

**Section 3.45. Entire Agreement.** A franchise issued pursuant to this Ordinance shall set forth the entire agreement of County and the franchisee and all conditions, terms, requirements, provisions, and obligations of the franchise issued and granted by the County to the franchisee for the provision of residential solid waste collection services within and serving the unincorporated area of Lowndes County and to residents.

#### **ARTICLE IV - OTHER**

##### **Section 4.1. Violations, Enforcement and Penalties.**

(a) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. Any person who has violated or continues to violate the provisions of this Ordinance may be subject to the enforcement actions outlined in this Article, restrained by injunction, and/or otherwise sanctioned in any manner permitted by law. All violations, penalties, and/or remedies specified in this Ordinance are cumulative. Pursuance of any one penalty or remedy shall not be deemed an election of remedies and shall not prohibit the simultaneous pursuit of any other applicable penalty or remedy.

(b) Without limitation, franchisees, other solid waste collectors, contractors, their agents, servants, employees, and/or assigns, and such other parties responsible for any violation or failure to comply with this Ordinance may be cited for such violation or violations.

(c) Unless otherwise specially provided by resolution of the Board of Commissioners, the enforcement of this Ordinance shall be within the jurisdiction of the County's enforcement personnel authorized by the County Manager, and such enforcement personnel shall have such powers as are reasonably necessary to enforce and give effect to this Ordinance. In addition, any law enforcement officer authorized to enforce county ordinances within the County is hereby authorized, empowered, and directed to enforce compliance with this Ordinance.

(d) Violations of this Ordinance may be cited to the Lowndes County Magistrate Court. The maximum punishment which may be imposed by the Magistrate Court for a violation of this Ordinance is a fine of \$1,000 or imprisonment for sixty (60) days or both.

**Section 4.2. Severability of Provisions.** If any article, section, part, subpart, subsection, paragraph, item, sentence, clause, phrase, or word of this Ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions or portion of this Ordinance, which shall remain of full force and effect as if such portions so declared or adjudged invalid or unconstitutional were not originally a part of this Ordinance. The Board of Commissioners declares that it would have enacted the remaining provisions or parts of this Ordinance had it known that such portion hereof would be declared and adjudged invalid or unconstitutional.

**Section 4.3. Effective Date.** This entire Ordinance shall be effective March 31, 2015.

**Section 4.4. Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict herewith are repealed.

(continued on following page)