

TITLE III:

ADMINISTRATION

Chapter 34

County Courts

CHAPTER 34: COUNTY COURTS

Section

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§ 34.01 MINIMUM WEEKLY SCHEDULE OF NORMAL WORKING HOURS

- (A) It is so resolved that effective this date, the following minimum weekly schedule of normal working hours is established and confirmed for the Pike County Courthouse and the County offices located therein to be open for the transaction of public business:
 - (1) Monday through Friday: 8:00 a.m. through 5:00 p.m.; and
 - (2) At the Transfer Station, Monday through Saturday: 8:30 a.m. through 4:30 p.m.
 - (B) Exceptions to this schedule shall be made for legal holidays recognized and observed by Pike County and for any Saturday in a weekend preceding a holiday falling on Monday or a Saturday following a holiday falling on Friday.
- (Res. passed 7-10-85)

§ 34.02 CHIEF MAGISTRATE; MAGISTRATE

- (A) The compensation of the Chief Magistrate shall be as designated by the Board of Commissioners from time to time or applicable state law, and the compensation for Magistrates other than the Chief Magistrate, not to exceed one in number, shall be as determined by the Board of Commissioners from time to time or applicable state law;
 - (B) As provided by Ga. Code, Art. 6(b) § 15-10-100(b), the Sheriff of Pike County and his or her deputies shall perform the duties of Constable of the Court;
 - (C) A Magistrate other than the Chief Magistrate shall, upon appointment by the Chief Magistrate, serve as Clerk of said Court, and, in addition to all other compensation, shall receive a monthly compensation as determined by the Board of Commissioners from time to time;
 - (D) The Magistrates of the Court shall occupy office facilities in the Pike County Courthouse provided for them;
 - (E) Each of the above officers shall be covered under the existing County hospitalization and liability plans to the extent that each is eligible as full-time employees and can qualify under such plans;
 - (F) Each Magistrate and Clerk of the Magistrate Court shall be paid the reasonable and necessary actual expenses of attending training schools as provided by the enactment of the General Assembly;
 - (G) All office supplies, services, equipment, courtroom and expenses actually necessary to operate the Magistrate Court shall be paid, furnished or provided by Pike County; and
 - (H) The County Attorney of Pike County, Georgia shall act as the prosecuting attorney in all matters wherein duties are imposed upon the prosecuting attorney under the terms of the enactment of the General Assembly.
- (Res. passed 6-8-83)

§ 34.03 CLERICAL PERSONNEL

- (A) Any clerical personnel necessary for the proper and efficient operation of said courts shall be furnished by the Board of Commissioners from existing personnel assigned to the Commissioner's office.
 - (B) Bailiffs for each of said courts shall be selected by the judge thereof and shall be paid out of the fees set by law for the compensation of said bailiffs.
 - (C) All of the reasonable and necessary expenses, equipment and supplies for the operation of the aforesaid courts shall be paid out of such funds as shall be budgeted by the governing authority for the operation of said courts.
- (Res. passed 6-13-82)

§ 34.04 TERM OF COURT

- (A) The winter term of Court for each year shall be changed from November to October 3rd of each year;
 - (B) The term of Court from November to October 3rd of each year will result in the two terms of court in Pike County to be six months apart; and
 - (C) The term of Court from November to October 3rd of each year will eliminate the conflict with the Thanksgiving Holidays that created an undue burden on all Court personnel, participants and the citizens of Pike County in general that would be called to serve as prospective jurors.
- (Res. Passed 02-08-06)

§ 34.05 USE OF COURTHOUSE GROUNDS

- (A) Authority.
The Pike County Board of Commissioners authorize the County Manager and the Sheriff to receive, consider, investigate and make recommendation to the Board of Commissioners concerning any application received from individuals and/or entities to use the Pike County Courthouse and/or Courthouse grounds.
- (B) Application.
Any individual and/or entity desiring to use the Pike County Courthouse and/or Courthouse grounds shall submit a written request (application) to the Pike County Manager. Pike County may require the applicant to complete any such application form as may be approved by the Board of Commissioners with the consent of the County Manager and the Sheriff.
- (C) Review, Investigation and Written Recommendation.
The County Manager and the Sheriff shall receive, review, investigate and make a written recommendation to the Board of Commissioners concerning the application submitted for the use of the Courthouse and/or Courthouse grounds. Such review will include consideration of the specific rules/criteria more specifically set forth below.
- (D) Approval and/or Denial.
The County Manager shall submit the written recommendation on behalf of the County Manager and the Sheriff to the Board of Commissioners. The Board of Commissioners shall then consider the written recommendation at the next regularly scheduled meeting or at a called meeting. Any formal action taken by the Board of Commissioners concerning the application shall be memorized in writing with a copy delivered to the applicant.

(E) Appeal.

Any applicant who has been denied use of the courthouse and/or courthouse grounds by the County may appeal said denial by seeking a Writ of Certiorari with the Pike County Superior Court.

(F) Rules and Criteria.

Upon approval of the application, the following rules and criteria shall apply to the use of the Courthouse and/or Courthouse grounds:

- (1) A pre-event meeting between County officials/representatives may be required by the County to inspect the area to be used and to determine any specific stipulations related to the approved use including but not limited to the placement of equipment and any limitations related to the approval use.
- (2) The Courthouse and/or Courthouse grounds shall not be used for any unlawful purpose.
- (3) The approved use shall not interfere with normal County government operations, normal Courthouse operations or with normal public access to the Courthouse during regular Courthouse hours of operation.
- (4) Pike County may limit the approved use to certain areas of the Courthouse and/or grounds and to specific percentages of areas to be used. For example, the County may limit the use of the courthouse grounds to 30% of the total area of the Courthouse grounds.
- (5) No applicant may use the Courthouse grounds more than once within a two (2) month period unless specifically approved by the Board of Commissioners.
- (6) No animals (except guide/assistance dogs) or vehicles are allowed on the Courthouse grounds without the written approval of the Board of Commissioners.
- (7) Nothing shall be placed and/or used on the Courthouse grounds that may cause damage to grass, trees, or landscape.
- (8) The Courthouse and/or the Courthouse grounds shall be cleaned by the individual and/or entity approved to use the Courthouse and/or grounds, returning the area to the pre-event condition immediately after the conclusion of the use and/or event; or, said individual and/or entity may make arrangements with the County to clean the facilities and/or grounds, which will require sufficient fees paid by the individual and/or entity to compensate the County for the necessary cleaning services. The failure to clean after the use and/or event shall be considered a County ordinance violation as more specifically set forth herein.
- (9) Any user of the Courthouse and/or Courthouse grounds shall acknowledge in writing the rules and criteria for use of the courthouse and courthouse grounds set forth herein have been read and understood; and, said user will further acknowledge responsibility for any damage that might occur to the courthouse and/or courthouse grounds during and/or resulting from the approved use. Any damages arising from the use shall be remedied and/or reimbursed by the approved user.
- (10) Pike County may require any individual and/or entity applying to use the Courthouse and/or Courthouse grounds to provide proof of insurance coverage, either an event policy or some other insurance policy whereby Pike County is designated as an additional insured, in an amount of no less than One Million Dollars (\$1,000,000.00) of coverage.

(G) Discretion.

The County may exercise sound discretion in the application of the rules and criteria set forth herein; and, the County shall consider each application on a case-by-case basis. Specifically, it is the intent of the Board of Commissioners to apply the policies, rules and criteria set forth herein equally to all applicants without discrimination and/or bias. However, each application must also be considered on a case-by-case basis taking into consideration how the type of use and size of event may have an impact on the health, safety and welfare of the citizens of Pike County as well as the potential impact said use may have on the preservation and protection of the Courthouse and Courthouse grounds. Pike County reserves the right to refuse the use of the Courthouse and/or Courthouse grounds to any individual and/or entity related to any use that may compromise the preservation, protection and/or security of the Courthouse, Courthouse grounds, employees, judiciary or the general public

(H) Violations

Failure to comply with the requirements, rules, policies and procedures set forth herein shall constitute a County ordinance violation and may be prosecuted in accordance with the specific provisions set forth in § 10.99 of the Code of Pike County, Georgia or the specific provisions of the Official Code of Georgia applicable to the prosecution and sentencing of County ordinance violations. Moreover, any violation of these provisions may be used as part of the consideration to deny any future application submitted by the violator.

(I) Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

(J) Effective Date.

The ordinance shall become effective upon second reading and adoption by the Board of Commissioners.

(Ord. Passed 09-14-11)

