

LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2025- 02

AN ORDINANCE TO AMEND CHAPTER 2-16 OF THE LAMAR COUNTY, GEORGIA, CODE OF ORDINANCES ENTITLED "ROADS AND BRIDGES"; TO CREATE A NEW SECTION TO BE ENTITLED "ACQUISITION BY SALE OR DONATION OF PROPERTY WITH A LOW FAIR MARKET VALUE"; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, from time to time it is necessary for the County to acquire property interests for public purposes such as road rights-of-way, utility easements, public structures and facilities and for other public purposes; and

WHEREAS, O.C.G.A. Section 22-1-9(2) allows the County to prescribe a procedure to waive appraisals in cases involving acquisition by sale or donation of property interests with a low fair market value; and

WHEREAS, the Lamar County Board of Commissioners desire to hereby establish such a procedure; Now,

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF
LAMAR COUNTY, GEORGIA**

SECTION 1. Code Section Created. Chapter 2-16 of the Lamar County Code of Ordinances entitled "Roads and Bridges" is hereby amended by creating a new Sec. 2-16-5 (previously reserved) to read as follows:

Sec. 2-16-5. Acquisition by Sale or Donation of Property With a Low Fair Market Value

The County may acquire property interests in land with an estimated value of less than \$10,000.00, whether in fee simple or a lesser interest, for public purposes, without a written appraisal, provided that the owner of the property elects to negotiate for services and waives the right to an appraisal. The County Administrator or his designee may establish an estimated value of the property interest based on information currently from the Lamar

County Tax Assessors office. The property owner shall sign a written waiver and consent to negotiate with the County for the acquisition of the property interests. If the property owner and the County do not reach an agreement on the acquisition of the property, a formal appraisal shall be obtained by the County upon which an offer for fair market value will then be based.

SECTION 2. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 3.

A. It is hereby declared to be the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.'

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 4. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. Effective Date. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Lamar County, Georgia.

SO ORDAINED this 4th day of March, 2025.



RYRAN TRAYLOR, Chairman



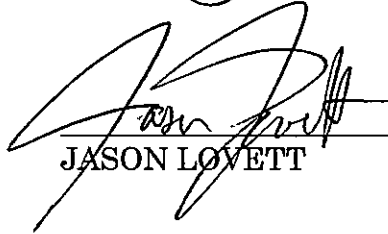
TRUMAN BOYLE



JARROD FLETCHER



ASHLEY GILLES



JASON LOVETT

ATTEST:



Carlette Davidson, County Clerk

First Reading: 2.18.25

Second Reading/
Adoption: 3.18.25

