

STATE OF GEORGIA  
COUNTY OF FULTON

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS,  
GEORGIA, AUTHORIZING A COMPLAINT IN REM ACTION TO ABATE A PUBLIC  
NUISANCE ON A PARCEL LOCATED AT 337 HILDERBRAND DRIVE IN THE CITY  
OF SANDY SPRINGS**

**WHEREAS**, pursuant to Section 34-49 of the Code of Ordinances of the City of Sandy Springs, the City of Sandy Springs finds and declares that, within the city limits, there is the existence or occupancy of dwellings or other buildings or structures which are unfit for human habitation or for commercial, industrial, or business occupancy or use and not in compliance with applicable state minimum standard codes as adopted by ordinance or operation of law or any optional building, fire, life safety, or other codes relative to the safe use of real property and real property improvements adopted by ordinance in the city; or general nuisance law in which constitutes a hazard to the health, safety, and welfare of the people of the city and the state; and that public necessity exists for the repair, closing, or demolition of such dwellings, buildings, or structures; and

**WHEREAS**, the City is authorized to abate any nuisance which tends to the immediate annoyance of the public in general, is manifestly injurious to the public health or safety, or tends greatly to corrupt the manners and morals of the public; and

**WHEREAS**, upon a petition filed with a public officer of the City by at least five residents of the City charging that any dwelling, building, or structure is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; the public officer shall make an investigation or inspection of the specific dwelling, building, structure, or property; and

**WHEREAS**, if the dwelling, building, structure, or property is found to be 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; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the public officer may issue a complaint in rem against the real property in the Municipal Court of Sandy Springs; and

**WHEREAS**, as provided by Section 34-51 of the Code of Ordinances of the City of Sandy Springs, two petitions have been filed by residents charging that the dwelling/structure located at 337 Hilderbrand Drive is unfit for human habitation and not in compliance with applicable codes and further setting forth facts showing that the property constitutes an endangerment to the public health or safety as a result of unfit conditions; and

**WHEREAS**, Yvonne Smith in her official capacity as Code Enforcement Manager for the City of Sandy Springs conducted an investigation and inspection of the property and identified the property as being unfit for human habitation, not in compliance with applicable codes and an endangerment to the public safety as a result of described unsafe conditions and consequently, a nuisance requiring abatement; and

**WHEREAS**, as provided by Section 34-51 of the Code of Ordinances of the City of Sandy Springs, Yvonne Smith in her official capacity as Code Enforcement Manager for the City of Sandy Springs has issued a complaint in rem against the property known as 337 Hilderbrand Drive.

**RESOLUTION NO. 2016-12-128**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA**

In order to protect the health, safety, and welfare of the public, the complaint in rem issued by Yvonne Smith in her official capacity as Code Enforcement Manager for the City of Sandy Springs against the property known as 337 Hilderbrand Drive is hereby authorized and approved and shall proceed in the Municipal Court for the City of Sandy Springs as provided by Section 34-48, et seq. of the Code of Ordinances of the City of Sandy Springs.

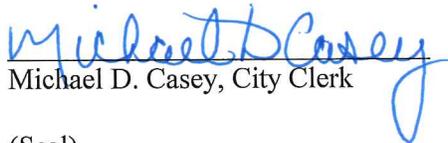
**RESOLVED** this the 6<sup>th</sup> day of December, 2016.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)

