Mountain Park Community Association

Common Code Violations - Explanation Sheet (Gwinnett County Ordinance #) 2022

** Condensed by MPCA**

Graffiti (14-285) – It shall be a violation … to permit graffiti to remain on a structure located thereon for a continuous period of more than 72 hours.

Grass, Weeds, and Uncultivated Vegetation (14-286) – Premises & exterior property shall be maintained free from grass, weeds, or uncultivated vegetation in excess of twelve (12) inches in height.

The only exceptions are:

1. any parcel zoned RA-200 (Agriculture-Residence District) that is greater than one acre in size or
2. any parcel within a single-family residential zoning classification that is greater than 3 acres in size.

Junk Vehicles (14-287) – Shall not be kept, permitted, parked, stored or maintained on any premises or public right-of-way. A Junk Vehicle is defined as any vehicle, automobile, truck, van, trailer of any kind or type, or contrivance or part thereof which is wrecked, dismantled, partially dismantled, stripped, partially stripped, inoperative, abandoned, discarded, or kept parked, stored or maintained on any premises or public right-of-way without a current license plate and/or decal displayed on the vehicle.

Exceptions:

1. kept within a fully enclosed building on property in residential zoning districts,
2. kept on property zoned for repairing, reconditioning, or remodeling (cannot be stored for salvage).

Open or Outdoor Storage (14-289) – The open or outdoor storage of appliances, building material or debris, equipment, garbage, glass, material, merchandise, rubbish, trash or similar items shall not be permitted, maintained or stored on any premises. Exceptions include: Cut wood which is neatly stacked in lengths not to exceed 3 feet for the personal use of the owner or occupant and which is stored in a side or rear yard; Rubbish, garbage, trash or other similar items placed outside for collection by an authorized waste hauler not more than 24 hours prior to the designated collection date for that property.

Overcrowding (14-353) – Occupancy limits allow a maximum of 2 persons for each 120 square foot bedroom space. A minimum of 50 square foot of bedroom space must be added for each additional occupant. (See also Non-Permitted Use for definition of Family).

Customary uses allowed in the front yard: fences, walls, gates and gatehouses, signs, mailboxes, covered mail kiosks, sidewalks, walkways, driveways, parking pads, parking lots, parking decks, lampposts, flagpoles, birdbaths, arbors, trellises, and landscaping. Walls, fences and landscaping are not allowed to be placed in the county right of way.

Exceptions:

- In agricultural zoning districts, barns and stables, silos, animal enclosures and agricultural buildings that are customarily related to commercial farming are allowed in front yards.
- In commercial zoning districts, fountains, statuary and similar decorative features; gasoline pumps and canopies; vacuum stands and canopies; donation collection boxes (Section 230-130) are allowed in front yards.

Permit Required (CC 106.1) – A building permit is required to be obtained for accessory buildings and structures that are 121 square feet or greater in size. A building permit is required regardless of size if the proposed structure contains electrical or plumbing systems. (Example: shed, workshop, gazebo, carport, deck).

Garage / Yard Sales (18-42) -

A private individual or group may conduct, not more than once in a six-month period, a sale of used items, baked goods, or other food items. Such an event shall be limited to three consecutive days. Signs advertising these events shall not be placed within the public right-of-way, on trees, utility poles and or traffic control devices. Signage allowed is as follows: up to four (4) four square feet signs, or one (1) single sign with a maximum square footage of sixteen (16) feet.

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Livestock (UDO 230-130.3.CC) In agricultural zoning districts: corrals, stables, barns, pens, coops, chicken houses, and other similar livestock quarters shall be located no closer than 100 feet to any property line. In non-agricultural zoning districts: the raising and keeping of livestock (cattle, horses, donkeys, mules, goats, sheep, swine and other hoofed animals; poultry, ducks, geese, pigeons, peacocks and other live fowl; and fur or hide-bearing animals; (other than small species of pigs, cage birds or rabbits kept within a dwelling as a household pet or chickens) whether owned or kept for pleasure, utility or sale on a parcel which contains the dwelling of the owner of the livestock is permitted, provided that the parcel is at least 3 acres in area and all animal quarters are located no closer than 100 feet to any property line.

Exception: Chickens (UDO 230-130.3DD) In non-agricultural residential zoning districts: the keeping of chickens for personal pleasure or utility on a parcel which contains the dwelling of the owner is permitted, subject to the following requirements:

a. Minimum lot size – 10,500 square feet (0.24 acres)
b. Kept securely in an enclosed yard or 6-sided pen at all times
c. Minimum pen area for chickens – 10 square feet per bird
d. Housed at least 20 feet from any property line & 50 feet from any residence other than the owner's
e. Any structure housing chickens must be located in the rear yard
f. Roosters are prohibited (not allowed).
g. Maximum number of chickens per lot size
    i. 3 birds = 10,500 sq. ft. – 12,499 sq. ft. (0.24 – 0.29 acres)
    ii. 5 birds = 12,500 sq. ft. – 24,999 sq. ft. (0.30 – 0.57 acres)
    iii. 8 birds = 25,000 sq. ft. – 39,999 sq. ft. (0.58 – 0.92 acres)
    iv. 10 birds = 40,000 sq. ft. – 2.99 acres (0.93 – 2.99 acres)
    v. No maximum = 3 acres or more
h. Minimum coop size – 4 square feet per bird. Birds are only permitted as pets or for egg laying production; cannot be kept for slaughter.
i. Birds must be kept under sanitary conditions & not a public nuisance as defined by State law.

Off Street Parking (Yard Parking) (UDO 240-10.3.B,C) – In a residential district, the parking of any motor vehicle except on a hard-surfaced driveway or in carport or garage is prohibited. Any recreational vehicle or non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on a paved surface or approved porous or grassed paving system. Any vehicles parked in the rear yard not in a carport or anenclosed structure must be parked at least 15 feet from the property line. Vehicles or equipment used for agricultural purposes on residential property with 5 or more acres are exempt from hard surface requirements if parked outside the required front setback. The maximum allowable paved parking or hard surface area in front yards shall not exceed more than 35% in most zonings. No parking areas may be used for the sale, repair, dismantling, servicing or long-term storage of any vehicles or equipment. (UDO 240.10.5)

Vehicle Parking Area – Residential (UDO 240-110.2) –In all residential zoning districts, the parking of the following vehicles is prohibited: any vehicle for hire including but not limited to limousines, taxis, box trucks, flatbed trucks, dump trucks, tow trucks, transport wreckers, tandem axle trucks, cab-on-chassis trucks, tractor trailers, wheeled attachments, pull behind cement mixers, or trailers, bucket trucks, buses, earth moving machinery, semi-trailers, and this restriction also applies to any vehicle over 20 feet in length, or 7 feet in height, or 7 feet in width. Vehicles used for agricultural purposes on residential property with five (5) acres or more are permitted if parked outside the required front yard setback.

Exceptions: An automobile, pick-up truck, van, or SUV used to provide daily transportation to and from work (except those vehicles that fall under the requirements for Section 230-130 Customary Home Occupation) and a commercial vehicle that is parked temporarily in conjunction with a commercial service, sale, or delivery.

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