

**CAMDEN COUNTY RIGHT-OF-WAY PERMIT
(Timber Harvest)
GUIDELINES AND APPLICATION**

ARTICLE 12 DIVISION 8. OTHER PERMITS Sec. 1251.

Right-of-way encroachment permit.

(a) Right-of-way encroachment permit; when required.

(1) Any utility work, encroachments into a public right-of-way or easement (other than mail boxes meeting the requirements of this Development Code), pavement cuts and associated road or lane closures must be reviewed, approved and permitted by the Director of Public Works.

(2) Applications may be made to the Director of Public Works.

(b) Right-of-way encroachment permit; expiration. A right-of-way encroachment permit shall expire for work not started within 90 days or completed within 6 months after issuance of a permit, and a new permit shall be required before beginning or completing the work.

FEE SCHEDULE

Right of Way Encroachment Fee - **SEE BELOW TIMBER HARVESTING SPECIFICALLY**

ACRES		FEE
0	200	\$ 600.00
201	400	\$ 800.00
401	600	\$ 1,200.00
601	+	\$ 1,500.00

Permit Application Process

- 1) Complete the Right of Way Encroachment Permit Application and submit to the Public Works Department along with the permit fee. See contact information below. Payable by Cash, Checks, or Money Order made out to the Camden County Board of Commissioners
publicworks@co.camden.ga.us
1004 Bedell Old Plantation Rd, Woodbine, GA 31569
912-576-3028 – Public Works Office for questions
- 2) Public Works Office will conduct site inspections and take before and after photos of the area.

By application of this Right of Way Encroachment Permit for the purpose of timber harvesting, it is understood and affirmed the timber company, hauling company, and truck drivers will abide by the Georgia Best Management Practices for forestry by the Georgia Forestry Commission. It is further understood road protection will be enforced by local county authorities.

Camden County Board of County Commissioners expects the utility companies, contractors, timber companies, hauling companies, and truck drivers will take great care when utilizing our county roads.

ARTICLE V. TIMBER HARVESTING – CAMDEN COUNTY CODE OF ORDINANCES

In addition to the Right -of-Way encroachment fee, anyone harvesting timber will be required to abide by the Camden County Timber Harvesting Ordinance.

ARTICLE V. TIMBER HARVESTING

*Editor's Note: Ordinance adopted July 18, 2017, amended Chapter 54 to include Article V in its entirety to read as herein set out.

Section 1-Title. This ordinance shall be known as the Camden County Timber Harvesting Ordinance

Section 2-Preamble. The General Assembly of the State of Georgia having enacted laws set out in O.C.G.A 12-6-24 effective July 1, 2002, pertaining to authorizing the county governing authority to adopt an ordinance requiring notice of a bond not exceeding \$5000.00 for the harvesting of timber within the county and the governing authority of Camden County having found that there is a need for such an ordinance, now therefore the governing authority of Camden County hereby enacts this local county ordinance.

Section 3- Notice required prior to cutting any timber. All persons or firms harvesting standing timber in any unincorporated area of Camden County for delivery as pulpwood, logs, poles, posts or wood chips to any wood yard or processing plant located inside or outside the state shall provide notice of such harvesting operations to the county governing authority prior to cutting any such timber. Notice shall be provided through the Tax Assessors Office of Camden County.

Section 4- Prior notice requirements. Prior notice shall be required of any person or firm harvesting such timber for each separate tract to be harvested thereby, shall be in such form as prescribed by the Georgia Forestry Commission which shall consist of:

- a. A map of the area which identifies the location of the tract to be harvested, and as to those trucks which will be traveling to and from such tract for the purpose of picking up and hauling loads of cut forest products, the point of ingress to such tract from a public road and if different, the main point of egress from such tract to public road;
- b. A statement as to whether the timber will be removed pursuant to a lump sum sale, per unit sale, or owner harvest for the purpose of ad valorem taxation under Code Section 48-5-7.5;
- c. The name, address, and daytime phone number of the timber seller if the harvest is pursuant to a lump sum or per unit sale or of the timber owner if the harvest is an owner harvest; and
- d. The name business address, business telephone number, and nighttime or emergency telephone number of the person or firm harvesting such timber.

1. Notice may be submitted in person, by transmission of an electronic record, or by mail

2. The governing authority may require persons or firms subject to such notice requirements to deliver a bond or letter of credit as provided by this paragraph, in which case notice shall not be or remain effective for such harvesting operations unless and until the person or firm providing such notice has delivered to the governing authority or its designated agent a valid surety bond, executed by a surety corporation authorized to transact business in this state, protecting the county or municipality, as applicable, against any damage caused by such person or firm in an amount specified by the governing authority not exceeding \$5000.00 or, at option of the person or firm harvesting timber, a valid irrevocable letter of credit issued by a bank or savings and loan association, as defined in Code Section 7-1-4, in the amount of and in lieu of such bond. For purposes of this paragraph, any such surety bond or letter of credit shall be valid for only the calendar year in which delivered; and

3. Notice shall be effective for such harvesting operation on such tract within such unincorporated area of the county or incorporated area of the municipality upon receipt of the same by the applicable governing authority or its designated

agent and, if applicable, compliance with the requirements of paragraph (3) of this subsection and until such time as the person or firm giving such notice has completed the harvest operation for such tract, provided however, that any subsequent change in the facts required to be provided for such notice shall be reported to the governing authority or its designated agent within three (3) business days after such change; and

4. Notice requirements shall be applicable to any such timber harvested on or after the effective date of the ordinance or resolution adopted pursuant to this Code Section; and

5. Violation of the notice requirements of any ordinance or resolution adopted pursuant to this Code Section shall be punishable by a fine not exceeding \$500 per occurrence.

6. This ordinance shall become effective upon the date of enactment of this ordinance.

The Camden County Timber Harvesting Ordinance is in place to protect Camden County.

The bond or letter of credit required by Section 2, #4 of this Ordinance shall protect Camden County against any damage requiring re-ditching or repair of existing ditch structures or the removal of any harvesting residue, including tree tops, debris, logs, pulpwood and other materials, placed in or around the county's rights of way caused by such person or firm tendering the bond or letter of credit. The proceeds of such bond or letter of credit shall be available to reimburse the county for any cost incurred to repair such damages or remove such debris in or around the county's rights of way. The proceeds of such bond or letter of credit shall also be available to reimburse the county for any costs incurred to maintain or repair county roads damaged by the ingress or egress of motor vehicles engaged in the harvest operations located within 500 feet of any point of ingress or egress of the timber harvesting operation. The right of Camden County to call such bond or letter of credit in accordance with the provisions of this Ordinance shall be in addition to any other remedies available to the county at law or in equity for damage to county roads or rights of way.

When damage results from a person or firm's harvesting activities, the Governing Authority of Camden County shall make and provide a written claim to the person or firm causing the damage within 30 business days after the Governing Authority becomes aware of the damage. Such claim may be given in person, by telefacsimile, email or mail. The claim shall describe the damage in detail and, in compliance with this permit, give the person or firm the opportunity to repair such damage within 30 days of the notification; provided, however, the county shall be authorized to repair the damage immediately if the Governing Authority or its designee determines the conditions present a threat to public safety, health or welfare and, upon making such repairs, shall present to the person or firm and the issuer of the applicable bond or letter of credit an itemized list of expenses incurred as a claim against the responsible party and the issuer of its bond or letter of credit. Upon the issuance of a claim as provided in this Section the Governing Authority of Camden County or its designee shall notify the issuer of the bond or letter of credit that a claim has been made and will be resolved or adjudicated according to the terms of this Ordinance.

Within 30 days of receipt of the written claim described above, the person or firm against whom the claim is submitted may:

a. Repair such damage at his or its own expense with the approval and supervision of the Governing Authority of Camden County or its designee. When repairs are completed to the satisfaction of the governing authority or its designee, the governing authority or its designee shall provide a written notification of satisfactory completion within five business days to the responsible person or firm and to the surety issuing the bond or the bank issuing the letter of credit, thereby terminating the claim.

b. In the event of inclement weather or other factors preventing repair of the damage, request a 30 day extension to repair the damage from the Governing Authority of Camden County, provided that no extensions shall exceed 90 days from the date the claim was tendered. Approval of any extension shall be at the discretion of the Governing Authority of Camden County or its designee.

c. Appeal the claim to the Magistrate Court of Camden County. Any such appeal must name the issuer of the bond or letter of credit as a party, who shall be served with all pleadings in the action and shall have the right to appear. The Magistrate Court will hear evidence and arguments within 30 days of the written appeal and issue a ruling within ten days of such hearing. Any such appeal shall toll the 30 day period, or any extension thereof, required by this permit. If the Magistrate Court rules in favor of the person or firm against whom the claim was made, the county shall have no right to recover any proceeds of the bond or letter of credit, and judgment shall be entered against the county. If the Magistrate Court rules in favor of the county the court shall determine the amount of damages to which the county is entitled to recover and enter judgment accordingly; the Governing Authority of Camden County shall be authorized to call the bond or letter of credit and recover from the proceeds thereof an amount equal to the judgment entered by the court, up to the total amount of the bond or letter of credit. The portion of any judgment entered in favor of the county that exceeds the amount of the bond or letter of credit shall be subject to collection by any additional remedies at law or equity.

d. In the event the person or firm against whom the claim has been submitted fails to take any of the actions allowed under subsections (a), (b) or (c) of this Section within the time required therein, such person or firm shall be deemed to have waived any and all rights to contest the call of the bond or letter of credit.

If the person or firm tendering a bond or letter of credit pursuant to the requirements of this Ordinance continues its timber harvesting operation beyond the calendar year in which the bond or letter of credit was issued, the person or firm continuing the timber harvesting operation shall tender a new bond or letter of credit within five (5) business days after the first day of the new calendar year.

In the event a bond or letter of credit tendered pursuant to the requirements of this Ordinance is revoked by the surety or bank, then a valid replacement bond or letter of credit must be delivered to the Governing Authority of Camden County within five business days after the date of revocation in order for timber harvesting operations to continue.

Submission of the Notice required by Camden County Timber Ordinance shall authorize the person or firm submitting same to undertake the timber harvesting operation described in the Notice and shall remain in effect until such time as the person or firm gives Notice that the harvesting operation is complete; provided, however, that any change in the facts required to be provided for purposes of such Notice, including but not limited to a change in the scope or extent of the operation, must be reported to the Governing Authority of Camden County within three business days after such change.



Board of County Commissioners

Office of Public Works

1004 Bedell Old Plantation Road • Woodbine, GA 31569

Phone: (912) 576.3028 • Fax: (912) 576.3041 • www.co.camden.ga.us

RIGHT OF WAY ENCROACHMENT PERMIT (CHECK ONE BELOW)

PROPOSED WORK: **TIMBER HARVEST** ___

OWNER _____

CONTRACTOR/AGENT _____

MAILING ADDRESS _____

SITE ADDRESS _____

PHONE _____

E-MAIL _____

PARCEL # _____

ACRES TO BE HARVESTED: _____

ESTIMATED START DATE: _____ **ESTIMATED COMPLETION DATE** _____

REMARKS _____

IF ABOVE PERMIT IS GRANTED, I AGREE TO CONFORM TO ALL REQUIREMENTS CAMDEN COUNTY UNIFIED DEVELOPMENT CODE AS IS PERTAINS TO DRIVEWAYS AND RIGHT OF WAY ENCROACHMENT AS ADOPTED AND AMENDED.

APPROVED

OWNER OR AUTHORIZED AGENT

PUBLIC WORKS DIRECTOR OR AGENT

FEE AMOUNT: 0-200 Acres \$600.00 201-400 Acres \$800.00

401-600 Acres \$1,200.00 601 + Acres \$1,500.00

Make checks payable to Camden County Board of Commissioners

Payment must be received before timber harvest can commence.

Permittee must attach a site plan/sketch showing work within the limits of the County right-of-way and/or easement. Show existing or proposed pipe. All disturbed areas within the right of way must be seeded to prevent erosion. Culvert must be set to the proper grade to allow water to flow properly. Failure to set proper grade will results in a permit violation and the pipe will have to be reset.

PERMIT NO: _____

PAID \$ _____

DATE: _____