

2025 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 83

Package I

Version I - distributed on October 3, 2025

Version II – distributed November 13, 2025

Board of Commissioners Public Hearing Dates

November 12, 2025 – 9:00 a.m.

November 20, 2025 – 6:00 p.m.

Cobb County Community Development

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Cobb County...Expect the Best!

Chapter 83 – NUISANCES

ARTICLE I. – IN REM NUISANCE ABATEMENT

Section 83-4 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-4. - Findings.

The board of commissioners finds that there exist in unincorporated county properties which are unfit for human habitation or for commercial, industrial, or business uses due to dilapidation and which are not in compliance with applicable codes; which have defects increasing the hazards of fire, accidents, or other calamities; which lack adequate ventilation, light, or sanitary facilities; which have improperly maintained stormwater facilities resulting in flooding, erosion, or water quality degradation; which have other conditions that render such properties unsafe or unsanitary, or dangerous or detrimental to the health, safety, or welfare, or otherwise inimical to the welfare of the residents of the county; which are nuisances pursuant to general nuisance law and constitute a hazard to the health, safety and welfare of the people of the county; and/or which are vacant and being used in the commission of drug crimes.

Section 83-5 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-5. - Definitions.

As used throughout this article, the term:

Applicable codes means (1) any housing or abatement standard provided in O.C.G.A., title 8, ch. 2, including standard minimum codes as adopted now or hereafter by ordinance and codified under chapter 18 of the Official Code of Cobb County, Georgia, or by operation of law, or other property maintenance or building standards or codes as adopted now or hereafter by ordinance or operation of law, or general nuisance law, relative to the safe use of real property; ~~and~~ (2) any fire or life safety code as provided for in O.C.G.A., title 25, ch. 2; (3) any requirements for stormwater facilities and the maintenance thereof found in articles IV and V of chapter 50 of the Official Code of Cobb County; and/or (4) requirements of the Metropolitan North Georgia Water Planning District's regional water plan, the Georgia Stormwater Management Manual. Any such building or minimum standard codes for real property improvements shall be deemed to mean those building or minimum standard codes in existence at the time such real property improvements were constructed unless otherwise provided by law.

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Property means any lot, tract, or parcel of real estate whether improved or unimproved. It shall include any dwelling, building, structure, or part thereof used and occupied for human habitation or commercial, industrial, or business uses, or intended to be so used, and includes any outhouse, improvement, and appurtenance belonging thereto or usually enjoyed therewith and also includes any building or structure of any design. The term shall expressly include, for means of amplification and not limitation, swimming pools, stormwater facilities, and wells. Also as used in this article, the term shall not mean or include any farm, any building or structure located on a farm, or any agricultural facility or other building or structure used for the production, growing, raising, harvesting, storage, or processing of crops, livestock, poultry, or other farm products.

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Public officer means either the director of community development or his or her designee, the director of public safety or his or her designee, the director of the county water system or his or her designee, or the director of the county board of health or his or her designee.

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Section 83-6 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-6. - Duties of property owners.

- (a) It is the duty of the owner of every property located within unincorporated Cobb County (1) to construct and maintain such property in conformance with applicable codes in force within unincorporated Cobb County, or such ordinances which regulate and prohibit activities on property and which declare it to be a public nuisance to construct or maintain any property in violation of such codes or ordinances; ~~and~~ (2) to keep such property reasonably clean and free of any materials or conditions which create a health or safety hazard either on such property or to surrounding persons or properties; ~~and~~ (3) to properly maintain stormwater facilities located on the property to prevent flooding, erosion, and contamination of water resources.
- (b) No owner shall allow any property located within unincorporated Cobb County to be used in the commission of drug crimes.

Section 83-7 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-7. - Nuisance abatement procedure.

- (a) *Appointment and designation of public officer.* Each of the following is hereby appointed and designated as a public officer with the authority to carry out the powers and duties of this article: the director of community development, the director of public safety, the director of the county water system, and the director of the county board of health. Such appointment and designation shall include the designees of such persons.
- (b) *Complaint and investigation.* Whenever a request is filed with a public officer by a public authority or by at least five residents of the unincorporated area of the county charging that any property:
 - (1) Is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes;
 - (2) Is vacant and being used in connection with the commission of drug crimes; or
 - (3) Constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions,the public officer with whom the request is filed shall make an investigation or inspection of the specific property to determine if such conditions exist under applicable codes. The public officer shall have the authority to enter upon premises to conduct an inspection, provided such entry is made with the least possible inconvenience to the person(s) in possession. If such an inspection is necessary, the public officer shall endeavor to obtain the permission of the owner to conduct such inspection. If permission is withheld, the public officer may seek the assistance of the county attorney's office to obtain an inspection warrant from a court of competent jurisdiction. The public officer may determine under existing ordinances that a property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; and/or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions. ~~upon~~ In making a finding

of conditions on the property that are dangerous or injurious to the health, safety, or morals of the occupants, occupants of neighboring properties, or other residents of the county the public officer may consider the following ~~Such conditions may include the following~~ (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accidents, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; defects causing or creating hazard of flooding, erosion, and contamination of water resources; and uncleanliness. The public officer may determine that the property is being used in the commission of drug crimes upon personal observation or report of a law enforcement agency.

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