

AGENDA
CITY COUNCIL WORK SESSION AND REGULAR MEETING
G.L. Gilleland Council Chambers on 2nd Floor
Monday, August 20, 2018
7:00 P.M.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION & PLEDGE**
- 4. ANNOUNCEMENTS**
- 5. APPROVAL OF THE AGENDA**
- 6. PUBLIC INPUT**
- 7. APPROVAL OF THE MINUTES**

BUSINESS

8. Certificate of Appreciation
9. Dawsonville UMC Request
10. Save Clifford 5K Event with Road Closure
11. Erosion, Sedimentation and Pollution Control Ordinance
12. Contract Amendment on Main Street Park

WORK SESSION

13. Meeting Times for 2019
14. Ordinance Review
 - a. Road Closure Ordinance
 - b. Tattoo Ordinance
 - c. Utilities Ordinance
15. Consent Agenda
16. SPLOST Projects Uses/Needs/Schedule
 - a. Main Street Park
 - b. Farmer's Market
17. Impact Fees

ADJOURNMENT



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 7

SUBJECT: APPROVAL OF THE MINUTES

CITY COUNCIL MEETING DATE: 08/20/2018

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

TO APPROVE THE MINUTES FROM:

- **REGULAR MEETING AND EXECUTIVE SESSION HELD ON AUGUST 6, 2018**

HISTORY/ FACTS / ISSUES:

OPTIONS:

AMEND OR APPROVE AS PRESENTED

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: Beverly Banister, City Clerk

MINUTES
CITY COUNCIL REGULAR MEETING
August 8, 2018
7:00 P.M.

CALL TO ORDER: Mayor Michael Eason called the meeting to order at 7:00 p.m.

ROLL CALL: Present were Councilmember Jason Power, Councilmember Mark French, Councilmember Caleb Phillips, Councilmember Stephen Tolson, City Attorney Dana Miles, City Manager Bob Bolz, City Clerk Beverly Banister, Deputy City Clerk Tracy Smith, Utilities Director Gary Barr, Public Works Operations Manager Trampas Hansard, Planning Director Robbie Irvin, Finance Administrator Hayden Wiggins and Human Resource Manager Donna Blanton.

INVOCATION AND PLEDGE: Invocation and pledge was led by Councilmember French.

APPROVAL OF THE AGENDA: Motion to amend the agenda by adding item #16 Gold Creek Clubhouse after the Executive Session made by J. Power/S. Tolson. Vote carried unanimously in favor.

Motion to approve the agenda as amended made by M. French/J. Power. Vote carried unanimously in favor.

1. **APPROVAL OF THE MINUTES:** Motion to approve the Work Session and Regular Meeting minutes and the Executive Session minutes held on July 23, 2018 made by C. Phillips/S. Tolson. Vote carried unanimously in favor.
2. **ZA C8-00162:** David Blount has requested a zoning amendment for TMP 091 002 001, located at 2807 Hwy 9 North, consisting of 3.83 acres, from RA (Restricted Agriculture) to NB (Neighborhood Business).

Motion to approve the zoning amendment as presented made by S. Tolson/C. Phillips. Vote carried unanimously in favor.

3. **DDA APPOINTMENT:** Motion to appoint Tasha Howell to the Dawsonville DDA to fill the unexpired term of Tim Costley to expire 02/05/2022 made by J. Power/C. Phillips. Vote carried unanimously in favor.
4. **HAZARD MITIGATION PLAN PRESENTATION:** Dawson County Fire Chief Danny Thompson introduced James Westbrook who gave a presentation of the Hazard Mitigation Plan. Currently the plan is in review at GEMA for approval and will be reviewed by FEMA next for approval. Any changes to the plan by either agency will be presented to Council.

Motion to adopt the Hazard Mitigation Plan made by M. French/T. Tolson. Vote carried unanimously in favor.

5. **CONSIDERATION OF DAWSONVILLE UNITED METHODIST CHURCH REQUEST:** Motion to table item to the next City Council meeting on August 20, 2018 made by S. Tolson/C. Phillips. Vote carried unanimously in favor.
6. **MILLAGE RATE FOR TAX YEAR 2018:** Motion to approve the millage rate and rollback to zero made by J. Power/M. French. Vote carried unanimously.

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7. **PUBLIC COMMENT PROCEDURE:** Councilmember French requests the policy be amended to include a uniformed law enforcement officer; Councilmember Phillips stated we may not be able to comply with our own policy if the Sheriff's Office will not provide a uniformed law enforcement office at every meeting. Councilmember Phillips will contact Sheriff Johnson to inquire about the request and Council could consider amending the procedure at a later date based on the information gathered from the Sheriff's Office.

Motion to approve the public comment procedure as presented made by C. Phillips/S. Tolson.
Vote carried unanimously in favor.

8. **CITY MANAGER, BOB BOLZ**

- i. Work on the second floor of City Hall is in process to create another office for the part-time Planning and Zoning position.
- ii. Interviewed with several IT companies to consider a new service provider.
- iii. Main Street Park Phase I is underway; storm water and utilities are being installed. Met with playground companies for designs and will be meeting with Davis Engineering for a landscape design.
- iv. Farmer's Market demolition has been started today and the engineered plan has been received and will be reviewed prior to bidding the project.
- v. The development regulations should be returned to us by GBT Engineers by next week.
- vi. GBT Engineering is working on a developing an engineering plan for the downtown parking and restrooms.
- vii. SPLOST funding will support a storage facility at the shop for winter weather equipment, diesel fueling, and trash can storage. Davis Engineering is developing a plan.
- viii. Next Food Truck night is August 17th with other nights planned for September 14th, October 5th, November 2nd and December 1st.

9. **CITY CLERK, BEVERLY BANISTER**

- i. Franchise Fee Compliance Review with Windstream is complete, and all items have been corrected. Comcast and NGN are still in review.
- ii. Online payments can now be accepted in the Planning & Zoning Department.
- iii. The annual asphalt RFQ for FY 2019 has been sent out for bid and advertised in the three local papers, on GLGA, at City Hall and on our website.
- iv. Consideration of replacing our current phone system which is outdated and we are outgrowing it's capacity to accommodate more personnel.
- v. Involved with IT company interview process and scope of work.

10. **FINANCE ADMINISTRATOR, HAYDEN WIGGINS**

- i. Preparing for the financial audit; they will be in within the next several days.
- ii. Review of fund revenues and expenditures through June 30, 2018.

11. **HUMAN RESOURCE MANAGER, DONNA BLANTON**

- i. Reviewing our life and health insurance policy and speaking with other providers; the current plan costs will be increased by 8% for 2019.

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12. UTILITIES DIRECTOR, GARY BARR

- i. 7,125,000 gallons of water was produced, 1,547,000 gallons of water was purchased, 1,377 total water and sewer customers served, installed 12 taps, 1,395 meters read, 26 disconnects, 23 new services, 25 lock offs due to non-payment, 90 work orders, 274 late notices sent out, 884 garbage customers served with 8 new customers and one can needed to be replaced and zero repaired.
- ii. The meter replacement project is not yet complete. Spring, 106 and 110 are complete and working great. Well 108 still needs to be replaced when upgrade is complete. We're waiting on the filters to be completed.
- iii. Well 111 pipe and pump has been installed and sanitized pipe on treatment house is being running; should be in operation by September. At that time, we should no longer need to purchase from Etowah.
- iv. Comcast is working in the City.

13. PUBLIC WORKS OPERATIONS MANAGER, TRAMPAS HANSARD

- i. Parking signs are ordered and should be installed this week. The signs will be put up on the opposite side of fire hydrants.
- ii. At City Hall, HVAC system replacement will begin next week; two units in the Racing Hall of Fame and one unit in this building. Six more security cameras have been installed around the building. Two rooms have been built upstairs for Planning and Zoning.
- iii. The stone at the cemetery will start to be replaced within the next three weeks.
- iv. A larger "One Way" sign has been ordered in an effort to stop people from going up the wrong way when leaving City Hall; it should be installed by next week.

14. PLANNING DIRECTOR, ROBBIE IRVIN

- i. The City has 2 new Alcohol Licenses and 2 new Business Licenses.
- ii. This month 13 building permits have been issued, 4 projects in plan review, 45 residential permits are open and 11 commercial permits are open. Performed 71 inspections.
- iii. The department has worked on several annexations and rezones.
- iv. Working with Stacy Harris to update the Website and forms.
- v. Updated Soil Erosion Ordinance and will be sent to the City Attorney for review
- vi. Upcoming events: All Squared Up Truck Show, the 11th from 9-3, Save Clifford 5K Race, the 25th from 8-9:30 pm, Georgia Racing Hall of Fame Car Show, 9/1 8-4 if it rains the 2nd or 3rd.

15. CITY ATTORNEY, DANA MILES

- i. The 8/20 Agenda needs to include the Soil Erosion Ordinance that the Planning Director has updated.

MAYOR/COUNCIL REPORTS

Mayor Eason reported on attending the GMRC meeting last week. He met with GDOT and their Aviation people and the Elliott's about the airport. He went to the ribbon cutting at Lighthouse Christian Academy and had Coffee with the Mayor.

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Councilmember French attending a meeting with the Georgia Racing Hall of Fame. Their restroom update has been completed and they are almost finished with their calendar. He also wanted to thank the council for passing the Public Comment Policy.

Councilmember Phillips attended the meeting with GDOT and the Elliott's as well. He also attended the Planning Commission Meeting.

Councilmember Power reported on meeting with people that book venues and how he would like to see the park book wholesome entertainment.

Councilmember Tolson also attended the GDOT meeting. He also visited Hightower Academy and reported on the students that attend. He also attending the ribbon cutting at Lighthouse Christian Academy.

EXECUTVE SESSION

At 7:57 p.m. the Council motioned to close regular session and go into executive session for the purpose of Pending or Potential Litigation motion made by J. Power/C. Phillips. Vote carried unanimously in favor.

At 8:28 p.m. a motion to close executive session and resume regular session was made by S. Tolson/J. Power. Vote carried unanimously in favor.

16. **GOLD CREEK CLUBHOUSE**: Motion made by S. Tolson to:

- Send a letter certifying that the work has been completed based on an inspection by the engineers and a recommendation from the planning department. Second by C. Phillips. Vote carried 3 in favor (Phillips, Power, Tolson) with one opposed (French).

ADJOURNMENT

With there being no further business to attend to, a motion was made to adjourn the meeting at 8:30 p.m. by J. Power/C. Phillips. Vote carried unanimously in favor.

By: CITY OF DAWSONVILLE

Michael Eason, Mayor

Caleb Phillips, Councilmember

Jason Power, Councilmember/Mayor Pro-Tem

Stephen Tolson, Councilmember

**MINUTES
CITY COUNCIL REGULAR MEETING
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7:00 P.M.**

Mark French, Councilmember

Attested: _____
Beverly Banister, City Clerk



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 8**

SUBJECT: CERTIFICATE OF APPRECIATION

CITY COUNCIL MEETING DATE: 08/20/2018

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: Annual Budget Capital Budget Other

Budget Amendment Request from Reserve: Enterprise Fund General Fund

PURPOSE FOR REQUEST:

TO RECOGNIZE PERSONNEL FOR HANDLING EXTRA DUTIES DURING STAFFING ISSUES

HISTORY/ FACTS / ISSUES:

OPTIONS:

RECOMMENDED SAMPLE MOTION:

DELIVER CERTIFICATE

REQUESTED BY: MIKE EASON, MAYOR



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 9

SUBJECT: DAWSONVILLE UMC REQUEST

DATE(s): 08/20/18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSSION OF REQUEST FOR THE USE OF CITY PROPERTY-SEE ATTACHED LETTER

HISTORY/ FACTS / ISSUES

TABLED FROM THE COUNCIL MEETING ON 8/06/2018

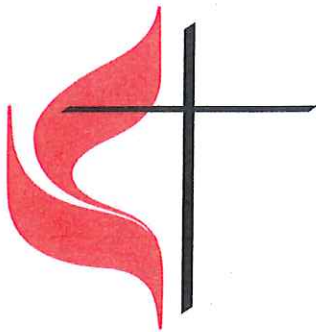
OPTIONS:

APPROVE, DENY OR TABLE

RECOMMENDED SAMPLE MOTION:

DEPARTMENT: CITY MANAGER

REQUESTED BY: BOB BOLZ



Dawsonville United Methodist Church

21 Church Street Rd

Dawsonville Ga, 30534

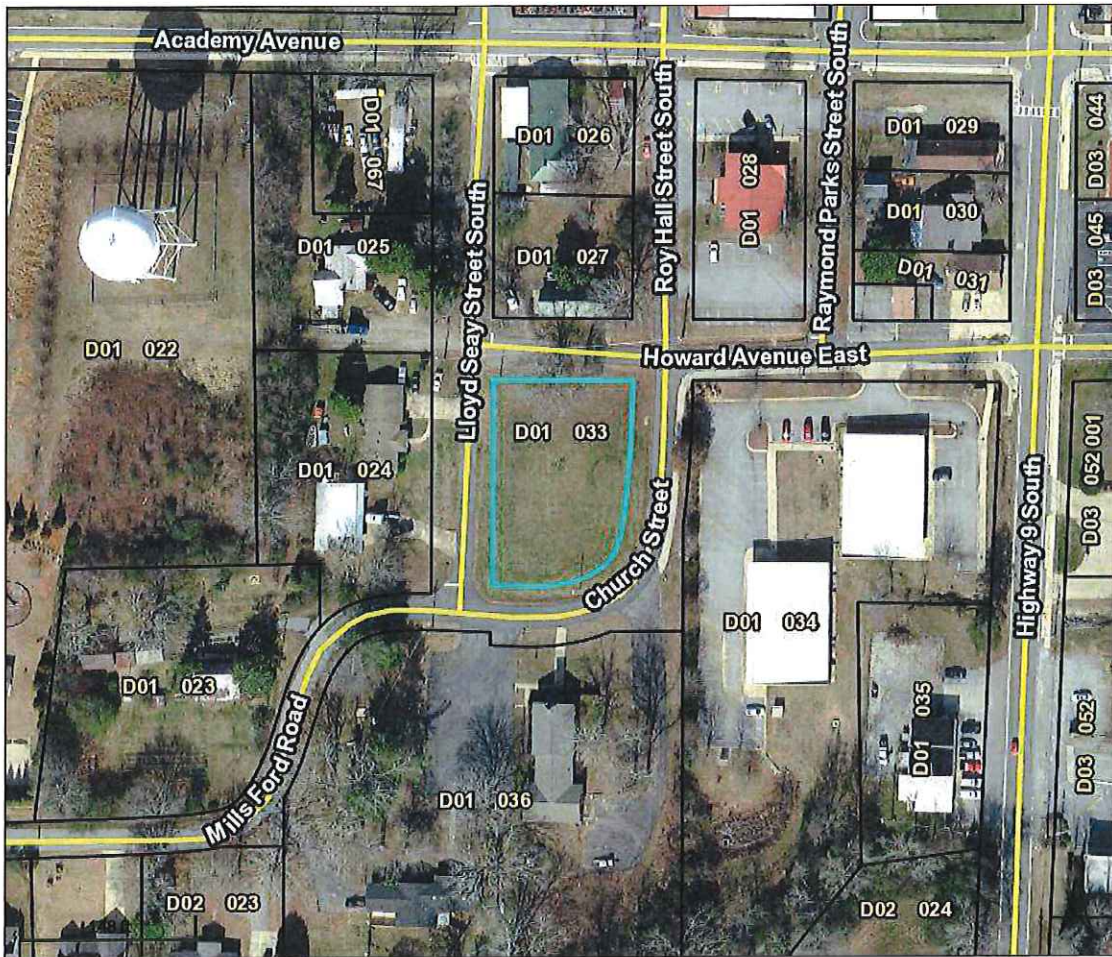
Admin Chair: Christina Steele

1nation4god@gmail.com

June 22, 2018

Dear Bob Bolz, city manager of Dawsonville Georgia. Our church administration is writing this letter per our conversation on the parking lot across the street at 572 Academy Avenue Dawsonville Ga, 30534. We realize this property belongs to the city, but would like to take a moment to reflect our intentions. Over the past years we were given the opportunity through the city to use the property across the street from our church to park cars for downtown Dawsonville festivals and events. We charged only a \$5 donation for parking and this has helped our churches outreach missions tremendously. We are hoping the city can still work with us on this to help our churches outreach missions. We thank you for your time and effort and hope to hear from you soon.

Sincerely, Christina Steele



Legend
 Parcels
 Roads

Parcel ID	D01 033	Owner	CITY OF DAWSONVILLE	Last 2 Sales			
Class Code	Exempt		P O BOX 6	Date	Price	Reason	Qual
Taxing District	DAWSONVILLE		DAWSONVILLE GA 30534	4/23/2007	\$90000	GV	U
	DAWSONVILLE	Physical Address	572 ACADEMY AVE	11/5/2001	\$67300	LM	Q
Acres	n/a	Assessed Value	Value \$60000				

(Note: Not to be used on legal documents)

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DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 10

SUBJECT: SAVE CLIFFORD 5K EVENT WITH ROAD CLOSURE

DATE(s): 08/20/18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # NA

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSSION OF REQUEST FOR THE USE OF CITY PROPERTY-SEE ATTACHED LETTER

HISTORY/ FACTS / ISSUES

TABLED FROM THE COUNCIL MEETING ON 8/06/2018

OPTIONS:

APPROVE, DENY OR TABLE

RECOMMENDED SAMPLE MOTION:

DEPARTMENT: CITY MANAGER

REQUESTED BY: BOB BOLZ



August 7, 2018

To: Mayor Mike Eason
& City of Dawsonville Council

Re: Staff Recommendation; Save Clifford 5K, Lowell Starr

Mr. Mayor and Council,

Mr. Lowell Starr has made application for a parade/public event permit for the Save Clifford 5k to be held on August 25th, 2018 from 8:15 pm to 9:15 pm. Said event will result in the closures of major portions of Memory Lane and Allen St. Mr. Starr has advised in his application that he has arranged participation from the Dawson County Sheriffs Office to aid in the street closures and for traffic control. Mr. Starr has conducted several events in the past without incident.

No opposition to this request has been received by this office.

Applicant has signed all applicable certification and acknowledgement statements.

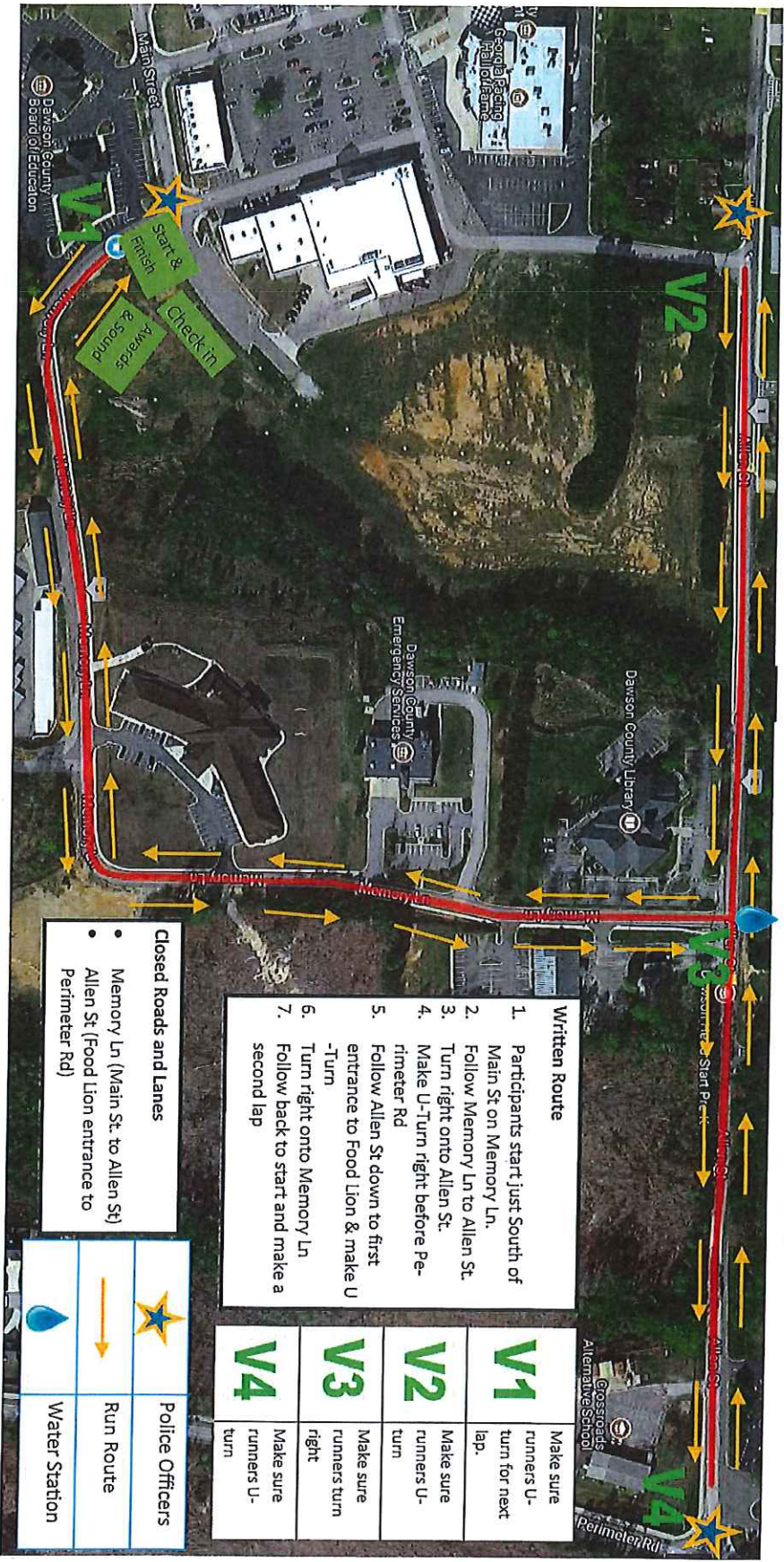
Applicant shall be required to place and take down all barricades and clean up any resulting trash.

The Planning and Zoning staff would recommend **approval**.

Please let me know if you have any questions regarding this matter.

Sincerely,




R.J. Irvin
Planning Director, City of Dawsonville



- Written Route**
1. Participants start just South of Main St on Memory Ln.
 2. Follow Memory Ln to Allen St.
 3. Turn right onto Allen St.
 4. Make U-Turn right before Perimeter Rd
 5. Follow Allen St down to first entrance to Food Lion & make U-Turn
 6. Turn right onto Memory Ln
 7. Follow back to start and make a second lap

- Closed Roads and Lanes**
- Memory Ln (Main St. to Allen St)
 - Allen St (Food Lion entrance to Perimeter Rd)

V1	Make sure runners U-turn for next lap.
V2	Make sure runners U-turn
V3	Make sure runners turn right
V4	Make sure runners U-turn

	Police Officers
	Run Route
	Water Station



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 11

SUBJECT: EROSION, SEDIMENTATION AND POLLUTION CONTROL ORDINANCE

DATE(s): 8/20/18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSS EROSION, SEDIMENTATON AND POLLUTION CONTROL ORDINANCE

HISTORY/ FACTS / ISSUES

OPTIONS:

RECOMMENDED SAMPLE MOTION:

APPROVE

DEPARTMENT: PLANNING AND ZONING

REQUESTED BY: ROBBIE IRVIN

The City of Dawsonville Soil Erosion, Sedimentation And Pollution Control Ordinance

NOW, THEREFORE, BE IT ORDAINED, BY

SECTION I TITLE

This ordinance will be known as “The City of Dawsonville
Soil Erosion, Sedimentation and Pollution Control Ordinance.”

SECTION II DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this ordinance, unless otherwise specifically stated:

1. **Best Management Practices (BMPs):**
These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the ‘Manual for Erosion and Sediment Control in Georgia’ published by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.
2. **Board:** The Board of Natural Resources.
3. **Buffer:** The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.
4. **Certified Personnel:** A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.
5. **Coastal Marshlands:** Shall have the same meaning as in O.C.G.A. 12-5-282.
6. **Commission:** The Georgia Soil and Water Conservation Commission (GSWCC).
7. **CPESC:** Certified Professional in Erosion and Sediment Control with current certification by EnviroCert, Inc., which is also referred to as CPESC or CPESC, Inc.
8. **Cut:** A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface. Also known as excavation.
9. **Department:** The Georgia Department of Natural Resources (DNR).
10. **Design Professional:** A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert, Inc. Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.
11. **Director:** The Director of the Environmental Protection Division or an authorized representative.
12. **District:** The Upper Chattahoochee Soil and Water Conservation District.
13. **Division:** The Environmental Protection Division (EPD) of the Department of Natural Resources.
14. **Drainage Structure:** A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm water management, drainage control, or flood control purposes.

15. **Erosion:** The process by which land surface is worn away by the action of wind, water, ice or gravity.
16. **Erosion, Sedimentation and Pollution Control Plan:** A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum protections at least as stringent as the State General Permit, best management practices, and requirements in section IV.C. of this ordinance.
17. **Fill:** A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.
18. **Final Stabilization:** All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.
19. **Finished Grade:** The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.
20. **Grading:** Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.
21. **Ground Elevation:** The original elevation of the ground surface prior to cutting or filling.
22. **Land-Disturbing Activity:** Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in Section III, Paragraph 5.
23. **Larger Common Plan of Development or Sale:** A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.
24. **Local Issuing Authority:** The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. 12-7-8. As used hereinafter in this ordinance the Local Issuing Authority ("LIA") shall be the City of Dawsonville.
25. **Metropolitan River Protection Act (MRPA):** A state law referenced as O.C.G.A. 12-5-440 et.seq. which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.
26. **Natural Ground Surface:** The ground surface in its original state before any grading, excavation or filling.
27. **Nephelometric Turbidity Units (NTU):** Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed or suspended particles are present.
28. **NOI:** A Notice of Intent form provided by EPD for coverage under the State General Permit.
29. **NOT:** A Notice of Termination form provided by EPD to terminate coverage under the State General Permit.
30. **Operator:** The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with an

- erosion, sedimentation and pollution control plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.
31. **Outfall:** The location where storm water in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.
 32. **Permit:** The authorization necessary to conduct a land-disturbing activity under the provisions of this ordinance.
 33. **Person:** Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State of Georgia, any interstate body or any other legal entity.
 34. **Phase or Phased:** Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.
 35. **Project:** The entire proposed development project regardless of the size of the area of land to be disturbed.
 36. **Properly Designed:** Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.
 37. **Roadway Drainage Structure:** A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.
 38. **Sediment:** Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.
 39. **Sedimentation:** The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.
 40. **Soil and Water Conservation District Approved Plan:** An erosion, sedimentation and pollution control plan approved in writing by the Upper Chattahoochee Soil and Water Conservation District.
 41. **Stabilization:** The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.
 42. **State General Permit:** The National Pollution Discharge Elimination System (NPDES) general permit or permits for storm water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and subsection (f) of Code Section 12-5-30.
 43. **State Waters:** Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.
 44. **Structural Erosion, Sedimentation and Pollution Control Practices:** Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization

structures and sediment traps, etc. Such practices can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

45. **Trout Streams:** All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at www.epd.georgia.gov. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.
46. **Vegetative Erosion and Sedimentation Control Measures:** Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:
 - a. Permanent seeding, sprigging or planting, producing long-term vegetative cover, or
 - b. Temporary seeding, producing short-term vegetative cover; or
 - c. Sodding, covering areas with a turf of perennial sod-forming grass.Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.
47. **Watercourse:** Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.
48. **Wetlands:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

SECTION III EXEMPTIONS

This ordinance shall apply to any land-disturbing activity undertaken by any person on any land except for the following

1. Surface mining, as the same is defined in O.C.G.A. 12-4-72, "The Georgia Surface Mining Act of 1968".
2. Granite quarrying and land clearing for such quarrying;
3. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion;
4. The construction of single-family residences, when such construction disturbs less than one (1) acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in O.C.G.A. 12-7-6 and this paragraph. For single-family residence construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 2 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the Director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted. The minimum requirements of subsection (b) of

- O.C.G.A. 12-7-6 and the buffer zones provided by this paragraph shall be enforced by the Local Issuing Authority;
5. Agricultural operations as defined in O.C.G.A. 1-3-3, "definitions", to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;
 6. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in paragraphs (15) and (16) of Section IV C. of this ordinance, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three (3) years after completion of such forestry practices;
 7. Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture;
 8. Any project involving less than one (1) acre of disturbed area; provided, however, that this exemption shall 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 (1) acre or within 200 feet of the bank of any state waters, and for purposes of this paragraph, "State Waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves less than one (1) acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the Local Issuing Authority from regulating any such project which is not specifically exempted by paragraphs 1, 2, 3, 4, 5, 6, 7, 9 or 10 of this section;
 9. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Department of Transportation or the State Road and Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the Local Issuing Authority, the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
 10. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United states engaged in the

generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and

11. Any public water system reservoir.

SECTION IV

MINIMUM REQUIREMENTS FOR EROSION, SEDIMENTATION AND POLLUTION CONTROL USING BEST MANAGEMENT PRACTICES

A. GENERAL PROVISIONS

Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the ordinance and the NPDES General Permit are not met. Therefore, plans for those land-disturbing activities which are not exempted by this ordinance shall contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions shall be incorporated into the erosion, sedimentation and pollution control plans. Soil erosion, sedimentation and pollution control measures and practices shall conform to the minimum requirements of Section IV B. & C. of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with requirements of this ordinance and the NPDES General Permit.

B. MINIMUM REQUIREMENTS/ BMPs

1. Best management practices as set forth in Section IV B. & C. of this ordinance shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with paragraph (2) of this subsection or any substantially similar terms contained in a permit for the discharge of storm water issued pursuant to subsection (f) of O.C.G.A. 12-5-30, the "Georgia Water Quality Control Act". As used in this subsection the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. 12-7-6 subsection (b).
2. A discharge of storm water runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local Issuing Authority or of any state general permit issued by the Division pursuant to subsection (f) of O.C.G.A. 12-5-30, the "Georgia Water Quality Control Act", for each day on which such discharge results in the turbidity of receiving waters being increased by more than twenty-five (25) nephelometric turbidity units for waters supporting warm water fisheries or by more than ten (10) nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This paragraph shall not apply to any land disturbance associated with the construction of single family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five (5) acres.
3. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a Local Issuing Authority or of any state general permit issued by the Division pursuant to subsection (f) of Code Section 12-5-30, the "Georgia Water Quality Control Act", for each day on which such failure occurs.

4. The Director may require, in accordance with regulations adopted by the Board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land disturbing activities occur.
 5. The LIA may set more stringent buffer requirements than stated in C.15,16 and 17, in light of O.C.G.A. § 12-7-6 (c).
- C. The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. 12-7-1 et. seq. for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the *Manual for Erosion and Sediment Control in Georgia* published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:
1. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
 2. Cut-fill operations must be kept to a minimum;
 3. Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;
 4. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
 5. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
 6. Disturbed soil shall be stabilized as quickly as practicable;
 7. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
 8. Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
 9. To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. 12-7-1 et. seq.;
 10. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
 11. Cuts and fills may not endanger adjoining property;
 12. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
 13. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
 14. Land-disturbing activity plans for erosion, sedimentation and pollution control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Section IV B. 2. of this ordinance;
 15. Except as provided in paragraph (16) and (17) of this subsection, there is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or where bulkheads and sea walls are installed to prevent shoreline erosion on Lake Oconee and Lake Sinclair; or along any

ephemeral stream. As used in this provision, the term 'ephemeral stream' means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow, Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the Director as provided in this paragraph. The following requirements shall apply to any such buffer:

- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
 - b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines; and
16. There is established a 50 foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act", except where a roadway drainage structure must be constructed ; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25 foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:
- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed: provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
 - b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the

- stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines; and
17. There is established a 25 foot buffer along coastal marshlands, as measured horizontally from the coastal marshland-upland interface, as determined in accordance with Chapter 5 of Title 12 of this title, the "Coastal Marshlands Protection Act of 1970." And the rules and regulations promulgated thereunder, except where the director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the director pursuant to Code Section 12-2-8, where an alteration within the buffer area has been authorized pursuant to Code Section 12-5-286, for maintenance of any currently serviceable structure, landscaping, or hardscaping, including bridges, roads, parking lots, golf courses, golf cart paths, retaining walls, bulkheads, and patios; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented, where a drainage structure or roadway drainage structure is constructed or maintained; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented, on the landward side of any currently serviceable shoreline stabilization structure, or for the maintenance of any manmade storm-water detention basin, golf course pond, or impoundment that is located entirely within the property of a single individual, partnership, or corporation; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented. For the purposes of this paragraph maintenance shall be defined as actions necessary or appropriate for retaining or restoring a currently serviceable improvement to the specified operable condition to achieve its maximum useful life. Maintenance includes emergency reconstruction of recently damaged parts of a currently serviceable structure so long as it occurs within a reasonable period of time after damage occurs. Maintenance does not include any modification that changes the character, scope or size of the original design and serviceable shall be defined as usable in its current state or with minor maintenance but not so degraded as to essentially require reconstruction.
 - a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat; and
 - b. The buffer shall not apply to crossings for utility lines that cause a width of disturbance of not more than 50 feet within the buffer, provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.
 - c. The buffer shall not apply to any land-disturbing activity conducted pursuant to and in compliance with a valid and effective land-disturbing permit issued subsequent to April 22, 2014, and prior to December 31, 2015; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented or any lot for which the preliminary plat has been approved prior to December 31, 2015 if

land disturbance permit. In a jurisdiction that is certified pursuant to subsection (a) of O.C.G.A. 12-7-8 half of such fees levied shall be submitted to the Division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the Division, regardless of the existence of a Local Issuing Authority in the jurisdiction.

5. Immediately upon receipt of an application and plan for a permit, the Local Issuing Authority shall refer the application and plan to the District for its review and approval or disapproval concerning the adequacy of the erosion, sedimentation and pollution control plan. The District shall approve or disapprove a plan within 35 days of receipt. Failure of the District to act within 35 days shall be considered an approval of the pending plan. The results of the District review shall be forwarded to the Local Issuing Authority. No permit will be issued unless the plan has been approved by the District, and any variances required by Section IV C. 15, 16 and 17 have been obtained, all fees have been paid, and bonding, if required as per Section V B.6., have been obtained. Such review will not be required if the Local Issuing Authority and the District have entered into an agreement which allows the Local Issuing Authority to conduct such review and approval of the plan without referring the application and plan to the District. The Local Issuing Authority with plan review authority shall approve or disapprove a revised Plan submittal within 35 days of receipt. Failure of the Local Issuing Authority with plan review authority to act within 35 days shall be considered an approval of the Plan submittal.
6. If a permit applicant has had two or more violations of previous permits, this ordinance section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, the Local Issuing Authority may deny the permit application.
7. The Local Issuing Authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, the Local Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the Local Issuing Authority with respect to alleged permit violations.

C. PLAN REQUIREMENTS

1. Plans must be prepared to meet the minimum requirements as contained in Section IV B. & C. of this ordinance, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The *Manual for Erosion and Sediment Control in Georgia* is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the Commission and in consultation with the Division and the Stakeholder Advisory Board created pursuant to O.C.G.A. 12-7-20.
2. Data Required for Site Plan shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.

D. PERMITS

1. Permits shall be issued or denied as soon as practicable but in any event not later than forty-five (45) days after receipt by the Local Issuing Authority of a completed application, providing variances and bonding are obtained, where necessary and all applicable fees have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken.
2. No permit shall be issued by the Local Issuing Authority unless the erosion, sedimentation and pollution control plan has been approved by the District and the Local Issuing Authority has affirmatively determined that the plan is in compliance with this ordinance, any variances required by Section IV C. 15, 16 and 17 are obtained, bonding requirements, if necessary, as per Section V B. 6. are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the Local Issuing Authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
3. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this ordinance, and any other ordinances relating to land development, as are applied to private persons and the division shall enforce such requirements upon the local issuing authority.
4. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
5. The permit may be suspended, revoked, or modified by the Local Issuing Authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.
6. The LIA may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. 12-7-7 (f) (1).

SECTION VI
INSPECTION AND ENFORCEMENT

- A. The City of Dawsonville Planning and Zoning Department will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, the Local Issuing Authority shall regulate primary, secondary and tertiary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. Tertiary permittees shall be responsible for installation and maintenance where the tertiary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this ordinance, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance.

- B. The Local Issuing Authority must amend its ordinances to the extent appropriate within twelve (12) months of any amendments to the Erosion and Sedimentation Act of 1975.
- C. The City of Dawsonville Planning and Zoning Department or designee shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.
- D. No person shall refuse entry or access to any authorized representative or agent of the Local Issuing Authority, the Commission, the District, or Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
- E. The District or the Commission or both shall semi-annually review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to O.C.G.A. 12-7-8 (a). The District or the Commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion, sedimentation and pollution control program. The District or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.
- F. The Division may periodically review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to Code Section 12-7-8 (a). Such review may include, but shall not be limited to, review of the administration and enforcement of a governing authority's ordinance and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any county or municipality certified pursuant to O.C.G.A. 12-7-8 (a) has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7 (e), the Division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 90 days within which to take the necessary corrective action to retain certification as a Local Issuing Authority. If the county or municipality does not take necessary corrective action within 90 days after notification by the division, the division shall revoke the certification of the county or municipality as a Local Issuing Authority.

SECTION VII PENALTIES AND INCENTIVES

A. FAILURE TO OBTAIN A PERMIT FOR LAND-DISTURBING ACTIVITY

If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this ordinance without first obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the Local Issuing Authority.

B. STOP-WORK ORDERS

1. For the first and second violations of the provisions of this ordinance, the Director or the Local Issuing Authority shall issue a written warning to the violator. The violator shall have five days to correct the violation. If the violation is not corrected within five days, the Director or the Local Issuing Authority shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing activities are conducted without obtaining the necessary permit, the Director or the Local Issuing Authority shall issue an immediate stop-work order in lieu of a warning;
2. For a third and each subsequent violation, the Director or the Local Issuing Authority shall issue an immediate stop-work order; and;

3. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.
4. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the Local Issuing Authority or by the Director or his or her Designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by the Local Issuing Authority or by the Director or his or her Designee. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

C. **BOND FORFEITURE** If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of Section V B. 6. The Local Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

D. **MONETARY PENALTIES**

1. Any person who violates any provisions of this ordinance, or any permit condition or limitation established pursuant to this ordinance, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director issued as provided in this ordinance shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this ordinance, notwithstanding any provisions in any City charter to the contrary, municipal courts shall be authorized to impose penalty not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this ordinance under county ordinances approved under this ordinance shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

SECTION VIII
EDUCATION AND
CERTIFICATION

- A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. 12-7-20.
- B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Commission present on site whenever land-disturbing activities are conducted on that site. A project

site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.

- C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.
- D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. 12-7-19, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A. 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

SECTION IX ADMINISTRATIVE APPEAL

JUDICIAL REVIEW

A. ADMINISTRATIVE REMEDIES

The suspension, revocation, modification or grant with condition of a permit by the Local Issuing Authority upon finding that the holder is not in compliance with the approved erosion, sediment and pollution control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Mayor and City Council within 30 days after receipt by the Local Issuing Authority of written notice of appeal. The Mayor and Council shall issue a written decision on the appeal within ten (10) business days of the hearing.

B. JUDICIAL REVIEW

Any person, aggrieved by the appeal decision of the Mayor and Council shall have the right to appeal the decision of the Mayor and Council by writ of certiorari to the Superior Court of Dawson County in accordance with the provisions of O.C.G.A. §5-4-1 et seq.

SECTION X EFFECTIVITY, VALIDITY AND LIABILITY

A. EFFECTIVITY

This ordinance shall become effective upon adoption by the Mayor and Council on the 10th day of September, 2018.

B. VALIDITY

If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this ordinance.

C. LIABILITY

1. Neither the approval of a plan under the provisions of this ordinance, nor the compliance with provisions of this ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Local Issuing Authority or District for damage to any person or property.

2. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.
3. No provision of this ordinance shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any Waters of the State as defined thereby.

SO ORDAINED THIS 10TH DAY OF SEPTEMBER, 2018.

Mike Eason, Mayor

Caleb Phillips, Council Member

Stephen Tolson, Council Member

Jason Power, Council Member

Mark French, Council Member

ATTEST:

Beverly Banister, Clerk



August 7, 2018

To: Mayor Mike Eason
& City of Dawsonville Council

Re: Staff Recommendation; The City of Dawsonville Soil Erosion, Sedimentation and Pollution Control Ordinance

Mr. Mayor and Council,

Per the Georgia Erosion and Sedimentation Act (GESA), Local Issuing Authorities (LIA's) like the City of Dawsonville must amend their ES&PC ordinances within 12 months of any amendments to GESA. Continuing certification of a LIA is conditioned upon implementation of an ordinance that meets or exceeds the provision of GESA. In plain English this is a mandatory revision of our ordinance in order to preserve the city's LIA status.

The definition of a Local Issuing Authority as stated in OCGA 12-7-8 a:

- (1) If a county or municipality has enacted ordinances which meet or exceed the standards, requirements, and provisions of this chapter and the state general permit, except that the standards, requirements, and provisions of the ordinances for monitoring, reporting, inspections, design standards, turbidity standards, education and training, and project size thresholds with regard to education and training requirements shall not exceed the state general permit requirements, and which are enforceable by such county or municipality, and if a county or municipality documents that it employs qualified personnel to implement enacted ordinances, the director may certify such county or municipality as a **local issuing authority** for the purposes of this chapter.

The City of Dawsonville was requested to amend said ordinance in 2016 and failed to do so.

The Planning and Zoning staff would recommend **approval**.

Please let me know if you have any questions regarding this matter.

Sincerely,

R.J. Irvin
Planning Director, City of Dawsonville



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 12**

SUBJECT: CONTRACT AMENDMENT ON MAIN STREET PARK

DATE(s): 08/20/2018 WORK SESSION _____ CITY COUNCIL
MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: ___ Annual Budget ___ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSS AMENDMENT ON MAIN STREET PARK

HISTORY/ FACTS / ISSUES:

OPTIONS:

APPROVE/DENY AMENDMENT

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: _____ CITY MANAGER, BOB BOLZ

Tracy Smith

From: Bob Bolz
Sent: Tuesday, August 14, 2018 9:00 AM
To: Tracy Smith
Subject: FW: Farmer's Market Sewer Project
Attachments: BID Farmers Market Sewer Line0001.pdf

Please attach this email and the bid documents to the documents for Monday's meeting. Staff recommendation is to award bid to TW Phillips Grading.

Thanks,

Bob Bolz

Bob Bolz
City Manager
City of Dawsonville
415 Hwy 53 E, Suite 100
Dawsonville, GA 30534
Office Phone: 706-265-3256
Fax: 706-265-4214
Cell Phone: 706-429-4524

citymanager@dawsonville-ga.gov

"There are many things that will catch my eye, but there are only a few that catch my heart. It is those I consider to pursue." -Tim Redmond



From: Lamar Rogers <lrogers@gbtengineers.com>
Sent: Monday, August 13, 2018 3:45 PM
To: Bob Bolz <citymanager@dawsonville-ga.gov>
Subject: RE: Farmer's Market Sewer Project

Mr. Bolz,

As requested, we have reviewed the proposed change order for subject project. The unit costs provided by T W Phillips Grading, Inc. are relatively close to our estimate. The total cost is \$1,895 above our estimate. We recommend the City award the change order to T W Phillips Grading, Inc. in the amount of \$81,319.00.

If you have any questions or need additional information, please call us.



J. Lamar Rogers

Associate

T: 770 333 0700 M: 770 547 6325

www.gbtengineers.com

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From: Bob Bolz [<mailto:citymanager@dawsonville-ga.gov>]
Sent: Monday, August 13, 2018 7:48 AM
To: Lamar Rogers
Subject: Fwd: Farmer's Market Sewer Project

?Please review bid as change order. What do you think?

Get [Outlook for iOS](#)

From: Bryan Melton <bryan.melton@twphillipsgrading.com>
Sent: Thursday, August 9, 2018 10:49 AM
To: Bob Bolz
Subject: FW: Farmer's Market Sewer Project

This price is only good while we are on site. If we have already de-mobilized from the job site there will be an additional \$2500 mobilization fee.

From: Bryan Melton <bryan.melton@twphillipsgrading.com>
Sent: Thursday, August 09, 2018 10:40 AM
To: 'Bob Bolz' <citymanager@dawsonville-ga.gov>
Cc: 'Alex' <alex@twphillipsgrading.com>
Subject: RE: Farmer's Market Sewer Project

Please find attached the cost breakdown (BID) for the above referenced project for your review.

From: Bob Bolz <citymanager@dawsonville-ga.gov>
Sent: Tuesday, August 07, 2018 2:08 PM
To: Bryan Melton <bryan.melton@twphillipsgrading.com>
Subject: FW: Farmer's Market Sewer Project

Here you go.

Bob Bolz

Bob Bolz

City Manager

City of Dawsonville

415 Hwy 53 E, Suite 100

Dawsonville, GA 30534

Office Phone: 706-265-3256

Fax: 706-265-4214

Cell Phone: 706-429-4524

citymanager@dawsonville-ga.gov

"Continuous effort – not strength or intelligence – is the key to unlocking our potential." -Winston Churchill



From: Lamar Rogers <lrogers@gbtengineers.com>

Sent: Thursday, August 02, 2018 9:24 AM

To: Bob Bolz <citymanager@dawsonville-ga.gov>

Subject: RE: Farmer's Market Sewer Project

Bob,

We mailed one full size set to Gary July 18, 2018. Attached are electronic plans. Let me know if I should mail a hard copy.

Also attached is a cost estimate. I told you construction costs around \$60,000 but I was mistaken. My estimate is \$79,424.

I also have prepared a proposal for you to give to the contractor to complete.

If you have any questions or need additional information, please give us a call.



J. Lamar Rogers

Associate

T: 770 333 0700 **M:** 770 547 6325

www.gbtengineers.com

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From: Bob Bolz [<mailto:citymanager@dawsonville-ga.gov>]

Sent: Thursday, August 02, 2018 7:43 AM

To: Lamar Rogers

Subject: Farmer's Market Sewer Project

Do you know when those plans were sent to Gary? He says he hasn't received them yet. Can you please research?

Thanks,

Bob Bolz

Bob Bolz

City Manager

City of Dawsonville

415 Hwy 53 E, Suite 100

CITY OF DAWSONVILLE
SEWERAGE SYSTEM IMPROVEMENTS
FARMER'S MARKET SEWER LINE
PROJECT #833.058

Item	Qty.	Units	Description	Unit Cost	Total Cost
1.			8" PVC GRAVITY SEWER		
a.	118	LF	0' - 6' Cut, or in casing	<u>51.00</u>	<u>6018</u>
b.	102	LF	6' - 8' Cut	<u>52.00</u>	<u>5304</u>
c.	72	LF	8' - 10' Cut	<u>59.00</u>	<u>4425</u>
d.	182	LF	10' - 12' Cut	<u>62.00</u>	<u>11,284</u>
e.	20	LF	12' - 14' Cut	<u>67.00</u>	<u>1340</u>
f.	13	LF	14' - 16' Cut	<u>75.00</u>	<u>975</u>
2.	100	LF	14" Steel Casing (0.250" w.t.) Install by Jack & Bore	<u>220.00</u>	<u>22,000</u>
3.	1	EA	Freebore	<u>2,000</u>	<u>2,000</u>
4.	1	EA	CONNECT TO EXISTING MANHOLE	<u>4,000</u>	<u>4,000</u>
5.			SERVICE CONNECTIONS		
a.	95	LF	4" PVC Pipe Service Line	<u>20.00</u>	<u>1900</u>
b.	1	EA	8" X 4" Wye or Tee (w/o conc. Enc.)	<u>150.00</u>	<u>150</u>
c.	4	EA	4" -30 or 45 Bend (w/o conc. Enc.)	<u>100.00</u>	<u>400</u>
d.	1	EA	4" Clean Out Assembly (Incl. Meter Box w/ Sewer on Lid)	<u>150.00</u>	<u>150</u>
6.			4' - 0 DIAM. PRECAST CONCRETE MANHOLE		
a.	47	VF	Base, Riser and Cone	<u>300.00</u>	<u>14,100</u>
7.			MANHOLE FRAME AND COVER		
a.	4	EA	370# Standard	<u>700.00</u>	<u>2800</u>
8.			REMOVE AND REPLACE		
a.	15	LF	Gravel	<u>20.00</u>	<u>300</u>
9.			SOIL EROSION AND SEDIMENT CONTROL		
a.	500	LF	Grassing of Disturbed Areas	<u>3.50</u>	<u>1750</u>
b.	5	EA	Hay Bale Check Dam, Cd-Hb	<u>40.00</u>	<u>200</u>
c.	5	SY	RipRap, Rp	<u>40.00</u>	<u>200</u>
10.	40	CY	ROCK EXCAVATION	<u>15.00</u>	<u>600</u>
11.	40	CY	CRUSHED STONE STABILIZATION (Incl. Excavation and Disposal of Unsuitable Material)	<u>40.00</u>	<u>1600</u>
TOTAL COST					<u><u>81,496</u></u>

Prepared by:
G. Ben Turnipseed Engineers, Inc.
Atlanta, Georgia
August 2, 2018



**DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 13**

SUBJECT: 2019 COUNCIL MEETING & WORK SESSION DATES AND TIMES

DATE(s): 08/20/2018 WORK SESSION _____ CITY COUNCIL
MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: ___ Annual Budget ___ Capital Budget Other _____

Budget Amendment Request from Reserve: ___ Enterprise Fund ___ General Fund

PURPOSE FOR REQUEST:

DISCUSS 2019 MEETING DATES AND TIMES

HISTORY/ FACTS / ISSUES:

OPTIONS:

APPROVE/DENY AMENDED MEETING SCHEDULE

RECOMMENDED SAMPLE MOTION:

REQUESTED BY: _____ CITY MANAGER, BOB BOLZ



PUBLIC NOTICE

2018 Meetings of the City of Dawsonville

The City of Dawsonville City Council, DDA, Planning Commission and HPC shall conduct regular meetings on the dates and time below:

2018 City Council Regular Meetings at 7:00 pm

JAN 8 FEB 5 MAR 5 APR 9 MAY 7 JUN 4
JUL 9 AUG 6 SEP 10 OCT 8 NOV 5 DEC 3

2018 City Council Work Sessions and Regular Meetings at 7:00 pm

JAN 22 FEB 19 MAR 19 APR 23 MAY 21 JUN 18
JUL 23 AUG 20 SEP 24 OCT 22 NOV 26 DEC 17

2018 Planning Commission Meetings at 5:30 pm

JAN 8 FEB 5 MAR 5 APR 9 MAY 7 JUN 4
JUL 9 AUG 6 SEP 10 OCT 8 NOV 5 DEC 3

2018 Historic Preservation Commission Meetings at 5:30 pm

FEB 19 APR 23 JUN 18 AUG 20 OCT 22 DEC 17

2018 Downtown Development Authority Meetings at 5:30 pm

JAN 22 MAR 19 MAY 21 JUL 23 SEP 24 NOV 26

All meetings according to the dates set forth above will be upstairs in the G.L. "Pete" Gilleland Council Chambers at City Hall located at 415 HWY 53 E, Dawsonville, GA. The public is invited to attend all of these meetings.



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 14

ORDINANCE REVIEW

SUBJECT: _____

DATE(s): 8/20/18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSS THE FOLLOWING ORDINANCES:

- A. Road Closure Ordinance from 6/1989
- B. Tattoo Ordinance from 11/2000
- C. Utilities Ordinance from 12/2008

HISTORY/ FACTS / ISSUES

OPTIONS:

RECOMMENDED SAMPLE MOTION:

WILL BE ON THE 9/10/18 AGENDA

DEPARTMENT: ADMINISTRATION

REQUESTED BY: _____

FIRST READING _____

SECOND READING _____

AN ORDINANCE TO UPDATE AND REVISE THE APPLICATION FEE AND ANNUAL FEE FOR OCCUPATION TAXES AND BUSINESS LICENSES RELATED TO TATTOO STUDIOS AND TATTOO ARTISTS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, Article IX, Section IV, Paragraph I of the Georgia Constitution authorizes municipal governments to levy and collect taxes and fees within their municipal limits;

WHEREAS, the General Assembly of Georgia authorized local governments to impose business and occupation taxes and regulatory fees in O.C.G.A. § 48-13-5, et seq; and

WHEREAS, the City of Dawsonville desires to amend the application and annual business license fees contained in City Ordinances Chapter 2, Section 2-110, subsection 8-216 (c) and (d) related to tattoo studios and tattoo artists as governed by City Ordinances Chapter 8 Article IV Tattoo Studios and specifically set forth in Section 8-216 in order to update them and make them consistent with appropriate fees for other businesses and in other jurisdictions.

NOW, THEREFORE, the Council of the City of Dawsonville hereby ordains as follows:

Section 1.

Chapter 2, Section 2-110 of the Code of Ordinances for the City of Dawsonville is amended by deleting the existing sub-sections 8-216 (c) and 8-216 (d) of Section 2-110 in their entirety and replacing them with new sub-sections 8-216 (c) and 8-216 (d) as follows:

8-216 (c) License Application Fee for Tattoo Studio and for each Tattoo Artist: \$50.00

8-216 (d) Annual Fee for Tattoo Studio and for each Tattoo Artist: \$100.00

Section 2. Repealer and Restatement.

All ordinances and resolutions and parts thereof in conflict herewith are repealed. However, to the extent not in conflict, all remaining ordinances, resolutions, or parts thereof shall not be amended or repealed and shall remain in full force and effect, except as expressly stated in this ordinance.

Section 3. Effective Date.

This ordinance shall take effect and be in force from and after its adoption.

SO ADOPTED this ____ day of _____, 2018.

Mike Eason
Mayor

Attested: _____ (seal)
Beverly Banister
City Clerk

Caleb Phillips
Council Member

Stephen Tolson
Council Member

Jason Power
Council Member

Mark French
Council Member

[8-112\(b\)](#). Adult entertainment establishment employee investigation fee 50.00

[8-139](#). Permit fee for adult entertainment establishment 1,500.00

[8-143](#). Adult entertainment establishment license renewal fee 1,500.00

[8-146](#). License fee to be submitted with application for renewal of adult entertainment establishment 1,500.00

[8-146](#). License fee for renewal of adult entertainment establishment 1,500.00

[8-216\(c\)](#). License application fee for **tattoo** operator or **tattoo** artist 500.00

[8-216\(d\)](#). Annual fee for **tattoo** operator or **tattoo** artist 500.00

[8-280](#). Mobile food vendor's license (other than at special events) 50.00

[8-300](#). City farmers' market license 25.00

[8-400](#). Vendors at special events (including mobile food vendors) not conducted by a non-profit [501\(c\)\(3\)](#) organization 25.00

[CHAPTER 10](#), STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

[10-28\(b\)](#). Parade deposit, not to exceed 500.00

[CHAPTER 12](#), TELECOMMUNICATIONS FRANCHISES, CABLE TELEVISION AND RELATED FACILITIES

[12-21\(c\)\(2\)](#), [12-22\(c\)](#), [12-23\(a\)\(3\)](#). Franchise application fee 500.00

[12-21\(c\)\(2\)](#), [12-22\(c\)](#), [12-23\(a\)\(3\)](#). Revocable license application fee 500.00

[CHAPTER 14](#), UTILITIES

[14-22\(a\)](#). Water Service.

WITHIN THE CORPORATE LIMITS

ARTICLE IV. - TATTOO STUDIOS^[4]

DIVISION 1. - GENERALLY

Sec. 8-167. - Definitions.

For the purpose of this article, the following words and phrases, when used herein, shall be construed as follows:

Tattoo means to mark or color the skin by pricking in coloring matter so as to form indelible marks or figures or by the production of scars; provided, however, the word "tattoo" shall not mean a tattoo placed upon the skin by a physician for medical identification purposes.

Tattoo artist means any person who actually performs the work of tattooing.

Tattoo establishment means any room or place where tattooing is practiced, or where the business of tattooing is conducted, or any part thereof.

Tattoo operator means any persons who controls, operates, conducts, or manages any tattoo establishment, whether actually performing the work of tattooing or not.

(Ord. of 11-20-2000, § 2)

Sec. 8-168. - Penalty for violation.

Any person violating the provisions of this article shall, upon conviction, be punished as provided in section 1-8. In addition to such fine or imprisonment, violation of this article shall also be grounds for immediate suspension or revocation of the license issued hereunder.

(Ord. of 11-20-2000, § 13)

Sec. 8-169. - Rules of evidence inapplicable.

The city council shall not be bound by the traditional rules of evidence in hearings conducted under this article. Rules of evidence as applied in an administrative hearing shall apply.

(Ord. of 11-20-2000, § 12)

Secs. 8-170—8-191. - Reserved.

DIVISION 2. - BUSINESS REGULATIONS

Sec. 8-192. - Rules and regulations.

- (a) *Reasonable standards for health and safety.* Pursuant to O.C.G.A. § 31-40-5, the department of health resources and county boards of health have the power to adopt and promulgate rules and regulations to ensure the protection of the public health in relation to regulating tattoo establishments. Such rules and regulations involve reasonable standards for health and safety of tattoo studios with regard to location and cleanliness of facilities, sterilization and Occupational Safety and Health Administration guidelines for the prevention and spread of

infectious diseases by all personnel, informed consent by the person receiving a tattoo, procedures for ensuring adequate explanation to consumers of the proper subsequent care of a tattoo, and proper use and maintenance of tattoo equipment, including dyes and pigments.

(b) *Applicant responsibility.* Each applicant granted a permit under the terms of this article shall be required to abide by all requirements as imposed by the department of health resources as well as the county board of health. Otherwise, the applicant's license shall be subject to revocation by the city.

(c) *Applicant additional requirements.* In addition to those rules and regulations as required by the department of health resources and the county board of health, the applicant shall also be required to abide by the following additional requirements:

(1) *Health and sanitary requirements.*

- a. The room in which tattooing is done shall have an area of not less than 100 square feet. The walls, floors, and ceiling shall have an impervious, smooth, and washable surface.
- b. A toilet shall be located in the establishment and shall be accessible at all times that the tattooing establishment is open for business. The lavatory shall be supplied with hot and cold running water, soap, and sanitary towels.
- c. All tables and other equipment shall be constructed of easily cleanable material, shall be painted or finished in a light color with a smooth washable finish, and shall be separated from the waiting customers or observers by a panel at least six feet or 1.83 meters high or by a door.
- d. The entire premises and equipment therein shall be maintained in a clean, sanitary condition and in good repair.
- e. The operator shall wash his hands thoroughly with soap and water before starting to tattoo; his hands shall be dried with individual, single-use towels. The operator shall wear a clean new pair of latex gloves, designed for use in surgery, for each customer.
- f. No tattooing shall be done on any skin surface that has a rash, pimples, boils, infections, or manifests any evidence of unhealthy conditions.
- g. No skin area shall be penetrated, abraded, or treated with chemicals for the purpose of removing, camouflaging, or altering any blemish, birthmark, scar, or tattoo.
- h. For shaving, safety razors with a new, single-service blade for each customer or patron or a straight edge razor may be used and shall be thoroughly cleaned and sterilized before use on each customer or patron.
- i. The area to be tattooed shall first be thoroughly washed for a period of two minutes with warm water to which has been added an antiseptic liquid soap. A sterile single-use sponge shall be used to scrub the area. After shaving and before tattooing is begun, a solution of 70 percent alcohol shall be applied to the area with a single-use sponge used and applied with a sterile instrument.
- j. Only petroleum jelly in collapsible metal or plastic tubes, or its equivalent as approved by the health officer, shall be used on the area to be tattooed and it shall be applied with sterile gauze.
- k. The use of styptic pencils, alum blocks, or other solid styptics to check the flow of blood is prohibited.
- l. Inquiry shall be made and anyone giving a history of recent jaundice or hepatitis shall not be tattooed.
- m. Single-service or individual containers of dye or ink shall be used for each patron and the container therefor shall be discarded immediately after completing work on a patron, and any dye in which the needles were dipped shall not be used on another person. Excess dye or ink shall be removed from the skin with an individual sterile sponge or a disposable paper tissue which shall be used only on one person and then immediately discarded. After completing work on any person, the tattooed area shall be washed with sterile gauze saturated with an antiseptic soap solution approved by the health officer or a

70 percent alcohol solution. The tattooed area shall be allowed to dry and petroleum jelly from a collapsible or plastic tube shall be applied, using sterile gauze. A sterile gauze dressing shall then be fastened to the tattooed area with adhesive.

- (2) *Use and care of instruments.*
- a. All clean, sterilized, and ready-to-use needles and instruments shall be kept in a closed glass or metal case or storage cabinet while not in use. Such cabinet shall be maintained in a sanitary manner at all times.
 - b. A steam sterilizer (autoclave) shall be provided for sterilizing all needles and similar instruments before use on any customer, person, or patron. Alternate sterilizing procedures may only be used when specifically approved by a health officer. Sterilization of equipment will be accomplished by exposure to live steam for at least 30 minutes at a minimum pressure of 15 pounds per square inch, temperature of 240 degrees Fahrenheit or 116 degrees Celsius.
 - c. The needles and instruments required to be sterilized shall be so used, handled, and temporarily placed during tattooing so that they will not be contaminated.
- (3) *Records.* Permanent records for each patron or customer shall be maintained by the licensee or operator of the establishment. Before the tattooing operation begins, the patron or customer shall be required personally to enter on a record form provided for such establishments the date, his name, address, age, serial number if a member of the armed forces, and his signature. Such records shall be maintained in the tattoo establishment and shall be available for examination by the health officer. Records shall be retained by the operator or licensee for a period of not less than two years. In the event of a change of ownership or closing of the business, all such records shall be made available to the health officer.
- (4) *Infections.* No person, customer, or patron having any skin infection or other disease of the skin or any communicable disease shall be tattooed. All infections resulting from the practice of tattooing which become known to the operator shall promptly be reported to health officer by the person owning or operating the tattooing establishment, and the infected client shall be referred to a physician.
- (5) *Pigments and dyes.* All pigments, dyes, colors, etc., used in tattooing shall be sterile and free from bacteria, virus particles, and noxious agents and substances. The pigments, dyes, and colors used from stock solutions for each customer or patron shall be placed in a single-service receptacle, and such receptacle and remaining solution shall be discarded after one use on each customer or patron.
- (6) *Bandages and surgical dressings.* All bandages and surgical dressings used in connection with the tattooing of a person shall be sterile.

(Ord. of 11-20-2000, § 4)

Sec. 8-193. - Restrictions upon persons eligible for tattoos.

No tattoo operator or tattoo artist shall tattoo any person who is under 18 years of age; any person who is under the influence of alcohol, drugs, or other stimulants or depressants; or any person of unsound mind.

(Ord. of 11-20-2000, § 5)

Sec. 8-194. - Location restriction of establishments.

No permit shall issue for the operation of a tattoo establishment or to any person engaged as a tattoo operator or tattoo artist in any area which is zoned for residential or historical district by appendix A, zoning.

(Ord. of 11-20-2000, § 6)

Sec. 8-195. - Inspection of premises.

The department of human resources, the county board of health, and city officials designated by the city are authorized and empowered to enforce compliance with this article and to enter upon and inspect the premises of a tattoo studio at any reasonable time and in a reasonable manner in an effort to ensure that the terms of this article are being properly obeyed.

(Ord. of 11-20-2000, § 8)

Sec. 8-196. - Unlawful operation declared nuisance.

Any tattoo establishment operated, conducted, or maintained contrary to the provisions of this article shall be and the same is hereby declared to be unlawful and public nuisance. The city may, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings for abatement, removal, or enjoinder thereof in the manner provided by law. It shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such adult entertainment and restrain and enjoin any person from operating, conducting, or maintaining an adult entertainment establishment contrary to the provisions of this chapter. In addition, violation of the provisions of this article shall be per se grounds for suspension or revocation of a license granted hereunder.

(Ord. of 11-20-2000, § 14)

Secs. 8-197—8-215. - Reserved.

DIVISION 3. - LICENSING PROVISIONS

Sec. 8-216. - Licensing requirements.

- (a) *License required.* No person shall operate a tattoo establishment or engage in the practice or business of tattooing as a tattoo operator or tattoo artist unless such person has first secured a license to do so from the city.
- (b) *Certification of inspection.* A condition precedent to the issuance of a permit by the city shall be for the applicant to obtain a certificate of inspection from the county board of health indicating the establishment has been inspected and is in compliance with the terms of this article as well as the requirements of the department of health resources.
- (c) *Application fee.* An application for a license shall be accompanied by a fee in the amount established in section 2-110; provided, however, that no application fee shall be required for renewal of an existing license. Any change of ownership shall require a new application and license with payment of fees therefor.
- (d) *License fee.* The annual license fee for engaging in the business of operating a tattoo establishment within the city shall be as established in section 2-110.
- (e) *Issuance; nontransferability.* All permits granted shall be issued in the name of the individual person applying therefor, shall contain the location of the tattoo establishment where such applicant shall operate, and shall not be transferable as to either artist, operator, or location.
- (f) *Permits cumulative.* The permits issued hereunder shall be cumulative and not in lieu of any business license issued by the city.
- (g) *Artist's permit.* Any person desiring to operate a tattoo establishment or desiring to operate as a tattoo operator or tattoo artist shall make application for a permit to the city. Such application to be on forms supplied by the city clerk. The minimum age of each applicant shall be at least 21 years of age. Fingerprints of all applicants shall be taken by the county sheriff's department. Applicants for such permits shall also furnish to the city two photographs showing a front and side picture of the full face of the applicant, sized 2½" × 2¾". Applicants for such permits shall

present to the city a medical certificate from a medical doctor certifying that such person is sound physically, mentally, has good eyesight, and is not infected with a disease which can be communicated through openings in the human skin.

(Ord. of 11-20-2000, § 3)

Sec. 8-217. - Refusal and appeal.

If the city, following investigation of the applicant, deems that the applicant does not fulfill the requirements as set forth in this article, it shall notify the city clerk of such opinion, and within 45 days of the date of application provide copies of the investigation report to the city clerk. The city clerk shall within ten days notify the applicant by certified mail of such denial. Any applicant who is denied a permit may appeal such denial to the mayor and council by filing a written notice of appeal within ten days of the receipt of notice from the city clerk. A hearing before the mayor and city council shall be scheduled within 45 days of such notice.

(Ord. of 11-20-2000, § 9)

Sec. 8-218. - Revocation of license.

Any person who shall conduct a tattoo establishment or engage in the business as a tattoo operator or tattoo artist without first securing a permit therefor or who shall knowingly violate any of the sections of this article shall subject such a permit to revocation upon appropriate notice or hearing. Additionally, revocation of license or permit procured by the county health department shall, upon notice of hearing, constitute grounds for revocation of a permit issued by the city. An artist's or operator's permit shall be subject to revocation upon proof that the holder of such a permit has become infected with a disease which can be communicated through openings in the human skin.

(Ord. of 11-20-2000, § 7)

Sec. 8-219. - Appeal of revocation.

- (a) The city manager or his/her duly authorized representative shall be authorized to suspend or revoke a license previously granted herein. In the event the city manager or his/her duly authorized representative seeks to suspend or to revoke a license, the city manager or his/her duly authorized representative shall give written notification to the licensee of such action, and such notice shall contain a specification of the violation or violations and shall be served upon the licensee at least five business days prior to the notice of hearing. The licensee shall be given written notice of the time and place of the hearing.
- (b) The city manager or his/her duly authorized representative shall be authorized to suspend or revoke a license in the event of any one or more of the following:
 - (1) A licensee gave false or misleading information in the original application process;
 - (2) A licensee has knowingly allowed possession, use, or sale of controlled substances on the premises and/or knowingly allowed possession, use, or sale of controlled substances to a minor on the premises;
 - (3) A licensee has knowingly allowed the violation of an ordinance of the city or a violation of any criminal law of the state to occur on the premises;
 - (4) A licensee has violated any provision of this article;
 - (5) A licensee has been convicted of any drug-related or alcohol-related crime or has been convicted of a crime associated with the regulation of tattoo establishments and artists; and
 - (6) A licensee fails to pay any fee, license fee, fine, or other amount of money due to the city under this article or any other licensing ordinance of the city.
- (c) However, the licensee shall be authorized to continue his/her business operations until the date of the hearing scheduled in accordance with subsection (d) of this section. No licensee or other applicant may apply for a license

during any period of suspension or revocation. In any hearing conducted by the city manager or his/her duly authorized representative, the chief shall consider, among other things, the severity of the allegations, the evidence submitted, and the testimony presented in making any decision on suspension, revocation and the duration of either.

- (d) In the event of a suspension or revocation by the city manager or his/her duly authorized representative, the licensee may appeal the decision of the city manager or his/her duly authorized representative to the city council by filing a written notice of appeal within five business days from the date of the decision of the city manager or his/her duly authorized representative. Thereafter, a hearing shall be scheduled before the city council within 30 days after the date of the notice of appeal by the applicant. The hearing may be continued at the request of the licensee/appellant. After hearing by the city council, the city council may take such action as it deems appropriate, including the upholding of the action of the city manager or his/her duly authorized representative or the imposition of such action as the city council may deem appropriate under the facts. The decision of the city council shall be final. Appeals from the decision of the city council shall be by writ of certiorari to the superior court of the county filed within 30 days of the final action of the mayor and city council. In the event the licensee does not file an appeal from any decision of the city manager or his/her duly authorized representative, as provided herein, the decision of such individual shall be final.

(Ord. of 11-20-2000, § 15; Ord. of 12-21-2015, § 3)

Sec. 8-220. - Appeal procedure.

The licensee shall within ten days after he has been notified of a diverse determination submit a notice of appeal to the city clerk. The notice of appeal shall be addressed to the council and shall specify the subject matter of the appeal, the date of any original and amended application or request, the date of the adverse decision or receipt of notice thereof, the basis of the appeal, the action requested of the council, and the name and address of the applicant. The clerk shall place the appeal on the agenda of the next regular council meeting occurring not less than five days nor more than 45 days after receipt of the application for council action. The city clerk shall give such notice of hearing as may be required by law.

(Ord. of 11-20-2000, § 10)

Sec. 8-221. - City council hearing.

Whenever the city clerk has scheduled an appeal before the city council, at the time and date set therefor, the council shall receive all relevant testimony and evidence from the licensee, from interested parties, and from the city staff. The city council may sustain, overrule, or modify the action complained of by the licensee. The action of the city council shall be final.

(Ord. of 11-20-2000, § 11)

Secs. 8-222—8-270. - Reserved.

ARTICLE II. - PARADES AND DEMONSTRATIONS^[2]

Sec. 10-19. - Purpose.

- (a) The purpose of this article is to establish an application and permitting procedure for every organization, group of persons, or entity which wishes to use public property, sidewalks, or public roads within the municipal limits of the city for an unofficial purpose or purposes in holding a parade, demonstration, rally, road closing or other such activity.
- (b) Nothing in this article shall be construed to limit, restrict, inhibit, reduce, or otherwise impact the right of the city or its authorities to schedule, authorize, oversee, or otherwise facilitate any parade, public assembly, demonstration, rally, road closing or other such event, if such events violate other laws, ordinances, or regulations of the city or the State of Georgia.

(Ord. of 6-6-1989, § 1; Ord. of 6-1-2009 § 2)

Sec. 10-20. - Definitions.

Demonstration means a meeting or gathering of an organization, group of persons, or entity for a public display or for exhibiting feelings or concerns towards a person or a cause.

Public assembly means a meeting or gathering of an organization, group of persons, or entity to hold a meeting or an address.

Spontaneous speech means that speech which, because of the immediacy of the concern and the need for swift or immediate action cannot be expected to comply with the permitting process because prompt speech is required and/or application is not possible due to the unavailability of city officials or the city application process (i.e. unavailability resulting from business hours, weekends or holidays).

Organization, group of persons, or entity means any collection of persons, greater than 20 in number, who act together or as a unit.

Parade means a procession of an organization, group of persons, or entity.

Rally means the public coming together of an organization, group of persons, or entity for an effort or a cause.

Road closing means an activity of an organization, group of persons, or entity which requires, even for a brief time, the closure of a public way.

Unofficial purpose means an unofficial purpose shall be any purpose not commanded or directed by statute, ordinance, or other regulation to be performed by the state, county, city, or other governmental entity.

(Ord. of 6-6-1989, § 7; Ord. of 6-1-2009 § 3)

Sec. 10-21. - Permit required.

- (a) Every organization, group of persons, or entity who wishes to use public property, sidewalks, or public roads within the municipal limits of the city for an unofficial purpose or purposes of holding a parade, public assembly, demonstration, rally, road closing, or other such activity is hereby required to have a permit from the city for the privilege of engaging in any such activity within the city, unless such a permit is prohibited under state law or the activity is otherwise exempted by law, ordinance, or other valid regulation.
- (b) During the course of any permitted parade, public assembly, demonstration, rally, road closing, or other such event, there must at all times be some individual, authorized by the permit recipient, who possesses either the permit or a

true copy thereof, and has such permit or copy available at the event for inspection on demand by persons authorized to enforce this article, and has the authority to speak on behalf of and bind the permit recipient.

(Ord. of 6-6-1989, § 8; Ord. of 6-1-2009 § 4)

Sec. 10-22. - Duties of the city.

The city shall have, among others, the following duties:

- (1) To prepare and provide the necessary forms for the application for a permit and for the submission of any required information as may be necessary to properly administer and enforce the provisions of this article.
- (2) To review the application for completeness and collect whatever application fee may be required; to designate or coordinate sites and set time schedules; to coordinate with the appropriate authorities on all matters concerning such activities; and, where appropriate, to receive input from the department of transportation, state highway patrol, police chief, and the sheriff, or any other necessary public officer, for the requested activity.
- (3) To forward application material to appropriate public safety entities or individuals for their collective input as to the impact the proposed parade, demonstration, rally, road closing, or other such activity shall have, if any, on the public's health, safety, and welfare. This assessment should include, but not be limited to the impact of the requested activity on the free flow of vehicular traffic, the free flow of pedestrian traffic, and the free movement of emergency vehicles.
- (4) To consider, process, and decide whether to issue permits upon applications submitted pursuant to this ordinance within ten days or less of the acceptance by the city, of a completed application.

(Ord. of 6-6-1989, § 4; Ord. of 6-1-2009 § 5)

Sec. 10-23. - Application process.

- (a) Every applicant for a permit under the provisions of this article shall submit an application for the permit to the city, which application shall conform to the requirements of this section in addition to any other provisions of this article.
- (b) Unless otherwise provided herein, each application shall be a written statement upon forms provided by the city and submitted within a reasonable time prior to the event, at least ten days prior to the planned activity for security checks, verifications, and arrangements to be made, as well as for input to be received from affected local and state entities.
 - (1) While ten days is expressed as a minimum requirement for submission of an application under this article, the city reserves its right to implement content-neutral time, place, and manner restrictions on first amendment activities, or to deny an application if insufficient time is available for the city to properly plan or prepare for the event requested in the application, if such inability creates one or more of the situations or conditions described in section 10-24(b)(4) below.
 - (2) While ten days is expressed as a minimum requirement for submission of an application under this article, all applicants for whom it is possible to submit an application under this article prior to an event shall do so, even if the application will be submitted within ten days of the event at issue. In such circumstances, the city will endeavor with all deliberate speed to process and make a decision on the application prior to the date of the event at issue. Nothing contained herein waives the city's authority to implement content-neutral time, place, and manner restrictions on first amendment activities, or to deny an application if insufficient time is available for the city to properly plan or prepare for the event requested in the application, if such inability creates one or more of the situations or conditions described in section 10-24(b)(4) below.

- (3) While ten days is expressed as a minimum requirement for submission of an application under this article, the city's intention of suppressing spontaneous free speech activities which, because of their nature and/or need for immediate notice, cannot conform to the application process. The foregoing notwithstanding, any spontaneous free speech activities preceded by at least 24 hours advance notice to the Dawson County Sheriff's Office. Nothing contained in this section shall be construed to limit, restrict, inhibit, reduce, or otherwise impact the right of the city or its authorities to enforce state and/or the laws of the State of Georgia if such spontaneous speech activities violate said laws.
- (d) The city shall respond with a decision on the application within ten days or less, if possible, of the receipt of the completed application, such time being necessary to process the application and obtain needed input from affected local and state agencies as hereinafter described.
- (e) Each application shall contain the following information:
- (1) *Applicant information:* the following information shall be collected only for the purpose of processing the application, and shall not otherwise be released unless required by law.
 - a. Name and home address of the applicant, or home office address if a corporation or partnership, and telephone where the applicant may be contacted;
 - b. Names and home addresses of the partners, if a partnership;
 - c. Names and home addresses of the officers and directors, if a corporation;
 - d. Identification of all prior parade, public assembly and demonstration permits applied for by the applicant for a parade, public assembly or demonstration within the city.
 - (2) *Event information.*
 - a. Date, time, and place where the proposed activity is to be carried on, including proposed routes of passage of parades or other proceedings;
 - b. Type and class of activity to be carried on, such as parade, rally, etc.;
 - c. Information on the number of expected participants, the length of the requested activity, a physical description of the materials to be distributed, if any, and how, if at all, participants intend to interact with the general public;
 - d. A certification from the applicant acknowledging that any road closures scheduled as part of an event will only take place during the time designated for the road closure and that the applicant will not arrive early, fail to clean up or fail to leave promptly after the event so as to interfere with the normal flow of traffic.
- (f) Each application shall be signed and sworn to by the applicant, said signature to be by a partner if for a partnership, or by an officer if for a corporation.
- (g) False statements in any application for a permit shall be grounds for immediate revocation of the permit, and/or denial of the application.
- (h) Omissions of required information in the application shall automatically disqualify any application, but such disqualification will not by itself bar any later application, be it for the same or a different activity.
- (i) Application fee. To offset time, material, and administrative costs, including personnel costs, of processing the application, no application shall be accepted without an accompanying check or money order for \$50.00 as an application fee. In the event that the applicant cannot afford the application fee, a pauper's affidavit may be filed by the applicant, seeking to be excused from the fee. Decision on whether the application and permit fee is to be waived shall be made concurrently with the decision on the application itself, and shall be contemporaneously communicated to the applicant.

(Ord. of 6-6-1989, § 5; Ord. of 6-1-2009 § 6; Ord. of 12-21-2015, §§ 1, 2)

- (a) *Review and recommendation.* When this article provides for the review of an application for a permit by the city, a copy of the application shall be forwarded to those persons or entities from whom input is needed to assess the propriety of the event.
- (1) The persons or entities from whom input is requested on any parade or demonstration application may include, but are not necessarily limited to the following:
 - a. The Georgia Department of Transportation;
 - b. The Georgia State Patrol;
 - c. The Dawson County Sheriff's Department;
 - d. Dawson County Emergency Services; and
 - e. Any other public officer or entity whose input would bear on the propriety of issuing the requested permit.
 - (2) Each person or entity from whom input is sought shall make a recommendation thereon, favorable or otherwise, and shall be requested to return the recommendation to the city within seven days after receiving a copy of the application.
- (b) *Action by city.*
- (1) The city, via the city administrator or its designee, shall take action upon the application by either approving or denying the permit no later than ten days (fewer if possible) after receiving the completed application, such time being necessary to process the application and obtain needed input from affected local and state agencies. If no action is taken by the city within ten days of the submission of a completed application, the permit is deemed to be granted.
 - (2) *Form of action.* The decision of the city shall be reflected on the face of the application itself in a space provided therefore. Any decision adverse to the applicant must be in writing and explain the reasons for denial. If the application is approved by the city, the city shall issue a permit to the applicant no later than ten days after the submission of a completed application, which permit shall state the nature of the activity authorized and shall bear the date of issuance and the signature of the city administrator or its designee.
 - (3) *Authority to set sites, routes, schedules, or cancel:*
 - a. Where more than one permit is sought for the same date or where the proposed route would result in interference with the orderly and free flow of traffic, including pedestrian traffic and emergency vehicles, the city shall have authority to designate reasonable sites and/or routes and set time schedules for the beginning and ending of the activity. The city shall have authority to cancel the permit where the activity fails to begin within a reasonable time after the time set for it to begin based on other activities for which permits have been granted or based on the unreasonable interference caused by such delay with the public welfare, peace, safety, health, and good order.
 - b. Where the parade or demonstration may impact traffic on a state route, the Georgia Department of Transportation shall be notified of the potential impact, and input from the Georgia Department of Transportation shall be sought.
 - (4) *Criteria for approval.* Unless one or more of the following situations or circumstances exists, the permit shall be granted:
 - a. The proposed activity will create some compelling interference with the rights of nonparticipant citizens, such compelling interference to be expressly noted in the denial of the application;
 - b. The proposed activity will unreasonably disrupt the orderly flow of traffic, be it vehicular or pedestrian;
 - c. The proposed activity would create an endangerment to citizens of the city, such endangerment to be expressly noted in the denial of the application;
 - d. The application is incomplete or contains a material falsehood or misrepresentation;

- e. The city or one of its authorities is sponsoring an event, or a permit has been granted to an earlier applicant and place, and no reasonable accommodations can be made to provide for both activities which will not trigger the other reasons for denying a permit;
 - f. Lack of response from an entity from whom input was requested by the city on the parade or demonstration application including, but not limited to, the Dawson County's Sheriff's Department;
 - g. There is other compelling interference with the public welfare, peace, safety, health, and good order, such compelling interference to be expressly noted in the denial of the application.
- (c) *Restrictions relative to county courthouse.* In no event shall any individual, organization, or group of persons be permitted to bring signs, banners, posters, leaflets, handbills, or any other printed material of any size or shape containing any message intended to influence any judge, juror, witness, or other officer in the discharge of his duty within 100 feet of the county courthouse, unless those materials are to be used in a court of law for the purposes of judicial proceedings or functions.

(Ord. of 6-6-1989, § 9; Ord. of 6-1-2009 § 7; Ord. of 12-21-2015, §§ 3, 4)

Sec. 10-25. - Financial responsibility and insurance.

- (a) Nothing in this article shall relieve any person, or persons, or organization from responsibility for any injuries or damages to persons or property, private or public, occasioned by their acts or omissions arising from the activity for which any permit under this article was issued.
- (b) Based upon review of the application, the city may require that the applicant be responsible for trash cleanup of affected areas littered during the activity for which a permit is sought, the provision of sufficient parking and storage areas for a large influx of motor vehicles occasioned by the permitted activity, provision of temporary toilet facilities, and other similar special and extraordinary items determined to be necessary for the permitted activity based upon the application's contents. In order to cover the costs of cleanup which often end up being incurred by the city, each applicant granted a permit for an event with anticipated attendance of less than 100 participants shall be required to pay a cleanup deposit of \$500.00 for each day of the event. Each applicant granted a permit for an event with anticipated attendance of over 100 participants shall be required to pay cleanup deposit of \$1,000.00 for each day of the event. In the event the applicant cannot afford the daily cleanup deposits, a pauper's affidavit may be filed by the applicant, seeking to be excused from the deposits. The decision on whether the daily cleanup deposits are to be waived shall be made concurrently with the decision on the application itself, and shall be contemporaneously communicated to the applicant. The city shall apply the cleanup deposits towards the cost of cleanup following the event. Any portion of the cleanup deposits not used by the city shall be returned to the applicant within ten days of completion of event cleanup. In no event shall the city require individuals, organizations or groups of persons to provide personnel for normal governmental functions, such as traffic control, police protection, or other expenses associated with the maintenance of public order. If additional requirements are placed on applicants in accordance with this subsection, and those requirements are not met despite assurances by the applicant, then failure to comply with the aforementioned requirements shall be grounds for revocation of the issued permit and/or denial of any subsequent permit requested by the applicant. The city shall be entitled to recover against the applicant the sums expended by the city for those extraordinary expenses agreed to but not provided by the applicant.
- (c) *Insurance requirements:* Applicants for a permit under this article shall be required to obtain insurance for the parade, demonstration, rally, road closing, or other such activity whenever any one or more of the following threshold criteria are met:
 - (i) Primary attendance (that is, attendance primarily for said parade, demonstration, rally, road closing, or other such activity, and not attendance which is the result of another event) is reasonably expected to meet or exceed 5,000 persons;

- (ii) The parade, demonstration, rally, road closing, or other such activity will include the use, participation, exhibit live animals;
- (iii) The parade, demonstration, rally, road closing, or other such activity will include the use, participation, exhibition, or showing of automobiles of any size or description, motorcycles, tractors or similar conveyances;
- (iv) The parade, demonstration, rally, road closing, or other such activity will include the use or a stage, platforms, bleachers, or grandstands which will be erected for the event;
- (v) The parade, demonstration, rally, road closing, or other such activity will include the use of inflatable apparatus used for jumping, bouncing, or similar activities;
- (vi) The parade, demonstration, rally, road closing, or other such activity shall include the use of roller coasters, bungee jumping, or similar activities; or
- (vii) The parade, demonstration, rally, road closing, or other such activity shall include vendors or concessions.

To comply with this requirement any applicant to whom this section applies shall provide the city with a copy of the declarations page of the applicant's liability insurance in place to cover the event set forth in the permit application. For such events the city shall be added as a named insured for the event on the declarations page by the insurance carrier. Minimum policy limits shall be \$1,000,000.00 per person per incident, \$2,000,000.00 aggregate for the entire event. All costs for the insurance and adding the city as an additional named insured shall be borne by the applicant. The insurance shall be such as to protect the city from any and all claims of damages to property and/or bodily injury.

(Ord. of 6-6-1989, § 3; Ord. of 6-1-2009 § 8; Ord. of 10-5-2009, §§ 1, 2; Ord. of 12-21-2015, §§ 5, 6)

Sec. 10-26. - Appeals.

- (a) *Right of appeal.* Any applicant whose application for a permit under this article is denied may appeal such denial to the mayor and city council, which shall consider such appeal at the next regularly scheduled meeting following the receipt of the applicant's appeal.
- (b) *Consideration of appeal.* The mayor and city council shall consider the appeal and require the city administrator to explain why the permit was denied. Unless the aforementioned explanation shows that the decision on the application was properly made in conformance with section 10-24(b)(4) above, the appeal shall be granted and the permit issued. The applicant shall have a right to be heard during this hearing, and shall have the right to be represented by counsel. After hearing the appeal the mayor and city council shall state the reason for granting or denying the appeal in writing within five days of the appeal hearing. This requirement shall not be construed to limit the power of the mayor and council to announce its decision at the conclusion of the appeal hearing, so long as the writing requirement is subsequently satisfied.

(Ord. of 6-6-1989, § 2; Ord. of 6-1-2009 § 9)

Sec. 10-27. - Violations and penalties.

Any person or organization convicted of a violation of the terms of this article shall be guilty of a misdemeanor and punished by a fine not to exceed \$500.00, or by confinement in the jail or correctional institution utilized by the city for a period of time not to exceed 30 days, or both, in the discretion of the municipal court judge.

(Ord. of 6-6-1989, § 6; Ord. of 6-1-2009 § 10)

Sec. 10-28. - Defense to prosecution.

It shall not be a defense to any prosecution under this article for failure to obtain a permit before engaging in any activity described in this article that a permit has in fact been issued unless, at trial (1) the accused produces in court a valid permit or a certified copy thereof, and (2) the permit or a true copy thereof was present at the event for inspection.

(Ord. of 6-6-1989, § 10; Ord. of 6-1-2009 § 11)

FIRST READING _____

SECOND READING _____

AN ORDINANCE TO PROVIDE UPDATES FOR FINES ASSOCIATED WITH WATER AND SEWER RECONNECTION FOLLOWING DISCONNECTION DUE TO NONPAYMENT OR LATE PAYMENT OF BILL; TO PROVIDE FINE AMOUNTS FOR MULTIPLE VIOLATIONS WITHIN A TWENTY-FOUR MONTH PERIOD; TO PROVIDE FOR A DEFINITE TIME WITHIN WHICH THE CITY SHALL RECONNECT WATER AND SEWER SERVICES WHICH WERE DISCONNECTED DUE TO NONPAYMENT OF BILL; TO PROVIDE FOR REPEALER; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Dawsonville is the provider for water and sewer services for businesses and residences within its territorial boundaries;

WHEREAS, the City charges each customer of its water and sewer services based upon usage on a monthly basis;

WHEREAS, a customer’s nonpayment of a bill for water or sewers services rendered thereto results in the City disconnecting said service until satisfaction of the bill;

WHEREAS, the City imposes a fee for reconnecting water and sewer service when said service was disconnected for failure to timely satisfy the bill for said services;

WHEREAS, the City seeks to establish a timeframe within which it must reconnect water and sewer services upon satisfaction of the bill and payment of the appropriate fee for reconnection of services;

WHEREAS, the City intends through this Ordinance to exercise the authority bestowed upon it by the City Charter by implementing updated fines for multiple reconnections within a Twenty-Four (24) month period and prescribing a specific time within which the City must reconnect service following the request of a customer as well as satisfaction of the outstanding bill and appropriate fee;

WHEREAS, the City seeks to amend and revise certain fines imposed resulting from violations of the Code or Ordinances for the City of Dawsonville;

NOW THEREFORE, the Council for the City of Dawsonville hereby ordains as follows:

Section 1.

Chapter 14 of the Code of Ordinances for the City of Dawsonville is amended by deleting the existing Section 14-23 in its entirety and adding a new Section 14-23 to read as follows:

Section 14-23. Connection Fees for Water and Sewer Service

- (a) *Water service.* Effective December 1, 2005, each consumer subscribing to use the water service of the City of Dawsonville shall pay a connection fee associated therewith. This connection fee is not a deposit, but is the connection fee to reimburse the city for its cost and expense in providing a service line, meter and labor. The meter shall remain the property of the city. By way of clarification, in the event an owner or user has a single water line serving multiple renters, family members, businesses, etc., each distinct line shall constitute a tap-on fee for purposes of this section in accordance with the applicable provisions of sections 14-37 and 14-38. The connection fee shall be according as set forth in section 2-110 of this Code.
- (b) *Sewer service.* Effective December 1, 2005, in addition to the water service fees above, each party shall also pay the amount set out in section 2-110 of this Code for connection to sewer service. This connection fee is not a deposit, but is the connection fee to reimburse the city for its cost and expense in providing a service line up to the user's property line as well as the costs associated with any labor. The portion of the sewer line up to the user's property line shall remain the property of the city. By way of clarification, in the event an owner or user has a single sewer line serving multiple renters, family members, businesses, etc., each distinct line shall constitute a tap-on fee for purposes of this section in accordance with the applicable provisions of sections 14-37 and 14-38. The connection fee for sewer service shall be as set out in section 2-110 of this Code.
- (c) *Reconnect fees.* Effective upon the passage of this section, with respect to both water and sewer service provided by the City of Dawsonville, in the event that after service has been disconnected a consumer requests service to be reconnected, the fees for reconnection will be paid prior to reconnection according to the rate schedule set out in section 2-110 of this Code.
- (d) *Multiple violations.* For the purpose of calculating the appropriate reconnection fee, violations whether by non-payment or otherwise within a Twenty-Four (24) month period of the request for reconnection are considered.

Section 2.

Chapter 14 of the Code of Ordinances for the City of Dawsonville is amended by deleting the existing Section 14-26 in its entirety and adding a new Section 14-26 to read as follows:

Sec. 14-26 – Suspension of Service

- (a) *Refund of security deposit.* When water, sewer and garbage service are discontinued and all bills paid, the security deposit shall be refunded to the consumer by the city.
- (b) *Application of security deposit towards account; collection of balance.* Upon discontinuance of service for nonpayment of bills, the security deposit will be applied by the city toward settlement of the account. Any balance will be refunded to the consumer;

however, if the security deposit is insufficient to cover the bill, the city may proceed to collect the balance in the usual way provided by law for collection of debts.

- (c) *Authority to enforce provisions.* The city, the city manager, or any duly authorized representative shall have the authority to enforce the provisions of this section by the discontinuance of water service, sewer service and garbage service in the event any person shall continue to violate the provisions of this section whether through non-payment or otherwise after receiving oral or written notice of the violation from the city.
- (d) *Authority to terminate service.* Whenever the city, the city manager, or any duly authorized representative determines that a person is violating or has violated any provision of this section and determines that the violation of this section will cause immediate damage or harm to the sewers, sewage treatment process, equipment, or treatment facilities of the city, or that the violation endangers the public health, safety, or general welfare of the community, the city, the city manager, or any duly authorized representative shall have the power and authority to immediately revoke, orally or in writing, any sewerage permit of the person violating any provision of this section or terminate that person's water service and sewer service, or both.
- (e) *Reinstatement of service.* The City, the City Manager, or any duly authorized representative shall have the power and authority to reinstate and reconnect any water and/or sewerage permit or allow the use of the City's water, sewer and garbage service if the person who had been violating the provisions of this article shall discontinue and cease such violations and pay all outstanding bills in full including the reconnection fees set forth in Chapter 2, Section 2-110. Upon cessation and discontinuance of the violations, payment of all outstanding bills and reconnection fees in full and at the request of the consumer, the City shall cause the reconnection of services by 4:00 p.m. of the business day following said request.
- (f) *Appeal procedure.* Any person aggrieved by having any sewerage permit, water and sewer service, garbage service or any combination thereof terminated or revoked by the city, the city manager, or any duly authorized representative shall have the right to appeal the revocation to the city council. Such appeal shall be filed within five business days from the date of the revocation by notifying the city clerk in writing and specifying the grounds of appeal. The city council shall, within ten days after the receipt of the notice of appeal, fix a date and time for the hearing of the appeal, and after due notice to the parties at interest shall have a hearing on the appeal within twenty days of the date the notice of appeal was received by the city. The council shall issue a written ruling on the issues presented within ten business days of the hearing. Any person dissatisfied with the ruling of the council shall have the right to appeal that ruling by writ of certiorari pursuant to O.C.G.A. §5-4-1 et seq. to Dawson County Superior Court.

Section 3.

Chapter 2, Section 2-110 of the Code of Ordinances for the City of Dawsonville is amended by deleting the existing sub-section 14-23(c) of Section 2-110 in its entirety and replacing it with a new sub-section 14-23 (c) as follows:

14-23(c). Reconnection fees with respect to both water and sewer service:

First time reconnect within a 24 month period: \$50.00; Second time reconnect within a 24 month period: \$100.00; Third time reconnect within a 24 month period: \$200.00; each subsequent violation beyond the third reconnect within a 24 month period results in a reconnection fee increase of \$100.00 from the previous violation.

Section 4. Repealer and Restatement.

All ordinances and resolutions and parts thereof in conflict herewith are repealed. However, to the extent not in conflict, all remaining ordinances, resolutions, or parts thereof shall not be amended or repealed and shall remain in full force and effect, except as expressly stated in this ordinance.

Section 5. Effective Date.

This ordinance shall take effect and be in force from and after its adoption.

SO ADOPTED this ____ day of _____, 2018.

Mike Eason
Mayor

Attested: _____ (seal)
Beverly Banister
City Clerk

Caleb Phillips
Council Member

Stephen Tolson
Council Member

Jason Power
Council Member

Mark French
Council Member



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 15

CONSENT AGENDA

SUBJECT: _____

DATE(s): 8/20/18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSS CONSENT AGENDA

HISTORY/ FACTS / ISSUES

OPTIONS:

REVIEW AND DISCUSS

RECOMMENDED SAMPLE MOTION:

WILL BE ON THE 9/10/18 AGENDA

DEPARTMENT: MAYOR

REQUESTED BY: MIKE EASON

Discussion points of a Consent Agenda

Typical consent agenda items are routine, procedural decisions, and decisions that are likely to be noncontroversial. Examples include:

- Approval of the minutes;
- Final approval of proposals or reports that the Council has been dealing with for some time and all Council members are familiar with the implications;
- Routine matters such as appointments to committees, authorities, commissions etc.;
- Appointments requiring board confirmation;
- Reports provided for information only;
- Correspondence requiring no action. How are items on a consent agenda handled?

A consent agenda can only work if the reports and other matters for the meeting agenda are known in advance and distributed with agenda package in sufficient time to be read by all Council members prior to the meeting.

A typical procedure is as follows:

1. When preparing the meeting agenda, the Mayor determines whether an item belongs on the consent agenda.
2. The Mayor prepares a numbered list of the consent items as part of, or as an attachment to the meeting agenda.
3. The list and supporting documents are included in the Council's agenda package in sufficient time to be read by all members prior to the meeting.
4. At the beginning of the meeting, the Mayor asks Council members what items they wish to be removed from the consent agenda and discussed individually.
5. If any Council member requests that an item be removed from the consent agenda, it must be removed. Council members may request that an item be removed for any reason. They may wish, for example, to discuss the item, to query the item, or to register a vote against the item.
6. Once it has been removed, the Mayor can decide whether to take up the matter immediately or place it on a future Council meeting agenda.
7. When there are no more items to be removed, the Mayor or Clerk reads out the numbers of the remaining consent items. Then the Mayor states: "If there is no objection, these items will be adopted." After pausing for any objections, the Mayor

states "As there are no objections, these items are adopted." It is not necessary to ask for a show of hands.

8. When preparing the minutes, the Clerk includes the full text of the resolutions, reports or recommendations that were adopted as part of the consent agenda.

How to start using a consent agenda

In order to start using a consent agenda, the Council should first adopt a rule of order allowing for the consent agenda process.

A sample rule is: "A consent agenda may be presented by the Mayor at the beginning of a Council meeting. Items may be removed from the consent agenda on the request of any one Council member. Items not removed may be adopted by general consent without debate.

Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the Council.



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 16

SUBJECT: SPLOST PROJECTS USES/NEEDS/SCHEDULE

DATE(s): 8/20/18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSS USES/NEEDS/SCHEDULE:

- A. MAIN STREET PARK
- B. FARMER'S MARKET

HISTORY/ FACTS / ISSUES

OPTIONS:

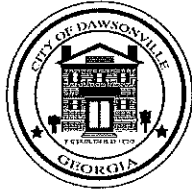
REVIEW AND DISCUSS

RECOMMENDED SAMPLE MOTION:

WILL BE ON THE 9/10/18 AGENDA

DEPARTMENT: ADMINISTRATION

REQUESTED BY: _____



DAWSONVILLE CITY COUNCIL
EXECUTIVE SUMMARY FOR
AGENDA ITEM # 17

SUBJECT: IMPACT FEES

DATE(s): 8/20/18 WORK SESSION _____ CITY COUNCIL MEETING

BUDGET INFORMATION: GL ACCOUNT # _____

Funds Available from: _____ Annual Budget _____ Capital Budget Other _____

Budget Amendment Request from Reserve: _____ Enterprise Fund _____ General Fund

PURPOSE FOR REQUEST:

DISCUSS IMPACT FEES

HISTORY/ FACTS / ISSUES

OPTIONS:

REVIEW AND DISCUSS

RECOMMENDED SAMPLE MOTION:

WILL BE ON THE 9/10/18 AGENDA

DEPARTMENT: ADMINISTRATION

REQUESTED BY: _____

Dawson County Impact Fee Comparison

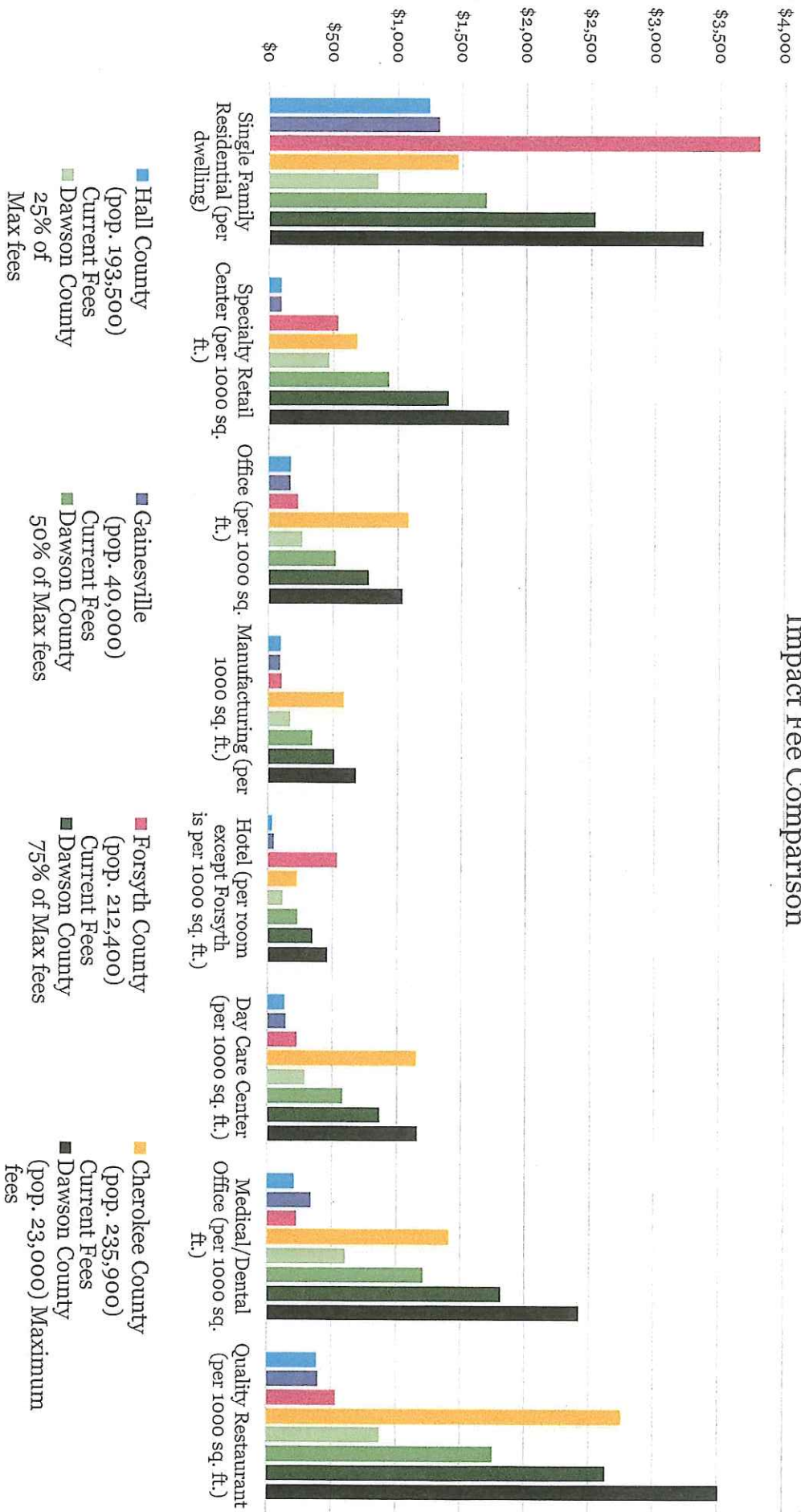
This information was collected by, is provided by, and is owned by the Dawson County Chamber of Commerce.



	Hall County (pop. 193,500) Current Fees	Gainesville County (pop. 40,000) Current Fees	Forsyth County (pop. 212,400) Current Fees	Cherokee County (pop. 235,900) Current Fees	Dawson County 25% of Max fees	Dawson County 50% of Max fees	Dawson County 75% of Max fees	Dawson County (pop. 23,000) Maximum fees
Single Family Residential (per dwelling)	\$1,242	\$1,321	\$3,804	\$1,466	\$843	\$1,686	\$2,529	\$3,372
Specialty Retail Center (per 1000 sq. ft.)	\$94	\$94	\$532	\$680	\$465	\$930	\$1,395	\$1,860
Office (per 1000 sq. ft.)	\$172	\$170	\$227	\$1,080	\$260	\$520	\$779	\$1,039
Manufacturing (per 1000 sq. ft.)	\$94	\$91	\$100	\$580	\$170	\$340	\$510	\$680
Hotel (per room except Forsyth is per 1000 sq. ft.)	\$32	\$45	\$532	\$223	\$115	\$230	\$346	\$461
Day Care Center (per 1000 sq. ft.)	\$131	\$141	\$227	\$1,150	\$290	\$580	\$870	\$1,160
Medical/Dental Office (per 1000 sq. ft.)	\$210	\$339	\$227	\$1,410	\$605	\$1,210	\$1,815	\$2,420
Quality Restaurant (per 1000 sq. ft.)	\$386	\$396	\$532	\$2,750	\$878	\$1,755	\$2,633	\$3,510

***This information was collected by and is owned by the Dawson County Chamber of Commerce. All data is based on numbers that were available on 8/1/2018

Impact Fee Comparison



Background Information

Impact fee schedules for all counties and cities included in the chart

PAYING THEIR FAIR SHARE

Through impact fees, new residents and businesses contribute a portion of the costs for new facilities required by growth. Local governments levying impact fees do not collect the full cost of new infrastructure. In fact, the Growth Management Act requires that part of the cost of financing infrastructure for new developments should come from other funds, such as SPLOST.



Fee Schedule -- Hall County outside of Gainesville

Land Use	Impact Fee per Unit	Unit of Measure	Land Use	Impact Fee per unit	Unit of Measure
Port and Terminal			Medical		
Truck Terminal	\$605.97	acre	Hospital	\$167.86	1000 sq ft
Industrial			Nursing Home	\$33.50	bed
General Light Industrial	\$119.36	1000 sq ft	Clinic	\$51.72	employee
General Heavy Industrial	\$94.61	1000 sq ft	Office		
Manufacturing	\$94.08	1000 sq ft	General Office Building	\$171.51	1000 sq ft
Warehousing	\$65.94	1000 sq ft	Corporate Headquarters Building	\$175.89	1000 sq ft
Mini-Warehouse	\$2.30	1000 sq ft	Single-Tenant Office Building	\$165.30	1000 sq ft
High-Cube Warehouse	\$9.40	1000 sq ft	Medical-Dental Office Building	\$209.72	1000 sq ft
Residential			Research & Development Center	\$151.42	1000 sq ft
Single-Family Detached Housing	\$1,241.93	dwelling	Retail		
Apartment	\$1,241.93	dwelling	Building Materials and Lumber Store	\$76.04	1000 sq ft
Residential Condominium/Townhouse	\$1,241.93	dwelling	Free-Standing Discount Superstore	\$49.65	1000 sq ft
Lodging			Specialty Retail Center	\$94.07	1000 sq ft
Hotel	\$32.17	room	Free-Standing Discount Store	\$101.55	1000 sq ft
All-Suites Hotel	\$36.72	room	Hardware/Paint Store	\$49.85	1000 sq ft
Business Hotel	\$5.17	room	Nursery (Garden Center)	\$84.32	1000 sq ft
Motel	\$36.78	room	Nursery (Wholesale)	\$86.20	1000 sq ft
Recreational			Shopping Center	\$86.37	1000 sq ft
Campground/Recreational Vehicle Park	\$3.47	camp site	Factory Outlet Center	\$86.37	1000 sq ft
Golf Course	\$12.70	acre	Quality Restaurant	\$385.82	1000 sq ft
Multi-purpose Recreational Facility	\$25.86	acre	High Turnover (Sit-Down) Restaurant	\$385.82	1000 sq ft
Movie Theater	\$77.46	1000 sq ft	Fast Food Restaurant	\$563.73	1000 sq ft
Arena	\$172.38	acre	Quick Lubrication Vehicle Shop	\$108.61	service bay
Amusement Park	\$470.37	acre	Auto-Care Center	\$73.96	1000 sq ft
Tennis Courts	\$12.61	acre	New Car Sales	\$91.74	1000 sq ft
Racquet Club	\$18.85	1000 sq ft	Auto Parts Store	\$49.65	1000 sq ft
Bowling Alley	\$51.72	1000 sq ft	Self-Service Carwash	\$10.34	stall
Recreational Community Center	\$43.42	1000 sq ft	Tire Store	\$66.20	1000 sq ft
Institutional			Wholesale Tire Store	\$66.20	1000 sq ft
Private School (K-12)	\$418.31	1000 sq ft	Supermarket	\$65.67	1000 sq ft
Church/Synagogue	\$26.64	1000 sq ft	Convenience Market (Open 24 Hours)	\$93.09	1000 sq ft
Day-care Center	\$131.43	1000 sq ft	Convenience Market (Open 15 - 16 Hours)	\$90.51	1000 sq ft
Cemetery	\$4.21	acre	Convenience Market with Gasoline Pumps	\$93.09	1000 sq ft
Lodge/Fraternal Organization	\$51.72	employee	Wholesale Market	\$42.40	1000 sq ft
			Discount Club	\$87.12	1000 sq ft
			Home Improvement Superstore	\$49.65	1000 sq ft
			Electronics Superstore	\$49.65	1000 sq ft
			Apparel Store	\$86.37	1000 sq ft
			Pharmacy/Drugstore	\$86.37	1000 sq ft
			Furniture Store	\$21.47	1000 sq ft
			Services		
			Drive-In Bank	\$188.44	1000 sq ft

WHAT SERVICES ARE INCLUDED?

IMPACT FEES WILL PAY FOR ADDITIONAL FACILITIES TO MAINTAIN EXISTING LEVELS OF:

SHERIFF'S OFFICE SERVICES



DETENTION CENTER FACILITIES



FIREFIGHTING SERVICES



PARKS AND RECREATION AREAS



LIBRARIES



WHAT ARE IMPACT FEES?

Impact fees are charges assessed against newly developing property in an attempt to recover some of the cost incurred by a local government in providing public facilities required to serve the new development. Although the developer pays the impact fee, he/she will generally pass the cost of the fee on to the purchaser, who thus pays a fair-share portion of costs for necessary new infrastructure.

HOW ARE IMPACT FEES DETERMINED?

The local government estimates the projected business or residential development to determine the project's proportionate share of system improvements required to sustain the existing level of service, based on the current fee schedule as it pertains to the most likely use of the building/project.

WHEN ARE IMPACT FEES PAID?

In most cases, impact fees are collected when building permits are issued.

IMPACT FEES

COMBINED WITH FUTURE
SPLOST REVENUES,
IMPACT FEES ARE THE
MOST FAIR METHOD
TO FINANCE THE
EXPENSE OF CAPITAL
IMPROVEMENTS
REQUIRED BY GROWTH.

A Fact Sheet on Impact Fees

IMPACT FEES
Jurisdiction: GAINESVILLE
Effective 1/1/2016 to PRESENT

Land Use	Unit of Measure	Library Fund	File Fund	Sheriff / Police Fund	Park Fund	PSF Fund	Admin Fund	CIE Prep Fund	TOTALS
All Suites Hotel	1 rooms	\$0.00	\$17.73	\$9.73	\$0.00	\$0.00	\$0.82	\$0.00	\$28.28
Amusement Park	1 acres	\$0.00	\$254.58	\$194.54	\$0.00	\$0.00	\$16.48	\$0.00	\$565.70
Apartment	1 units	\$261.27	\$98.93	\$54.30	\$1,125.00	\$0.00	\$46.31	\$0.00	\$1,659.81
Apparel Store	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Arena	1 acres	\$0.00	\$177.29	\$97.32	\$0.00	\$0.00	\$8.24	\$0.00	\$282.85
Auto Parts Store	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Auto-Care Center	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Bar/Tavern (Gainesville Only)	1000 sqft	\$0.00	\$88.65	\$48.66	\$0.00	\$0.00	\$4.12	\$0.00	\$141.43
Bowling Alley	1000 sqft	\$0.00	\$17.73	\$9.73	\$0.00	\$0.00	\$0.82	\$0.00	\$28.28
Building Materials and Lumber Store	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Business Hotel	1 rooms	\$0.00	\$19.60	\$10.71	\$0.00	\$0.00	\$0.91	\$0.00	\$31.12
Campground/Recreational Vehicle Park	1 campsites	\$0.00	\$2.48	\$1.36	\$0.00	\$0.00	\$0.12	\$0.00	\$3.96
Cemetery	1 acres	\$0.00	\$2.84	\$1.56	\$0.00	\$0.00	\$0.13	\$0.00	\$4.53
Church/Synagogue	1000 sqft	\$0.00	\$17.73	\$9.73	\$0.00	\$0.00	\$0.82	\$0.00	\$28.28
Clinic (Gainesville Only)	1000 sqft	\$0.00	\$106.37	\$58.39	\$0.00	\$0.00	\$4.94	\$0.00	\$169.70
Convenience Market (Open 15-18 Hours)	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Convenience Market (Open 24 Hours)	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Convenience Market with Gasoline Pumps	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Corporate Headquarters Building	1000 sqft	\$0.00	\$88.65	\$48.66	\$0.00	\$0.00	\$4.12	\$0.00	\$141.43
Day Care Center	1000 sqft	\$0.00	\$88.65	\$48.66	\$0.00	\$0.00	\$4.12	\$0.00	\$141.43
Discount Club	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Drive-In Bank	1000 sqft	\$0.00	\$144.83	\$77.86	\$0.00	\$0.00	\$6.59	\$0.00	\$226.28
Electronics Superstore	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Factory Outlet Center	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Fast-Food Restaurant	1000 sqft	\$0.00	\$386.49	\$212.16	\$0.00	\$0.00	\$17.96	\$0.00	\$616.61
Free-Standing Discount Superstore	1000 sqft	\$0.00	\$32.50	\$16.25	\$0.00	\$0.00	\$0.82	\$0.00	\$49.46
Free-Standing Discount Superstore	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Furniture Store	1000 sqft	\$0.00	\$14.18	\$7.79	\$0.00	\$0.00	\$0.68	\$0.00	\$22.63
General Heavy Industrial	1000 sqft	\$0.00	\$17.73	\$9.73	\$0.00	\$0.00	\$0.82	\$0.00	\$28.28
General Light Industrial	1000 sqft	\$0.00	\$36.46	\$19.46	\$0.00	\$0.00	\$1.65	\$0.00	\$56.57
General Office Building	1000 sqft	\$0.00	\$106.37	\$53.99	\$0.00	\$0.00	\$4.94	\$0.00	\$169.70
Golf Course	1 acres	\$0.00	\$8.86	\$4.87	\$0.00	\$0.00	\$0.41	\$0.00	\$14.14

IMPACT FEES
Jurisdiction: GAINESVILLE
Effective 1/1/2016 to PRESENT

Land Use	Unit of Measure	Library Fund	Fire Fund	Police / Sheriff /	Park Fund	PSF Fund	Admin Fund	CIE Prep Fund	TOTALS
Hardware/Paint Store	1000 sqft	\$0.00	\$69.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
High-Turnover (Sit-Down) Restaurant	1000 sqft	\$0.00	\$264.52	\$145.20	\$0.00	\$0.00	\$12.29	\$0.00	\$442.01
Home Improvement Superstore	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Hospital	1000 sqft	\$0.00	\$115.24	\$33.28	\$0.00	\$0.00	\$5.36	\$0.00	\$153.88
Hotel	1 rooms	\$0.00	\$28.37	\$15.57	\$0.00	\$0.00	\$1.32	\$0.00	\$45.26
Lodge/Fraternal Organization (Gainesville Only)	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Manufacturing	1000 sqft	\$0.00	\$56.73	\$31.14	\$0.00	\$0.00	\$2.64	\$0.00	\$90.51
Medical-Dental Office Building	1000 sqft	\$0.00	\$212.75	\$116.78	\$0.00	\$0.00	\$9.89	\$0.00	\$339.42
Mini-Warehouse	1000 sqft	\$0.00	\$7.09	\$3.89	\$0.00	\$0.00	\$0.33	\$0.00	\$11.31
Motel	1 rooms	\$0.00	\$21.27	\$11.68	\$0.00	\$0.00	\$0.99	\$0.00	\$33.94
Movie Theater	1000 sqft	\$0.00	\$63.19	\$29.20	\$0.00	\$0.00	\$2.47	\$0.00	\$94.86
Multipurpose Recreational Facility	1 acres	\$0.00	\$177.29	\$87.32	\$0.00	\$0.00	\$8.24	\$0.00	\$282.85
New Car Sales	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Nursery (Garden Center)	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Nursery (Wholesale)	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Nursing Home (Gainesville Only)	1000 sqft	\$0.00	\$35.46	\$19.45	\$0.00	\$0.00	\$1.65	\$0.00	\$56.57
Pharmacy/Drugstore	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Private School (K-12)	1000 sqft	\$0.00	\$35.46	\$19.45	\$0.00	\$0.00	\$1.65	\$0.00	\$56.57
Quailty Restaurant	1000 sqft	\$0.00	\$248.21	\$136.25	\$0.00	\$0.00	\$11.53	\$0.00	\$395.99
Quick Lubrication Vehicle Shop	1 bays	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Racquet Club (Gainesville Only)	1 courts	\$0.00	\$12.75	\$7.01	\$0.00	\$0.00	\$0.59	\$0.00	\$20.35
Recreational Community Center	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Research and Development Center	1000 sqft	\$0.00	\$70.92	\$38.93	\$0.00	\$0.00	\$3.30	\$0.00	\$113.15
Residential Condominium/Townhouse	1 units	\$261.27	\$36.93	\$54.30	\$1,129.00	\$0.00	\$3.30	\$0.00	\$113.15
Self-Service Car Wash	1 stalls	\$0.00	\$7.09	\$3.88	\$0.00	\$0.00	\$0.33	\$0.00	\$11.31
Service Station (Gainesville Only)	1 pumps	\$0.00	\$10.54	\$5.94	\$0.00	\$0.00	\$0.49	\$0.00	\$16.97
Shopping Center	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Single-Family Detached Housing	1 units	\$261.27	\$36.93	\$54.30	\$1,129.00	\$0.00	\$3.30	\$0.00	\$113.15
Single-Tenant Office Building	1000 sqft	\$0.00	\$88.85	\$46.66	\$0.00	\$0.00	\$4.12	\$0.00	\$141.43
Specialty Retail Center	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Supermarket	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Tennis Courts (Gainesville Only)	1 courts	\$0.00	\$8.51	\$4.87	\$0.00	\$0.00	\$0.40	\$0.00	\$13.58

IMPACT FEES
Jurisdiction: GAINESVILLE
Effective 1/1/2016 to PRESENT

Land Use	Unit of Measure	Library Fund	Fire Fund	Sherrif / Police Fund	Park Fund	PSF Fund	Admin Fund	CIE Prep Fund	TOTALS
Tire Store	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46
Truck Terminal (Gainesville Only)	1000 sqft	\$0.00	\$117.29	\$97.32	\$0.00	\$0.00	\$6.44	\$0.00	\$221.05
Walk-in Bank	1000 sqft	\$0.00	\$117.29	\$97.32	\$0.00	\$0.00	\$6.44	\$0.00	\$221.05
Warehousing	1000 sqft	\$0.00	\$49.84	\$27.25	\$0.00	\$0.00	\$2.31	\$0.00	\$79.20
Wholesale Market	1000 sqft	\$0.00	\$59.21	\$32.50	\$0.00	\$0.00	\$2.75	\$0.00	\$94.46

Impact Fees

Forsyth County enacted Impact Fees in 2004, as enabled by the Georgia Development Impact Fee Act.

Update: At their meeting April 7, 2016, the Forsyth County Board of Commissioners approved a Resolution adopting a modified Forsyth County Impact Fee Ordinance. The amended Impact Fee Ordinance will become effective June 1, 2016. [Click here to view the Ordinance.](#)

Impact Fees are a charge on development to pay for the construction or expansion of capital improvements that are necessitated by and benefit the development. Impact Fees are not a tax but rather a part of the development approval process, similar to meeting site planning and zoning requirements. Impact Fees must be paid when a building permit is obtained.

Forsyth County charges Impact Fees on residential buildings for the following categories: Roads, Parks, Library, and Public Safety. Non-residential buildings are charged for Public Safety. On June 1, 2016, the Amended Impact Ordinance fee schedule (see below) became in effect and was later revised for the Park and Recreation fees on February 3, 2017. Unless a letter of certification has been provided by the Impact Fee Administrator (pursuant to O.C.G.A. 36-71-4(h)) all applicants must pay the new fees.

Land Use Type	Development Unit	Impact Fee per Development Unit				
		Roads	Parks	Library	Public Safety	Total
Single-Family Detached	Dwelling	\$1,968	\$1,178	\$148	\$510	\$3,804
Multi-Family	Dwelling	\$1,247	\$748	\$94	\$324	\$2,413
Mobile Home/RV Park	Space	\$591	\$1,349	\$170	\$584	\$2,694
Retail/Commercial	1,000 sq. ft.	\$0	\$0	\$0	\$532	\$532
Office	1,000 sq. ft.	\$0	\$0	\$0	\$227	\$227
Industrial/Warehouse	1,000 sq. ft.	\$0	\$0	\$0	\$100	\$100
Public/Institutional	1,000 sq. ft.	\$0	\$0	\$0	\$227	\$227

CHEROKEE COUNTY IMPACT FEE SCHEDULE
Net Impact Fee

ITE Code	Land Use Category	Library	Parks & Recreation	Fire	Public Safety Facility	Sheriff's Patrol	Records	10% of Roads	Subtotal	Admin-ration (3%)	TOTAL IMPACT FEE	Unit of Measure*
<i>Residential</i>												
210	Single-Family Detached Housing	281,038	283,741	538,256	250,309	9,947	\$80,695	48,970	\$1,422,281	42,689	\$1,465.67 per dwelling	
220	Apartment	281,038	283,741	538,256	250,309	9,947	412,849	41,285	\$1,405,296	42,159	\$1,447.46 per dwelling	
230	Residential Condominium/Townhouse	281,038	283,741	538,256	250,309	9,947	364,901	36,490	\$1,400,502	42,015	\$1,442.52 per dwelling	
<i>Port and Terminal</i>												
30	Truck Terminal	-	-	2,283,349	1,137,724	43,790	4,691,908	469,191	\$3,934,053	118,022	\$4,052.07 per acre	
<i>Industrial</i>												
110	General Light Industrial	-	-	0.450	0.224	0.089	0.399	0.040	\$0.722	0.022	\$0.74 per square foot	
120	General Heavy Industrial	-	-	0.356	0.178	0.007	0.085	0.009	\$0.550	0.016	\$0.57 per square foot	
140	Manufacturing	-	-	0.354	0.177	0.007	0.219	0.022	\$0.560	0.017	\$0.58 per square foot	
150	Warehousing	-	-	0.248	0.124	0.005	0.284	0.028	\$0.405	0.012	\$0.42 per square foot	
151	Multi-Warehouse	-	-	0.009	0.004	0.000	0.143	0.014	\$0.027	0.001	\$0.03 per square foot	
152	High-Cube Warehouse	-	-	0.035	0.018	0.001	0.007	0.001	\$0.054	0.002	\$0.06 per square foot	
<i> Lodging</i>												
310	Hotel	-	-	121,222	60,401	2,325	327,714	33,771	\$216,419	6,502	\$223.32 per room	
311	All Suites Hotel	-	-	138,364	68,943	2,654	229,253	22,925	\$212,886	6,987	\$239.87 per room	
312	Business Hotel	-	-	19,406	9,714	0.374	267,094	26,709	\$36,294	1,689	\$37.98 per room	
320	Motel	-	-	138,591	69,036	2,658	334,694	33,469	\$283,774	7,313	\$251.09 per room	
<i>Recreational</i>												
416	Campground/Recreational Vehicle Park	-	-	13,057	6,506	0.250	3,936,885	393,688	\$413,502	12,405	\$425.91 per camp site	
430	Golf Course	-	-	47,865	23,850	0.918	286,754	28,676	\$99,309	2,979	\$102.29 per acre	
435	Multi-用途 Recreational Facility	-	-	97,440	48,351	1,869	4,783,754	478,375	\$626,235	18,787	\$645.02 per acre	
443	Movie Theater	-	-	0.292	0.145	0.006	4.132	0.413	\$0.856	0.026	\$0.88 per square foot	
460	Arena	-	-	548,532	323,642	12,457	1,764,135	176,414	\$1,162,045	34,861	\$1,196.61 per acre	
480	Amusement Park	-	-	1,772,395	883,131	33,991	4,009,927	400,993	\$3,090,509	92,715	\$3,183.22 per acre	
491	Tennis Courts	-	-	47,529	23,682	0.911	866,631	86,063	\$158,185	4,746	\$162.53 per acre	
492	Racquet Club	-	-	0.071	0.035	0.001	0.907	0.091	\$0.199	0.006	\$0.20 per square foot	
494	Bowling Alley	-	-	0.195	0.097	0.004	1,764	0.176	\$0.472	0.014	\$0.49 per square foot	
495	Recreational Community Center	-	-	0.164	0.082	0.003	1,211	0.121	\$0.369	0.011	\$0.38 per square foot	
<i>Institutional</i>												
531	Private School (K-12)	-	-	1,576	0.785	0.030	0.274	0.027	\$2,419	0.073	\$2.49 per square foot	
560	Church/Synagogue	-	-	0.100	0.050	0.002	0.511	0.051	\$0.203	0.006	\$0.21 per square foot	
565	Day Care Center	-	-	0.495	0.247	0.009	3,632	0.365	\$1,117	0.034	\$1.15 per square foot	
566	Cemetery	-	-	15,868	7,907	0.304	265,083	26,508	\$56,587	1,518	\$52.10 per acre	
591	League/Parental Organization	-	-	194,879	97,102	3,737	2,628,409	262,841	\$558,560	16,757	\$575.52 per employee	
<i>Medical</i>												
610	Hospital	-	-	0.633	0.315	0.012	0.805	0.080	\$1,840	0.031	\$1.07 per square foot	
620	Nursing Home	-	-	126,212	62,888	2,420	121,893	12,189	\$205,710	6,111	\$109.82 per bed	
630	Clinic	-	-	194,879	97,102	3,737	371,595	37,160	\$352,879	9,986	\$342.86 per employee	

CHEROKEE COUNTY IMPACT FEE SCHEDULE
Net Impact Fee

IRE Code	Land Use Category	Library	Parks & Recreation	Fire	Public Safety Facility	Sheriff's Patrol	Roads	10% of Roads	Subtotal	Adminis- tration (3%)	TOTAL IMPACT FEE	Unit of Measure*
710	General Office Building	-	-	0.566	0.322	0.012	0.631	0.053	\$1,044	0.031	\$1.08 per square foot	square foot
714	Corporate Headquarters Building	-	-	0.663	0.330	0.013	0.442	0.044	\$1,050	0.031	\$1.08 per square foot	square foot
715	Single-Tenant Office Building	-	-	0.623	0.310	0.012	0.653	0.066	\$1,011	0.030	\$1.04 per square foot	square foot
720	Medical-Dental Office Building	-	-	0.790	0.394	0.015	1.732	0.173	\$1,372	0.041	\$1.41 per square foot	square foot
760	Research and Development Center	-	-	0.571	0.284	0.011	0.465	0.046	\$0,912	0.027	\$0.94 per square foot	square foot
Retail												
812	Building Materials and Lumber Store	-	-	0.287	0.143	0.005	2.003	0.200	\$0,635	0.019	\$0.65 per square foot	square foot
813	Free-Standing Discount Superstore	-	-	0.187	0.093	0.004	2.193	0.219	\$0,509	0.015	\$0.52 per square foot	square foot
814	Specialty Retail Center	-	-	0.354	0.177	0.007	1.341	0.124	\$0,652	0.020	\$0.68 per square foot	square foot
815	Free-Standing Discount Store	-	-	0.383	0.191	0.007	2.151	0.215	\$0,796	0.024	\$0.82 per square foot	square foot
816	Hardware/Paint Store	-	-	0.188	0.094	0.004	1.278	0.128	\$0,413	0.012	\$0.43 per square foot	square foot
817	Nursery (Green Center)	-	-	0.318	0.158	0.006	1.820	0.182	\$0,664	0.020	\$0.68 per square foot	square foot
818	Nursery (Wholesale)	-	-	0.325	0.162	0.006	1.967	0.197	\$0,690	0.021	\$0.71 per square foot	square foot
820	Shopping Center	-	-	0.325	0.162	0.006	0.945	0.085	\$0,578	0.017	\$0.60 per square foot	square foot
823	Factory Outlet Center	-	-	0.325	0.162	0.006	1.341	0.134	\$0,638	0.019	\$0.65 per square foot	square foot
831	Quality Restaurant	-	-	1.454	0.724	0.028	4.503	0.459	\$2,665	0.080	\$2.75 per square foot	square foot
832	High-Turnover (Sit-Down) Restaurant	-	-	1.454	0.724	0.028	6.412	0.641	\$2,847	0.085	\$2.93 per square foot	square foot
834	Fast-Food Restaurant	-	-	2.124	1.038	0.041	16.682	1.668	\$4,892	0.147	\$5.04 per square foot	square foot
835	Fast-Food (no interior dining) Restaurant	-	-	1.454	0.724	0.028	7.568	0.757	\$2,963	0.089	\$3.05 per square foot	square foot
837	Quick Lube/Repair Vehicle Shop	-	-	409,246	203,915	0.028	2,067,358	206,736	\$827,746	24.832	\$852.58 per service bay	service bay
840	Auto-Care Center	-	-	0.279	0.139	0.005	0.127	0.013	\$0,436	0.013	\$0.45 per square foot	square foot
843	Auto Parts Store	-	-	0.346	0.172	0.007	1.845	0.184	\$0,709	0.021	\$0.73 per square foot	square foot
847	Self-Service Car Wash	-	-	0.187	0.093	0.004	3.200	0.320	\$0,604	0.018	\$0.62 per square foot	square foot
848	Tire Store	-	-	38,976	19,420	0.247	2,690,056	269,006	\$328,149	9.844	\$327.99 per stall	stall
849	Wholesale Tire Store	-	-	0.249	0.124	0.005	1.288	0.129	\$0,507	0.015	\$0.52 per square foot	square foot
850	Supermarket	-	-	0.247	0.123	0.005	1.032	0.105	\$0,484	0.015	\$0.50 per square foot	square foot
851	Convenience Market (Open 24 Hours)	-	-	0.351	0.175	0.005	4.375	0.437	\$0,813	0.024	\$0.84 per square foot	square foot
852	Convenience Market (Open 15-16 Hours)	-	-	0.341	0.170	0.007	15,797	1,580	\$2,370	0.071	\$2.44 per square foot	square foot
853	Convenience Market with Gasoline Pumps	-	-	0.351	0.175	0.007	21,062	2,106	\$2,097	0.063	\$2.16 per square foot	square foot
860	Wholesale Market	-	-	0.160	0.080	0.003	0.256	0.026	\$0,268	0.008	\$0.28 per square foot	square foot
861	Discount Club	-	-	0.233	0.126	0.005	1,588	0.159	\$0,543	0.016	\$0.56 per square foot	square foot
862	Home Improvement Superstore	-	-	0.233	0.126	0.005	1,637	0.164	\$0,448	0.013	\$0.46 per square foot	square foot
863	Electronics Superstore	-	-	0.187	0.093	0.004	2,272	0.227	\$0,511	0.015	\$0.53 per square foot	square foot
870	Apparel Store	-	-	0.325	0.162	0.006	2,028	0.203	\$0,686	0.021	\$0.72 per square foot	square foot
881	Plumbing/Drycleaner	-	-	0.325	0.162	0.006	2,690	0.269	\$0,763	0.023	\$0.79 per square foot	square foot
880	Furniture Store	-	-	0.081	0.040	0.002	0.255	0.026	\$0,148	0.004	\$0.15 per square foot	square foot
Services												
912	Drive-in Bank	-	-	0.710	0.354	0.014	10,074	1,007	\$2,085	0.063	\$2.15 per square foot	square foot

Notes: 1) Impact Fees shall apply to all new construction, SFDIST and general fund contributions.
 2) All amounts shown in this schedule have been calculated out to multiple decimal places. For ease of viewing, the amounts shown have been rounded as shown.
 3) The Subtotal, Administration Fee and Total Impact Fee columns on this schedule have been calculated using the 10% of Roads column instead of the Roads column.
 *square foot means square feet of gross building floor area.

Dawson County Max Fees

Updating the Impact Fee Program

Table 2: Summary Maximum Impact Fee Schedule

Land Use	Library Services	Parks & Recreation	Fire Protection	Road Projects	Total Maximum Fee	Unit of Measure
Residential						
Single-Family Detached Housing	\$ 550.46	\$ 1,748.43	\$ 743.51	\$ 329.76	\$ 3,372.16	per dwelling
Apartment	\$ 550.46	\$ 1,748.43	\$ 743.51	\$ 230.35	\$ 3,272.75	per dwelling
Residential Condominium/Townhouse	\$ 550.46	\$ 1,748.43	\$ 743.51	\$ 201.26	\$ 3,243.66	per dwelling
Port and Terminal						
Intermodal Truck Terminal	\$ -	\$ -	\$ 0.44	\$ 0.31	\$ 0.76	per square foot
Industrial/Agricultural						
General Light Industrial	\$ -	\$ -	\$ 0.72	\$ 0.22	\$ 0.94	per square foot
General Heavy Industrial	\$ -	\$ -	\$ 0.57	\$ 0.05	\$ 0.62	per square foot
Manufacturing	\$ -	\$ -	\$ 0.56	\$ 0.12	\$ 0.68	per square foot
Warehousing	\$ -	\$ -	\$ 0.29	\$ 0.11	\$ 0.40	per square foot
Mini-Warehouse	\$ -	\$ -	\$ 0.02	\$ 0.08	\$ 0.10	per square foot
High-Cube Warehouse	\$ -	\$ -	\$ 0.02	\$ 0.05	\$ 0.08	per square foot
Lodging						
Hotel or Conference Motel	\$ -	\$ -	\$ 178.18	\$ 283.00	\$ 461.18	per room
All Suites Hotel	\$ -	\$ -	\$ 156.37	\$ 169.74	\$ 326.11	per room
Motel	\$ -	\$ -	\$ 137.45	\$ 195.02	\$ 332.47	per room
Recreational						
Golf Course	\$ -	\$ -	\$ 76.81	\$ 148.39	\$ 225.21	per acre
Bowling Alley	\$ -	\$ -	\$ 0.31	\$ 0.98	\$ 1.29	per square foot
Movie Theater	\$ -	\$ -	\$ 0.46	\$ 2.29	\$ 2.75	per square foot
Arena	\$ -	\$ -	\$ 1,042.38	\$ 981.34	\$ 2,023.73	per acre
Amusement Park	\$ -	\$ -	\$ 2,844.37	\$ 2,230.62	\$ 5,074.99	per acre
Tennis Courts	\$ -	\$ -	\$ 76.27	\$ 478.75	\$ 555.03	per acre
Racquet/Tennis Club	\$ -	\$ -	\$ 0.10	\$ 0.41	\$ 0.51	per square foot
Health/Fitness Center	\$ -	\$ -	\$ 0.22	\$ 0.97	\$ 1.19	per square foot
Recreational Community Center	\$ -	\$ -	\$ 0.39	\$ 0.99	\$ 1.38	per square foot
Institutional						
Private Elementary School	\$ -	\$ -	\$ 0.31	\$ 0.43	\$ 0.73	per square foot
Private High School	\$ -	\$ -	\$ 0.20	\$ 0.38	\$ 0.58	per square foot
Church/Place of Worship	\$ -	\$ -	\$ 0.11	\$ 0.28	\$ 0.39	per square foot
Day Care Center	\$ -	\$ -	\$ 0.88	\$ 0.27	\$ 1.16	per square foot
Cemetery	\$ -	\$ -	\$ 25.47	\$ 147.46	\$ 172.92	per acre
Medical						
Hospital	\$ -	\$ -	\$ 0.92	\$ 0.35	\$ 1.27	per square foot
Nursing Home	\$ -	\$ -	\$ 0.73	\$ 0.20	\$ 0.93	per square foot
Clinic	\$ -	\$ -	\$ 1.23	\$ 0.84	\$ 2.07	per square foot

Dawson County Max Fees

Updating the Impact Fee Program

Land Use	Library Services	Parks & Recreation	Fire Protection	Road Projects	Total Maximum Fee	Unit of Measure
Office						
General Office Building	\$ -	\$ -	\$ 1.04	\$ 0.35	\$ 1.39	per square foot
Corporate Headquarters Building	\$ -	\$ -	\$ 1.07	\$ 0.25	\$ 1.32	per square foot
Single-Tenant Office Building	\$ -	\$ -	\$ 0.98	\$ 0.37	\$ 1.36	per square foot
Medical-Dental Office Building	\$ -	\$ -	\$ 1.27	\$ 1.15	\$ 2.42	per square foot
Research and Development Center	\$ -	\$ -	\$ 0.92	\$ 0.26	\$ 1.17	per square foot
Business Park	\$ -	\$ -	\$ 0.96	\$ 0.40	\$ 1.36	per square foot
Retail						
Building Materials and Lumber Store	\$ -	\$ -	\$ 0.44	\$ 1.26	\$ 1.70	per square foot
Free-Standing Discount Superstore	\$ -	\$ -	\$ 0.30	\$ 1.32	\$ 1.62	per square foot
Variety Store	\$ -	\$ -	\$ 0.30	\$ 1.08	\$ 1.38	per square foot
Free-Standing Discount Store	\$ -	\$ -	\$ 0.62	\$ 1.21	\$ 1.83	per square foot
Hardware/Paint Store	\$ -	\$ -	\$ 0.30	\$ 0.71	\$ 1.01	per square foot
Nursery (Garden Center)	\$ -	\$ -	\$ 0.98	\$ 1.91	\$ 2.88	per square foot
Nursery (Wholesale)	\$ -	\$ -	\$ 0.52	\$ 1.09	\$ 1.61	per square foot
Shopping Center	\$ -	\$ -	\$ 0.52	\$ 1.11	\$ 1.64	per square foot
Factory Outlet Center	\$ -	\$ -	\$ 0.52	\$ 0.74	\$ 1.27	per square foot
Specialty Retail Center	\$ -	\$ -	\$ 0.62	\$ 1.24	\$ 1.86	per square foot
Automobile Sales	\$ -	\$ -	\$ 0.48	\$ 0.88	\$ 1.36	per square foot
Auto Parts Store	\$ -	\$ -	\$ 0.30	\$ 0.94	\$ 1.24	per square foot
Tire Store	\$ -	\$ -	\$ 0.40	\$ 0.58	\$ 0.98	per square foot
Tire Superstore	\$ -	\$ -	\$ 0.40	\$ 0.58	\$ 0.98	per square foot
Supermarket	\$ -	\$ -	\$ 0.36	\$ 1.52	\$ 1.88	per square foot
Convenience Market (Open 24 Hrs)	\$ -	\$ -	\$ 0.56	\$ 5.11	\$ 5.68	per square foot
Convenience Market w/Gas Pumps	\$ -	\$ -	\$ 0.56	\$ 4.69	\$ 5.25	per square foot
Discount Supermarket	\$ -	\$ -	\$ 0.70	\$ 1.63	\$ 2.34	per square foot
Wholesale Market	\$ -	\$ -	\$ 0.26	\$ 0.14	\$ 0.40	per square foot
Discount Club	\$ -	\$ -	\$ 0.41	\$ 0.88	\$ 1.29	per square foot
Home Improvement Superstore	\$ -	\$ -	\$ 0.30	\$ 0.33	\$ 0.63	per square foot
Electronics Superstore	\$ -	\$ -	\$ 0.30	\$ 0.42	\$ 0.72	per square foot
Apparel Store	\$ -	\$ -	\$ 0.52	\$ 1.12	\$ 1.65	per square foot
Department Store	\$ -	\$ -	\$ 0.62	\$ 0.39	\$ 1.01	per square foot
Pharmacy/Drugstore	\$ -	\$ -	\$ 0.52	\$ 1.25	\$ 1.77	per square foot
Furniture Store	\$ -	\$ -	\$ 0.13	\$ 0.04	\$ 0.16	per square foot
Services						
Drive-In Bank	\$ -	\$ -	\$ 1.50	\$ 1.13	\$ 2.62	per square foot
Quality Restaurant	\$ -	\$ -	\$ 2.33	\$ 1.18	\$ 3.51	per square foot
High-Turnover (Sit-Down) Restaurant	\$ -	\$ -	\$ 2.33	\$ 1.67	\$ 4.00	per square foot
Fast-Food Restaurant	\$ -	\$ -	\$ 3.41	\$ 4.64	\$ 8.05	per square foot
Quick Lubrication Vehicle Shop	\$ -	\$ -	\$ 656.77	\$ 1,150.02	\$ 1,806.78	per service bay
Gasoline/Service Station	\$ -	\$ -	\$ 50.04	\$ 1,167.76	\$ 1,217.79	per pump
Gasoline Station w/Convenience Mkt	\$ -	\$ -	\$ 0.07	\$ 789.40	\$ 789.46	per pump
Self-Service Car Wash	\$ -	\$ -	\$ 62.55	\$ 1,496.41	\$ 1,558.96	per stall

"Square foot" means square foot of gross building floor area.

All figures shown rounded to whole cents for readability; actual fees generally run to multiple decimal places.