

THE CODE ENFORCEMENT GUIDE

City of Roswell, GA
Community Development Department
Updated: 2021



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This Code Enforcement Guide provides a brief overview of the most common code violations and questions, as well as the applicable section of the Unified Development Code (UDC) and codes or ordinances. **The language contained in this document is not intended to substitute for the actual regulations, but to serve as a summary. If you have specific questions, please call City staff or consult the online version of the UDC and the Code of Ordinances.**

For complete details and a full list of City of Roswell codes referenced within this document, please visit one of the following:

Code of Ordinances: www.RoswellGov.com/Ordinances

Unified Development Code (UDC): www.RoswellGov.com/UDC



Introduction

The goal of the Roswell Code Enforcement Program is to obtain voluntary compliance. Code Enforcement activities are intended to be carried out fairly, with sensitivity, and in a timely manner. Although Code Enforcement is handled by many City departments, most of them are enforced by the Community Development Department's Code Enforcement Division.

How Do You Report a Code Enforcement Violation?

Any resident, business, property owner, City staff member, the Mayor, or City Councilmember can file a complaint alleging a violation of the City codes. The names of persons making a complaint are maintained in confidence by the City and are not released except during litigation or through an open records request. The City will accept anonymous complaints.

There are several ways to file a Code Enforcement complaint, including the following:



Submit an Online Service Request with the City of Roswell App: Visit www.roswellgov.com/app to find links to the online app store.



Don't Want to Use the Mobile App? Feel free to submit an online service request using the City of Roswell Service Web Portal instead of the mobile app. Visit www.roswellgov.com/app and open the web portal.



By Email: CodeEnforcement@RoswellGov.com



By Letter: Mail to Community Development Department, c/o Code Enforcement Division, 38 Hill Street, Suite G-30, Roswell, GA, 30075



In Person: Community Development Department, 38 Hill Street, Suite G-30, Roswell, GA, 30075, between the hours of 9 a.m. and 4 p.m.

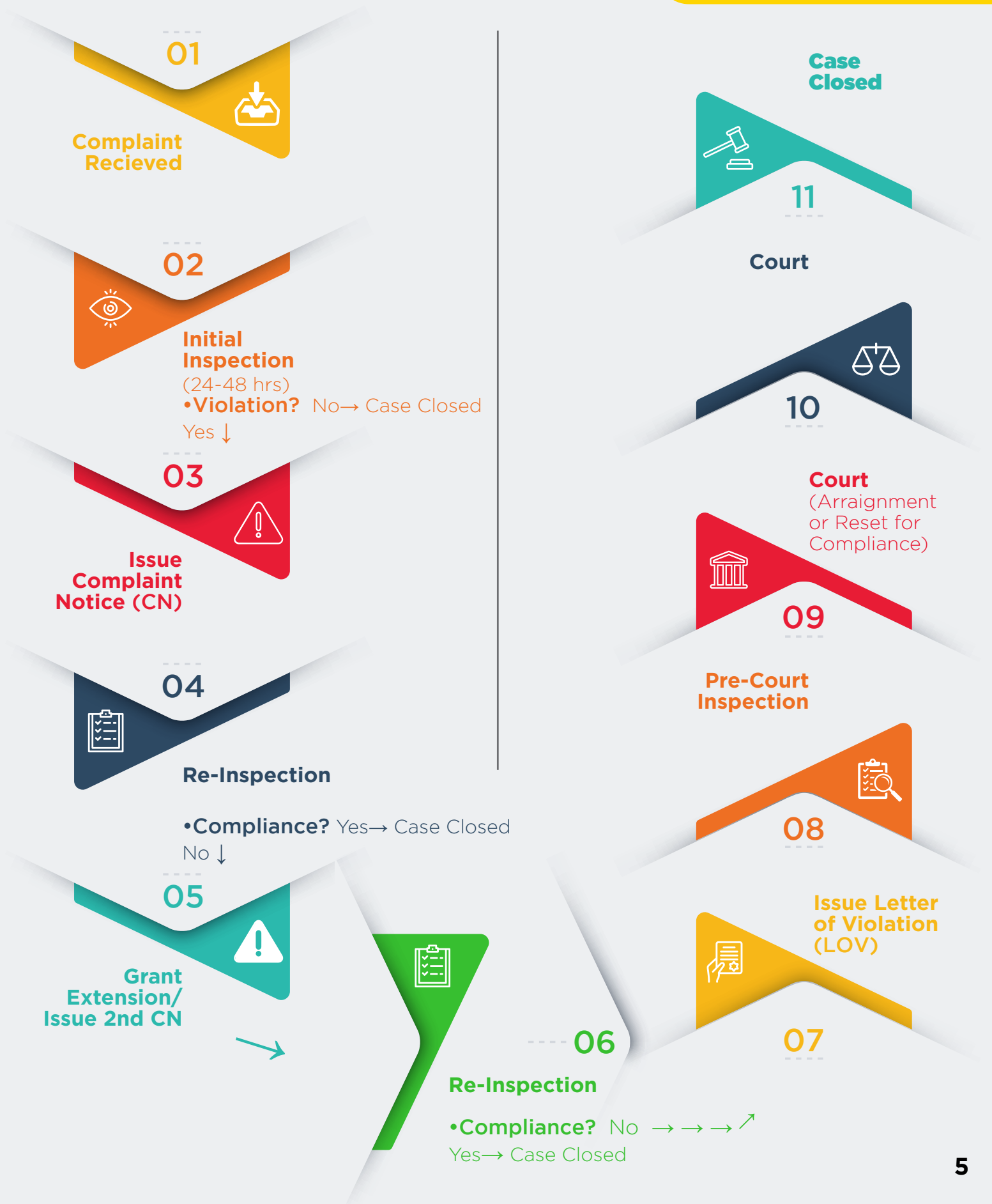


Telephone: 770-594-6101

Please note: Code Enforcement handles these issues between 8 a.m.-5 p.m., Monday-Friday. If you need assistance outside these hours or on the weekend, please call the Police Department non-emergency number at [770-640-4160](tel:770-640-4160). For emergencies, please call 911.

What is the Code Enforcement Process?

Here's how the process works:



Addresses

The property owner is required to make sure the street number of every house or building in the city is clearly visible from the street to pedestrians and vehicles going in either direction (City Code Section 18.3.4).

Animals

Animals Running at-Large – The owner of an animal, or any person having an animal in their custody, may not allow that animal to run at-large unattended on the streets and highways of the City, or on the property of another person without the permission of the owner or the person in possession of that property. This restriction does not apply to cats (City Code Section 8.1.9).

Animal Services – Fulton County Animal Services provides domestic animal control services for the City of Roswell. Contact Fulton County Animal Services officers by calling [404-613-0358](tel:404-613-0358), Monday through Friday from 8 a.m. to 7 p.m., or Saturday and Sunday from 10 a.m. to 6 p.m. to request assistance with an animal.

Officers are available after regular hours for emergencies only. Emergencies include animal cruelty, animal bites, etc.

They cannot respond to calls from owners wanting to surrender their own animals. If you need to surrender your pet, call [404-613-0358](tel:404-613-0358) to make an appointment at the shelter.

As part of their animal control service, Fulton County Animal Control handles the following:

- Animals running at-large
- Dangerous and vicious animals
- Cruelty and neglect investigations
- Pick up of stray and lost dogs and cats
- Dog and cat licensing
- Rabies investigation
- Dog bites
- Injured animals
- Dog/Cock fighting
- Welfare checks



Chickens

Poultry (not including roosters) are permitted as a limited use in single-family detached residences located in a residential zoning district ([Unified Development Code \[UDC\] Sections 9.7.21, 3.4.2, 4.5.2, 5.5.2, 7.4.2](#)). Poultry must be kept in such a manner that does not disturb the use or enjoyment of adjacent properties. The maximum number of poultry allowed on a property is based on the resident's lot size:

- Less than 0.33 acres – Poultry are not allowed.
- 0.34 acre to 1.00 – A maximum of six poultry are allowed.
- 1.01 acres or more – 12 poultry per acre are allowed, for a maximum of 36 poultry per single-family residence.

Dogs & Cats

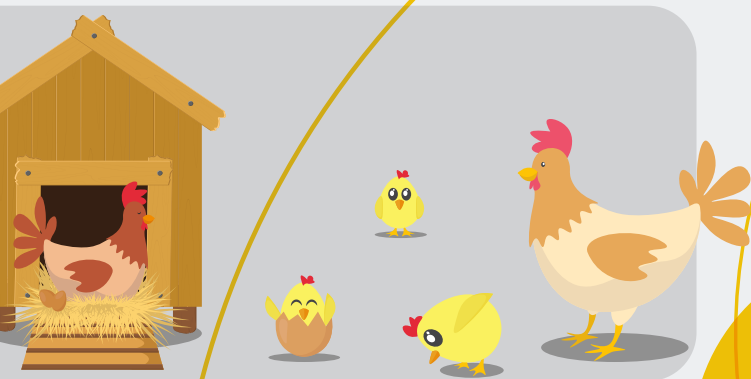
If you keep more than four domestic animals over the age of four months, you are considered to have a kennel. This requires a license and is subject to health and zoning regulations. Also, domesticated animals are not permitted to make any barking, baying, howling, crying, or other noise for more than 10 continuous minutes without interruption or more than 30 minutes if intermittent ([City Code Section 8.1.4](#), [Section 8.1.7](#), and [Section 8.8.3\(4\)\(c\)](#)). Animals must be under control at all times, either behind a fence or on a leash ([City Codes 8.1.10 and 8.1.11](#)).

Horses

Where horses are allowed as a use, the stable may only be used for non-commercial, personal purposes. A minimum of two acres in parcel size is required, and no more than three horses are allowed on the two-acre parcel. An additional half acre is required for each additional horse kept beyond three. The accessory structure used to house horses must be set back at least 150 feet from a residential property line ([UDC Section 9.7.12](#)).

Wildlife or Exotic Animals

If you keep wildlife or exotic animals, you must obtain all the necessary state and/or federal permits and/or meet all state and/or federal requirements for such animals. For information about controlling wildlife, contact the Georgia Department of Natural Resources-Wildlife Resource Division at [404-918-6408](tel:404-918-6408) ([City Code 8.1.5](#)).



Building Application Work Flow



Building Permit & Inspection

A permit is required to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure. A permit is also required to erect, install, enlarge, alter, remove, convert, or replace any electrical, gas, mechanical, or plumbing system ([City Code Section 5.4](#)).

The permitting process typically includes a building plan review and inspection of projects from the beginning of construction to the issuance of a certificate of occupancy.

Permit applications are accepted through the Building Division of the Community Development Department Monday through Friday, 9 a.m. to 4 p.m. Applications may be submitted in person or by emailing buildingpermits@roswellgov.com.

To request an inspection on a permitted project, email buildinginspection@roswellgov.com or call the Fire Inspection Line at 770-641-3730 for fire inspections before 4 p.m. to schedule a next-day inspection. Inspection requests received after 4 p.m. will be scheduled two business days out. All inspections called in on Friday will be scheduled for the following business day.

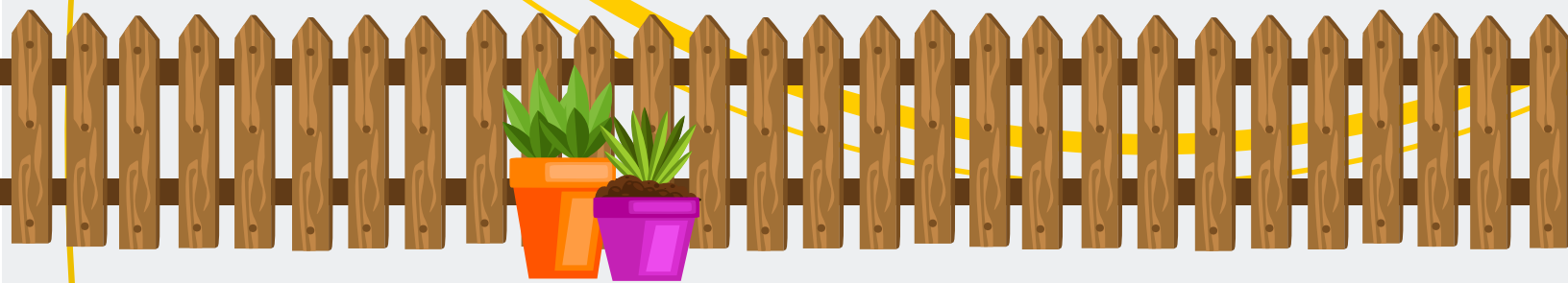
Construction activity is restricted to the hours of 7 a.m. and 7 p.m., Monday through Saturday, unless a permit for working at different hours or days has first been approved by the Chief Building Official ([City Code Section 5.1.13](#)).

Burial of Construction Materials

No person shall bury unused, scrap, waste, excess, or discarded construction material ([City Code Section 5.7.1](#)).

Business Registration

A Business License (Occupation Tax Certificate) is required for each person engaged in business, trade, or occupation that has an office location in the City of Roswell. This includes home-based or a commercial/traditional-based business. The certificate must be displayed on the business premises ([City Code Section 10.3](#)). Also, see [Home Occupation](#).

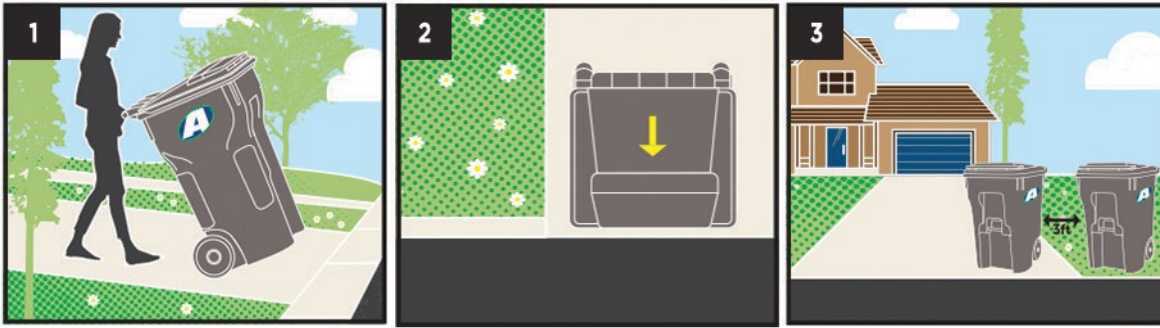


Fences and Screening Walls

A building permit is typically not needed, but you will need to know Roswell's requirements regarding material, height, and placement. Fences and screening walls are permitted in all zoning districts, providing certain requirements are met. Fences and screening walls must be constructed of high-quality materials.

Both a fence and screening wall are subject to the approval of the Design Review Board or Historic Preservation Commission ([UDC Section 10.2.10](#)). Such approval is not required for a fence or screening wall around a single-family home unless it is located in the Historic District. Consult the Planning and Zoning Division at [770-817-6720](tel:770-817-6720) to make that determination or for any other help regarding your proposed fence.

A screening wall or fence located in the side yard or rear setback cannot exceed 8 feet in height. Fences or screening walls constructed along a street frontage cannot exceed six feet in height, and there must be openings in the top two feet of the fence that exceed 25% of the fence or screening wall face. The finished side of all walls and fences must be located toward the abutting property. Also, the height is measured from the subject property grade to the highest point of the fence. Please contact the Planning and Zoning Division for assistance with fences and screening walls by emailing planning&zoning@roswellgov.com or calling [770-817-6720](tel:770-817-6720).



1) Place all items inside the cart, close the lid completely and safely **ROLL** the cart to the edge of the curbside. 2) **Place** the cart at the edge of the curbside with the wheels and handle facing the house and the lid opening toward the street. 3) Make sure there is nothing in front of the cart and at least three feet of **SPACE** or clearance on all other sides.

Garbage

The City of Roswell collects garbage, recycling, and yard waste generated within the City limits. Everyone pays a fee for waste collection and disposal for all inhabitable property. Every individual residence is given garbage containers (City Code Section 24.2.5).

Large Items - Items similar to, but not limited by the following, may be collected curbside only after payment by phone or in person at the City of Roswell Finance Department: Household appliances and furniture; carpets or carpet scraps; and bed mattresses and box springs (City Code Section 24.2.5 (d)(2)).

Placement - Garbage and recycling containers shall be placed at the curb no earlier than 6 p.m. the day before pickup. To ensure pickup, containers should be placed at the curb no later than 8 a.m. on the day of collection. Containers, including curbside recycling bins, shall be removed from the curb no later than the end of the day of collection (City Code Section 24.2.5(b)).

Yard Waste (Preparation and Placement for Collection) - All leaves, pine needles, and other small items of yard waste shall be bagged and/or placed in a 30-gallon, 50-pound weight, wet-strength paper sack or other container identified as containing yard waste and made of metal or plastic with a solid bottom and close-fitting metal or plastic cover with a maximum capacity of 50 gallons. Plastic bags cannot be accepted. Containers shall be placed as directed above in Placement. Tree limbs and branches that exceed four feet in length or six inches in diameter will not be picked up by City crews.

Routine weekly collection will include up to 12 30-gallon paper sacks or their equivalent in containerized yard waste material or up to two cubic yards of loose limbs and branches. For pickup of excess amounts of material, contact the Department of Environmental/Public Works for payment and scheduling. Residents may get additional collection by contacting Advanced Disposal at [770-817-6787](tel:770-817-6787) or GreaterAtlanta@AdvancedDisposal.com to schedule a special pickup of yard waste (fees will apply). (City Code Section 24.2.7).

Material or debris may not be placed or left on sidewalks or in the public right-of-way, which impedes safe passage or otherwise creates a hazardous condition (City Code Section 8.8.3(b)(1)).

Handbills

No handbill (such as fliers, pamphlets, brochures, etc.) may be distributed unless the receiver is willing to accept it. Handbills may not be placed on unoccupied vehicles or where a “NO HANDBILLS” insignia is displayed or where it may be carried away by the elements. Handbills are not allowed on any inhabited private premises if the mailbox is specifically marked with

the identifying City of Roswell sticker, which signifies the occupant does not wish to receive handbills ([City Code Section 8.9](#)). Stickers are available at the Roswell’s Community Development Department, 38 Hill Street, Suite G-30, Roswell, GA, 30075.



Home Occupation

A home occupation is any use, occupation, or activity conducted entirely within a dwelling by the resident that is clearly incidental and secondary to the use of the dwelling for residence purposes. The residence must retain the appearance of a house and cannot be changed in any way that indicates it is being used for business purposes. Any business operating from a residence requires an Occupation Tax Certificate. Contact Business Registration for more information at businessregistration@roswellgov.com or 770-594-6235 ([UDC Section 9.7.11](#) and [City Code Section 10.3.4](#)).

Land Development (Engineering)

A Land Disturbance Permit (LDP) application must be made for land-disturbance activity that alters the hydraulic or vegetative characteristics of the area. A LDP is required for those development activities where disturbance exceeds 5,000 square feet, within 200 feet of a stream buffer, and/or within the river corridor ([UDC Section 13.8](#)). See also [Soil Erosion Control](#).

Consult the City Engineer or the Engineering Division at 770-594-3780 or by emailing engineering@roswellgov.com to determine if a LDP is required or for any other help needed regarding your proposed development.

Motor Vehicles

Inoperable motor vehicle – A vehicle that is unregistered, or is wrecked, rusted, dismantled, abandoned, or discarded may not be parked, stored, or left on public or private property ([City Code Section 22.4.3](#)).

Abandoned vehicle – It is unlawful for any person to park or abandon a motor vehicle on the streets of the City or the rights-of-way of the streets and allow that motor vehicle to remain there for more than 12 continuous hours ([City Code Section 22.4.1](#)).

Nuisances

All property must be maintained in a clean and sanitary condition, free of junk, litter, refuse, and overgrowth. The responsibility to maintain the property is with the owner, the resident, and the person in control of the property (City Code Section 8.8.3).

Blocking drainage easements – Drainage easements may not be filled or blocked (City Code Section 8.8.3).

Overgrown property – Property must be kept clean and sanitary and free from all accumulations of offensive matter or odor such as dead or decayed trees, tree limbs, weeds, or other vegetation that is not maintained in a manner consistent with the neighborhood, or grass over 10 inches high (City Code Section 8.8.3).

Noise – It is unlawful for any person to engage in or conduct any activity in the construction of any building or structure, the moving of earth, or the laying of any pavement, including, but not limited to, the excavation, clearing, or grading of surface land, and the loading or unloading of material, equipment, or supplies, except between the hours of 7 a.m. and 7 p.m., Monday through Saturday, unless a permit for work at different hours or days has first been issued by the Chief Building Official (City Code Section 5.1.13).

Commercial or industrial power tools used for landscaping and yard maintenance shall not be operated on a residential property or within 250 feet of a residential property line, between the hours of 9 p.m. and 7 a.m. on weekdays, or between the hours of 9 p.m. and 9 a.m. on weekends (City Code Section 8.8.3(s)(4)(b)).

Owners and the agents of owners of domesticated animals will not permit any barking, baying, howling, crying, or making any other noise by animals for more than 10 continuous minutes without interruption or more than 30 minutes if intermittent (City Code Section 8.8.3(s)(4)(c)).

No amplified sound or outdoor performances (with or without amplified sound) shall be permitted after 10 p.m. Sunday through Thursday or after 11 p.m. on Friday and Saturday. Outdoor performances include activities conducted indoors or under a roof, but open to the outside by means of open windows, doors, screens, or other openings. This excludes normal opening and closing of doors for entry and exit (City Code Section 8.8.3(s)(4)(f)).



Parking

Parking in Non-Residential – Parking for commercial, industrial, and multi-family districts must be on a hard surface (i.e., asphalt, concrete, or other dust-free surfaces). Porous pavement material may be substituted for standard dust-free pavements subject to the approval of the Zoning Director (UDC Section 10.1.14.F).

Parking in Residential – In single-family residential districts, attached housing, and townhouse lots, parking must be only on a hard-surfaced driveway (i.e., asphalt, concrete, gravel, or if approved by the City Engineer, a turf-reinforced driveway). No parking is allowed in the grass or lawn areas (UDC Section 2.2.20.A).

Parking on the Street – Parking on the streets of the City or within the rights-of-way of the streets is restricted to a maximum of 12 hours. Parking on the street shall not impede safe travel of vehicles or emergency access (City Code 22.4.1).



Solicitation – Door-to-Door

Anyone wishing to operate door-to-door solicitation for commercial purposes must first obtain a permit through the City’s Police Department. This restriction does not apply to charitable, political, or other nonprofit solicitation, provided that all proceeds are used by the nonprofit organization (City Code Section 10.9).

Door-to-door solicitation is restricted to 10 a.m. to 6 p.m., Eastern Standard Time, or 10 a.m. to 7 p.m., Eastern Daylight Savings Time, Monday through Saturday. Solicitation is not allowed any time on Sunday, or on a state or national holiday (City Code Section 10.9.13).

Where solicitation is not invited or wanted, residents must post a written sign on the property (City Code Section 10.9.12).

Retaining Walls

Proposed retaining walls greater than 30 inches measured from the bottom of the foundation to the top of the wall require a building permit application. New or replaced retaining walls for all non-single family residential applications must meet the requirement of the UDC and the City Standard Construction Specifications (UDC Section 10.5). New or replaced retaining walls for all single-family residential applications must meet the requirements of the City Standard Construction Specifications.

Right-of-way-Obstruction

Obstructions in the Street – It is prohibited to place debris, rubbish, irrigation water, boxes, displays, signs, poles, goods, merchandise, or any other object on the street or sidewalk that impedes and/or endangers traffic (City Code Section 18.2.1).

Mailboxes – All mailboxes constructed in the street right-of-way must conform to United States Postal Service standards and must not be constructed to be a hazard to vehicles (City Code Section 18.2.1 (d)).

Signs

It is unlawful to post, display, change, or erect a sign without obtaining a sign permit (UDC Section 10.3). Signs cannot be located within the public right-of-way (UDC Section 10.3.8).

Monument and/or Wall Signs – Monument signs are free-standing signs advertising a business. Wall signs are mounted on a wall. To post, display, change, or erect a permanent monument or wall sign, a sign permit must be obtained. The Planning and Zoning Division can assist with specific guidelines and restrictions about permanent signs and various zoning districts. They can be reached by emailing planning&zoning@roswellgov.com or calling 770-817-6720.

Political Signs – A permit is not required for a sign identifying or urging support for a particular election issue or candidate or party. Such signs cannot exceed 32 square feet in area and eight feet in height. The sign must be on private property (UDC Section 10.3.6.B.1).

Temporary Signs

The following temporary signs are permitted following the issuance of a temporary sign permit (UDC Section 10.3.6). Permit applications are accepted through the Community Development Department Monday through Friday, 9 a.m. to 4 p.m. Applications may be submitted in person or by emailing communitydevelopment@roswellgov.com.

(continued)

Promotional Signs – Signs may not be placed in the public right-of-way. Signs are not allowed on utility poles, trees, or traffic signs. These items may be permitted by an establishment for a maximum of 10 consecutive days, and for no more than a total of 80 days per year. Each location may permit one sign per road frontage. A tenant in a shopping center or multi-tenant location is considered to have one road frontage. The signs must be removed by the indicated expiration date. In addition, a new business may obtain a Temporary Sign Permit for a period of up to two weeks to celebrate its grand opening. The maximum size allowed is 32 square feet (UDC Section 10.3.6.A).

Real Estate Directional Signs (Off-Site) – Real estate directional signs are allowed for a maximum of two consecutive days in any one week and must be placed on private property with the owner's written permission. Also, the following rules apply: Maximum of three off-premise signs per house/lot; signs must be located within two miles of the property referenced; balloons, streamers, and pennants cannot be attached to the signs; signs cannot exceed four square feet; no more than two such signs are permitted at any four-way intersection; only one sign is allowed at any "T" intersection; signs cannot be illuminated (UDC Section 10.3.6.A.5).

Real Estate Directional Signs (On-Site) – Real estate signs are allowed and must be placed on the real property being listed for rent, lease, or sale. In single-family residential districts, only one sign per lot or home is allowed and it cannot exceed six square feet. For all other properties, only one sign is permitted except for corner lots, which may have one sign per frontage, separated by at least 50 feet. Each sign cannot exceed 32 square feet in area and 10 feet in height (UDC Section 10.3.6.A.6).

Yard/Garage Sale Signs – Yard/Garage sales are permitted in any residential district. A permit is required before any yard/garage sale. There is no charge for these permits. Sales are limited to three per year. Up to six signs may be permitted per sale and are not permitted within the public right-of-way or on utility poles, traffic signs, and trees. Signs are allowed on private property with the permission of the property owner (UDC Section 10.3.6.A.2).



Soil Erosion Control

All land disturbance projects must prevent sediment from moving beyond the boundaries of the property where the project is located. Permits are required for most projects, but there are some exemptions. Projects involving less than 5,000 square feet of disturbed area are exempt from land disturbance permits. However, this exemption does not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre, or within 200 feet of the bank of any state waters.

Minor land-disturbing activities such as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities that result in minor soil erosion are allowed on individual homes without a permit as long as the above criteria are met (UDC Section 12.6).

Permit applications are accepted through the Engineering Division of the Community Development Department, Monday through Friday, 9 a.m. to 4 p.m. Applications may be submitted in person or by emailing engineering@roswellgov.com and must include the applicant's erosion, sedimentation, and pollution control plan with supporting data, as necessary.



Swimming Pools

Swimming pools and associated decking or patios are allowed and require a building permit to be issued prior to starting construction. The property must be fenced to prevent uncontrolled access. The structure of the pool and water surface must be located at least 10 feet from any side or rear property line and cannot be located in the front yard. The decking or patios associated with the pool must be at least five feet from the side or rear property line (UDC Section 9.7.24).

Tree Removal

When there is a dispute between neighbors about a perceived hazardous tree, *this is a civil issue and the City of Roswell will not intervene*. If a tree falls from your neighbor's property onto your property that is also a civil matter, and each property owner is responsible for cleaning up any debris on his/her property. It is recommended that property owners contact a tree removal service, an arborist, their homeowner's insurance company, or an attorney for advice on how to handle these situations.

Trees on Your Property – No person may remove, cause to be removed, poison, damage, trim, or transplant any tree with a trunk of three inches in diameter at breast height (DBH) which normally attains a mature height of 15 feet or more without first obtaining a tree removal permit. The tree protection requirements that protect specimen trees apply to all properties. There are exemptions to the tree protection provisions. Refer to the tree removal permit for exemptions and whether your plans apply or contact the City Arborist at [770-641-3780](tel:770-641-3780) ([UDC Section 12.1](#)).

What is a Specimen Tree?

A specimen tree is any tree in fair or better condition, which qualifies for special consideration for preservation due to size, species, or condition, and which meets one of the following:

- 1) 8" dbh - Small trees such as dogwood, sourwood, cherry, etc.
- 2) 16" dbh - Midstory trees such as maple, birch, magnolia, holly, etc.
- 3) 20" dbh - Overstory hardwoods such as oak, hickory, sweetgum, ash, etc.
- 4) 30" dbh - Overstory softwoods such as pine, etc.

Before removing a tree, consult the City's Arborist at [770-817-6756](tel:770-817-6756). All property owners/residents in the River Corridor should notify the City Arborist if there are plans to remove a tree.

