

TIMBER HARVESTING NOTIFICATION ORDINANCE

AN ORDINANCE REGULATING THE NOTIFICATION OF TIMBER HARVESTING AND TO ESTABLISH PROCEDURES THEREFOR, TO PROVIDE PENALTIES FOR VIOLATION OF THE ORDINANCE AND FOR OTHER PURPOSES.

WHEREAS, it is the desire of Ware County, Georgia, to adopt a reporting requirement for the startup of Timber Harvest to allow for compliance with the notices to applicable public officials to allow for the determination of legitimate forestry operations; and,

WHEREAS, this Ordinance will allow for the monitoring of Timber Harvest necessary to allow sufficient collection of the Timber Tax; and,

WHEREAS, public roads and rights-of-way may be damaged and left unrepaired by persons known and unknown who harvest and transport timber from the site of its harvest,

NOW THEREFORE, be it ordained by the Board of Commissioners of Ware County, Georgia, and it is hereby ordained as follows:

SECTION I: This ordinance shall be known as the **Timber Harvesting Notification Ordinance**.

SECTION II: Notification To Ware Tax Commissioner

- (a) Any timber harvesting contractor shall give 48 hours telephone notice or 3 day written notification, via E-mail, first class mail, or in person, to the Ware County Tax Commissioner, of where trees ready to be harvested are standing prior to harvesting said trees. Said notice shall be on the following form: [set out form here, or say: Attached as Exhibit A]
- (b) If any timber-harvesting operator should elect to harvest more acres than indicated in the original notification, an additional notification form must be transmitted to the Ware County Tax Commissioner pursuant to the time frame set out in Section II (a).

SECTION III: PROCEDURE FOR ISSUANCE AND USE OF NOTIFICATION

- (a) Proper notification shall be issued to the Ware County Tax Commissioner without cost or fee.
- (b) The Tax Commissioner shall have authority to suspend any timber harvesting operations should the said operation have a detrimental effect on the County's

infrastructure. Damages to Ware County's infrastructure shall be repaired to the County's satisfaction by the timber harvesting operator at no cost to the County as soon as is practical.

- (c) The timber-harvesting operator shall be responsible for ensuring that no limbs, trucks, equipment or brush resulting from the harvesting operation shall encroach on the County's rights-of-way.
- (d) The timber-harvesting operator must notify the Tax Commissioner within 24 hours of when the operator moves off the tract temporarily, when the operator returns to the tract and when the harvesting operation is completed.

SECTION IV: ENFORCEMENT

This ordinance shall be enforced by the Ware County Tax Commissioner. Citations for violations may be issued by the Ware County Tax Commissioner, including any certified County law enforcement officer acting under the authority of the Ware County Tax Commissioner or the Ware County Sheriff and his lawful deputies. Citations for violations shall require appearance before the Magistrate Court of Ware County.

SECTION V: REPEALER

Any Ordinance in whole or in part in conflict with this Ordinance is/are hereby repealed.

Effective Date: This ordinance shall become effective October 1, 2008.

Adopted this 8th day of September, 2008.

Board of Commissioners of Ware County

By: Tommy Rouse
Tommy Rouse, Chairman

Attested by:

Pam Gibson
Pam Gibson, County Clerk

SEAL