



Paulding County Board of Commissioners

Community Development Department

Development Division

Watson Government Complex

240 Constitution Boulevard, Dallas, Georgia 30132

770-443-7571 • www.paulding.gov

NOTICE OF TIMBER HARVESTING ACTIVITY

Official Code of Georgia Annotated, Section 12-6-24, Georgia Forestry Commission

This notice is limited to timber harvesting as an agricultural activity only. The holder of this notice is NOT authorized to perform grubbing, grading or other land disturbance activities. Best Management Practices (BMPs) for soil erosion and sediment control outlined in *Georgia's Best Management Practices for Forestry Manual* shall be followed as a condition of this Notice.

NOTE: A 25 foot undisturbed buffer from any County road right-of-way, (excluding driveways) and a minimum of a 25 foot undisturbed stream bank buffer must be maintained per Article 3.2.1 (1) of the Paulding County Development Regulations, Timber Harvesting Requirements. A minimum of a 50 foot by 25 foot pad of #3 stone shall be installed and maintained at each access to a county road per Chapter 62, Article 3, Section 62-62 of the Paulding County Code. Failure to comply with the notice requirements for Timber Harvesting Activity in Paulding County will result in a citation with a fine not to exceed \$500.

Complete **ALL** information requested below and return the notice to the address listed above with the following attachments:

- A Surety Bond or a letter of credit issued by a bank in the amount of \$5,000
- A map or survey of site to be harvested
- A statement regarding sale of timber, i.e., lump sum sale, per unit sale, or owner harvest for ad valorem taxation

Address or General Location of Site: _____

Land Lot(s): _____ District: _____ Section: _____ Acreage: _____

Timber Seller / Property Owner: _____

Address: _____ Phone: _____

Timber Harvesting Company: _____

Address: _____ Phone: _____

Business Phone: _____ Emergency / Night Phone: _____

Authorized Agent / Signature: _____ Date: _____

Contact Paulding County Development Division when harvest is complete at 770-443-7571.

Date complete: _____ Received by: _____

RESOLUTION 02-13

**ENACTING AN ORDINANCE CONCERNING
TIMBER HARVESTING REQUIREMENTS**

WHEREAS, the 2002 Georgia General Assembly approved House Bill 1154 which provides for regulation of timber harvesting by adding a new Georgia Code Section, O.C.G.A. § 12-6-24;

WHEREAS, in compliance with House Bill 1154, county governing authorities are required to enact new ordinances governing timbering activities;

WHEREAS, it is in the best interests of the citizens of Paulding County to amend the Paulding County Code of Ordinances to include the regulations provided for in House Bill 1154.

NOW THEREFORE, be it resolved by the Paulding County Board of Commissioners as follows:

1.

Article 3, Section 3.2.1(1) of the Paulding County Development Regulations entitled "Timber Permit" shall be deleted in its entirety. In its place shall be a new Section 3.2.1(1) entitled "Timber Harvesting Requirements" as follows:

1) Timber Harvesting Requirements:

Pursuant to O.C.G.A. § 12-6-24, no timber permit shall be necessary for timber harvesting as an agricultural activity, with no grubbing or other land disturbance (as defined in the Georgia Soil Erosion and Sedimentation Act) activity.

Provided, however, the following shall apply:

- (a) All timber harvesting activities are to be consistent with the provisions of these regulations, including Article 9 (Soil Erosion and Sediment Control), as well as the Paulding County Zoning Ordinance, and all other ordinances of the Paulding County Code unless otherwise provided herein.
- (b) A 25 foot undisturbed buffer from any county road right of way, excluding driveways, must be maintained.
- (c) Prior written notice shall be required of any person or firm harvesting such timber for each separate tract to be harvested thereby, shall be in such form as prescribed by the Director of

Community Development, and shall consist of the following:

- (1) A map or survey of the area which identifies the location of the tract to be harvested and, as to those tracts which will be traveling to and from such tract for purposes of picking up and hauling loads of cut forest products, the main point of ingress to such tract from a public road and, if different, the main point of egress from such tract to a public road;
 - (2) A statement as to whether the timber will be removed pursuant to a lump sum sale, per unit sale, or owner harvest for purposes of ad valorem taxation under Code Section 48-5-7.5;
 - (3) The name, address, and daytime telephone number of the timber seller if the harvest is pursuant to a lump sum or per unit sale or of the timber owner if the harvest is an owner harvest; and
 - (4) The name, business address, business telephone number, and nighttime or emergency telephone number of the person or firm harvesting such timber;
- (d) Notice may be submitted in person, by transmission of an electronic record via telefacsimile or by mail to the Community Development Department. Provided however, that if a telefacsimile is used, an original of the Notice must follow by U.S. mail to the Community Development Department;
- (e) In the event the ingress and egress route for the timber operation shown in the Notice to the County intersects with and includes property located in the incorporated municipalities, the Notice, as set forth herein, shall also be provided to said applicable municipality.
- (f) In conjunction with the Notice provided for above, a valid surety bond, executed by a surety corporation authorized to transact business in this state, protecting the county against any damage caused by such person, firm or entity in the amount of \$5,000.00 or

at the option of the person, firm or entity harvesting the timber, a valid irrevocable letter of credit issued by a bank or savings and loan association, (as described in O.C.G.A. §7-1-4) protecting the county against any damage caused by such person, firm or entity in the amount of \$5,000.00, must be submitted to the Community Development Department. If said bond or letter of credit is not submitted with the Notice, the Notice shall not be or remain effective for such harvesting operations unless and until the person or firm providing such Notice has delivered to the Community Development Department a valid surety bond, as described above, or a valid irrevocable letter of credit, as described above. For purposes of this paragraph, any such surety bond or letter of credit shall be valid only for the calendar year in which it is delivered;

- (g) Notice shall be effective for such harvesting operation on such tract within such unincorporated area of the county upon receipt of the same by the Community Development Department, provided said surety bond and/or credit letter is provided therewith, and until such time as the person, firm or entity giving such notice has completed the harvesting operation for such tract. Provided however, any subsequent change in the facts required to be provided for purposes of such Notice shall be reported to the Community Development Department within three (3) business days after such change.
 - (h) The Notice requirements provided herein shall be applicable to any such timber harvested on or after the effective date of this ordinance.
 - (i) Persons, firms or entities which will be harvesting timber are not required to receive a driveway permit or road use permit provided the information required above in the Notice is furnished.
- However, all persons, firms or entities which will be completing

timbering activities by utilizing county maintained roads and rights of way are hereby on notice that damage to said roads and/or rights of way will result in forfeiture of the surety bond and/or credit unless such damage is repaired within ninety (90) days upon receipt of notification of the damage to the roads and/or rights of way by the County to the persons, firms or entities at issue.

- (j) In the event grubbing or other land disturbance (as defined in the Georgia Soil Erosion and Sedimentation Act) activity is included as a part of the timbering activity, a grubbing, land disturbance or other such applicable permit must be acquired in accordance with the Paulding County Development Regulations.
- (k) Nothing in this Ordinance shall exempt any persons, firms or entities which will be harvesting timber from complying with the Manual for Uniform Traffic Control Devices or other applicable Paulding County Department of Transportation traffic control regulations. In addition, all persons, firms or entities which will be harvesting timber shall be responsible for posting advance warning signs near the ingress and egress driveway location of the timbering site along the right of way. Said signage shall remain posted during the pendency of the timbering operation.
- (l) Violation of the Notice requirements of this ordinance shall be punishable by a fine not exceeding \$500.00.

2.

This ordinance shall become effective immediately upon its approval by the Board of Commissioners.

3.

Any ordinance or resolution of the Paulding County Board of Commissioners not in conflict with this Resolution shall remain in full force and effect.

VOTE ON RESOLUTION

	<u>Yes</u>	<u>No</u>	<u>Abstain/Absent</u>
Chairman Jerry Shearin	✓	---	---
Post 1 Larry Ragsdale	✓	---	---
Post 2 Roger Leggett	✓	---	---
Post 3 Hal Echols	✓	---	---
Post 4 Wayne Kirby	✓	---	---

ATTEST:

Beverly Cochran
Clerk, Paulding County Board of Commissioners