

Bond Case Briefs

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MUNICIPAL ORDINANCE - GEORGIA

Sweeney v. Lowe

Court of Appeals of Georgia - March 3, 2014 - S.E.2d - 2014 WL 804051

Alleged dog bite victim brought action against dog owner. The owner moved for summary judgment. The trial court granted the motion. Dog bite victim appealed.

The Court of Appeals held that victim failed to properly plead and prove the ordinance.

In order for a superior court or the Court of Appeals to consider city or county ordinances they must be alleged and proved, and the proper method of proving a city or county ordinance is by production of the original or of a properly certified copy.

Court could not hear alleged dog bite victim's challenge to trial court's grant of summary judgment in favor of dog owner, where victim failed to provide the relevant county statute of which he alleged a violation, or a certified copy of it, and there was no indication of an agreement between victim and dog owner that the county statute was the one at issue.