

TIMBER OPERATIONS ORDINANCE

AN ORDINANCE OF THE COUNTY COMMISSIONERS OF PIERCE COUNTY, GEORGIA FOR PURPOSE OF ESTABLISHING PROCEDURES, RULES AND REGULATIONS COVERING PERSONS, FIRMS AND CORPORATIONS ENGAGED IN TIMBER OPERATIONS IN PIERCE COUNTY; TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners deems it necessary to adopt procedures, rules, and regulations governing persons, firms, and corporations engaged in timber operations in Pierce County, Georgia;

NOW THEREFORE, BE IT ORDAINED and is hereby ordained by the County Commissioners of Pierce County, by virtue of the authority vested in them by law, as follows:

SECTION I. TITLE.

This ordinance shall be known as the “Pierce County Timber Operations Ordinance”.

SECTIONS II. DEFINITIONS.

As used in this ordinance, the term:

- a) **Commissioners**: Means County Commissioners of Pierce County or their successors in office, being the governing authority of Pierce County.
- b) **County**: Means Pierce County, Georgia.
- c) **Timber**: Means pine, cypress and hardwood trees and trees of every size, species and description. Also, for purposes of this ordinance, “timber” includes such trees after harvesting and while being transported as logs or in shorter lengths.
- d) **Timber Operations**: Means purchasing and/or cutting and harvesting timber in Pierce County, or transporting such timber from the site at which it was cut; or the moving of equipment to and from the site of such cutting.
- e) **Timber Operator**: Means any person, firm or corporation engaged in commercial timber operations, whether engaged in one or all of said activities described in subparagraph (d) above. It shall not include persons cutting or transporting timber solely for non-commercial personal use or firewood.

SECTION III. PERMIT.

a) **Permit Required:** No timber operator shall engage in timber operations in the County without first obtaining a permit to conduct such operations as provided herein; provided, however, employees of a timber operator shall not be required to obtain separate permit for activities within the scope of such employment if their employer has obtained a valid permit for such activities; and provided further, that an independent contractor transporting timber for another timber operator shall not be required to obtain a separate permit if the timber operator for whom he is transporting timber has obtained a valid permit for such timber operations at the same location.

b) **Place of Filing:** The application for permit shall be signed by the Applicant and filed with the Office of the Board of Tax Assessors for Pierce County, and forms shall be available at such office. The Chief Appraiser or his designee at said Office of the Pierce County Tax Assessor shall review the application and issue the permit if all required information is provided. Completed application forms may be faxed or e-mailed to said office, and if the Applicant provides his fax number or e-mail address, the permit may be faxed back or e-mailed to the Applicant.

c) **Application for Permit:** The application for permit shall be in the form prescribed by the Commissioners from time to time and shall contain the following information:

1. The name, address and telephone number of the Applicant, Timber Operator or Timber Purchaser.
2. If the Applicant or Timber Operator intends to engage another or other contractor(s) to harvest or transport the timber, the application shall also include the name, address and telephone number of each such contractor or harvester.
3. The name, address and telephone number of the owner of the property on which the Applicant/Purchaser/Timber Operator will engage in timber operations.
4. The location of the property on which the Applicant/Purchaser/Timber Operator will engage in timber operations (including tax map and Parcel number).
5. The roads in Pierce County upon which motor vehicles will travel in transporting such timber and in transporting the equipment to be used in the timber operations.
6. The dates cutting operations are expected to commence and end.

d) **Incomplete Applications:** Incomplete Application will **not** be accepted and will be returned to the Applicant.

e) **Other Laws:** In addition to the provisions of this ordinance, the applicant for a permit shall comply with all state and federal regulations pertaining to its timber operations, including payment of all applicable ad valorem tax on the timber.

f) **Cost:** There shall be no cost or fee imposed for filing the application or issuing the permit.

g) **Separate Applications:** Applicants must file a separate Application and receive a separate Permit for each separate timber cutting operation and each separate landowner.

SECTION IV. VIOLATIONS; PENALTIES.

Any timber operator who shall willfully fail to comply with this ordinance shall be guilty of a misdemeanor; amenable to the process of the Magistrate Court of Pierce County, Georgia and, upon conviction, shall be punished by fine not to exceed \$1,000.00. Each day the violation continues shall constitute a separate offense.

SECTION V. REPEALER.

All ordinances inconsistent herewith are hereby repealed.

SECTION VI. EFFECTIVE DATE.

This ordinance shall become effective _____.

SECTION VII. NOTICE TO TIMBER OPERATORS.

The County Board of Tax Assessors shall mail or deliver a copy of this Ordinance to all timber operators and other persons whom the Board has knowledge of or can identify as persons or business which cut, harvest or transport trees or timber on or from lands in Pierce County, and publicize or make known by any reasonable means the general contents of this ordinance to as many persons as possible dealing with timber in this county.

SECTION VIII. APPLICATION/PERMIT NUMBERS.

Each application filed shall be assigned a number consisting of the year and quarter of year of filing, followed by a number representing the order in which that application was filed in that year. (For example, the first application filed in the first quarter 2006 would have a number of "2006-1-1").
The permit number will be the same number as the application number.

