compliance to the Authority.

c. Show Cause Hearing

- i. When an Originator fails to initiate and/or complete corrective action within the specified time period in response to the Notice of Violation, the originator shall be notified by certified mail of the time, date and place of a hearing, the proposed enforcement action to suspend service, the reasons for such action, and a request that the originator show cause why water and/or wastewater service should not be suspended immediately. The hearing date shall be within ten (10) working days of the date the Show Cause notice is mailed.
- ii. The Executive Director, or his designee, shall preside as the hearing officer. Upon hearing, the Authority may suspend service immediately, or he may extend an additional time up to fifteen (15) working days for the originator to remedy the violation(s). The user shall have the right to appear at the hearing with or without an attorney, to introduce evidence, and to cross examine witnesses against them. If the Originator is not in compliance following the extension of time, then the Authority will suspend water and/or wastewater service immediately. The decision of the hearing officer shall be final, and it shall be submitted to the originator in writing by certified mail.

2. Interceptor Noncompliance

- a. Notice to install. Upon inspection, if the Authority determines a new facility does not have a pretreatment device interceptor, or that an existing facility has a pretreatment device that is not functioning properly to meet the pretreatment standards of this Article, then the Authority shall issue a Notice to Install an approved, properly functioning pretreatment device/interceptor. The originator shall have ninety (90) working days to come into compliance by installing such a device/interceptor.
- b. Show Cause Hearing
 - i. If the violation specified in the Notice to Install is not remedied at the end of the ninety (90) day period, as shown by a second inspection, the Authority shall issue a second notice, by certified mail, stating the date, place, and time of a hearing and to show cause why the water or wastewater service to the originator should not be immediately suspended. The show cause hearing shall be within ten (10) working days of the date the show cause notice is mailed.

- ii. The Executive Director, or his designee, shall preside as the hearing officer. Upon hearing, the Authority may suspend service immediately or he may extend an additional time up to thirty (30) working days for the originator to remedy the violation(s). The user shall have the right to appear at the hearing with or without an attorney, to introduce evidence and to cross-examine the witnesses against them. If the originator is not in compliance following the extension time, then the Authority will suspend the water and/or wastewater service immediately. The decision of the hearing officer shall be final, and it shall be submitted to the originator in writing by certified mail.
3. Emergency Suspension of Services. The Authority may suspend water and wastewater services, when, in the opinion of the Authority:
 - a. An actual or threatened discharge may be present;
 - b. An imminent or substantial endangerment to the health or welfare of persons or the environment is present;
 - c. Originator's discharge may cause sanitary sewer stoppages or overflows; imminent damage to the sanitary sewer collection system is probable; or
 - d. Interference with normal operations of the WPCP or potentially cause a violation of any condition of the Jekyll Island Authority's NPDES permit.
4. Reinstatement Fees and Charges. The Originator shall pay all outstanding utility fees and other charges prior to, and associated with, restoration of water and/or wastewater services.
5. Transporter
 - a. Any permitted transporter, found not to be in compliance with the terms and conditions outlined in this Ordinance shall be suspended from future pumping or vacuuming operations on Jekyll Island by the Authority.
 - b. The suspended transporter must appeal this suspension by presenting evidence of remedy of the non-compliance with this Article before any additional pumping/vacuuming activities on Jekyll Island will be allowed.
6. Notwithstanding any other provisions of law, the Authority shall be authorized to impose a civil penalty not to exceed two-thousand five hundred dollars (\$2500.00) for each violation of the commercial waste and handling or pre-treatment device/interceptor provisions of this Article by any person, originator or transporter. For purposes of enforcing this civil penalty, Magistrate Court shall have jurisdiction in cases of violations committed within unincorporated areas of Glynn County to impose the civil penalty stated herein for each violation.

7. The Georgia Environmental Protection Division (EPD) shall be notified of any such local enforcement action and of the final conclusions or ultimate outcome of any such action.

Chapter K: Animal Control

Article II: Enforcement and Penalties

Section 1: Enforcement.

- A. This chapter shall be enforced by the Authority, Glynn County Animal Control, or the members of the Uniform Division of the Georgia Department of Public Safety State Patrol.

Section 2: Penalties.

- A. Any person found in violation of any provision of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. Each day such violation continues shall be considered a separate offense.~~Violations of the provisions of this Chapter shall be punishable as a misdemeanor by a fine not to exceed \$1,000.00 per offense. Any person that violates this Article shall be cited to appear before the Glynn County Magistrate Court as provided and stipulated by law.~~

Chapter X: Fire Protection

Section 8: Penalties and Enforcement.

- A. Any person found in violation of any provision of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed 60 days, or by both fine and imprisonment, to be imposed at the discretion of the judge or as provided and stipulated by law. Each day such violation continues shall be considered a separate offense.~~Any person who shall violate any of the provisions of the fire code adopted in this article or fails to comply therewith, or who shall violate or fail to comply with any order made thereunder, shall for each such failure, violation or noncompliance be subject to a fine as established by the Authority.~~
- ~~A.B.~~ In addition to the enforcement of this Chapter by citation or accusation, the Authority may take any action not prohibited by law to prevent or remediate a violation or threatened violation of this Chapter, including without limitation, rescinding any issued permit, issuing a stop work order, or commencing legal

proceedings to prevent, correct, or abate such violation or threatened violation or to recover any monetary damages, or both.

B.C._____ The provisions of this article shall be enforced by the Fire Chief or Fire Marshall and such subordinate officers of the Fire Department and officers and staff of the Authority as are necessary to effectuate the requirements set forth in this article.