City Council of Peachtree City
Agenda
February 16, 2006
7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones

IV. Minutes
January 25, 2006, Workshop on GA 54 West
February 2, 2005, Regular Meeting Minutes

V. Consent Agenda
1. Alcohol License – Change in Ownership, Licensee, and License Representative – Hangar 74
2. Alcohol License – Change in Licensee (Yoon-Joo Kim Hartigan) and License Representative (Rory Don Evans) – Hartigan's Fine Wines, Spirits & Cigars

VI. Old Agenda Items

09-05-09a	Consider Amendment to Motorized Cart Ordinance (Registration)
02-06-05	Consider Amendments to Stormwater Credit Manual
02-06-07	Consider Resolution in Opposition of District Voting

VII. New Agenda Items

02-06-08	Public Hearing – Consider Variance Request – Lot 1, Country Downs Subdivision
02-06-09	Public Hearing – Consider Amendments to the Sign Ordinance
02-06-10	Hear Comments on Alcohol Server Ordinance
02-06-11	Consider Request for Lake Kedron Community Association to Plant Trees on Georgian Park
02-06-12	Consider Request from Scarbrough & Rolander, LLC, for Sewer Connection Approval
02-06-13	Consider Approval of Letter to National Delegation Concerning Local Telecommunications and Cable Franchising
02-06-14	Consider Resolution on State Legislation on Annexation and County Authority
02-06-15	Consider Award of Bid for HVAC Units at Kedron Fieldhouse
02-06-16	Consider Approval of Stormwater Utility Budget

VIII. Council/Staff Topics

IX. Executive Session

This agenda is subject to change at any time up to 24-hours prior to the scheduled meeting.

City of Peachtree City
BRIEFING ON GA 54 WEST
Minutes of Meeting
January 25, 2006
8:00 a.m.

The City Council of Peachtree City met in a workshop session on Wednesday, January 25, 2006, at 8:10 a.m. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Cyndi Plunkett, and Judi Rutherford. Staff members attending were: City Manager Bernard McMullen, Assistant City Manager Colin Halterman, and City Planner David Rast. Doug McMurrain, RAM Development Group and Capital City Development, also attended.

Rast gave an overview of what had been going on in the GA 54 West corridor and how it started. McMurrain discussed the current and future plans for the area. Rast continued that there had never been a master plan for the West Village, so there had been the potential for a hodge-podge of individual developments. McMurrain's company acquired the Huddleston property and brought in plans for Wal-Mart and Home Depot. Rast said there had been a lot of contention, but the project was good. The developers also made some road improvements that seemed to help the traffic problems at the time. McMurrain started acquiring outparcels on the north side of the highway. In the meantime, the Atlanta Regional Commission (ARC) started the Livable Centers Initiative (LCI) program. The City was one the initial communities selected to receive funding from the LCI program to help develop a master plan for 54 West and the west side. A consultant was hired to work with an advisory group that came up with a plan for a mini-Buckhead. The plan was presented to Council, who did not like it. The consultants were dismissed, and the project was taken on at the staff level. Another advisory group formed and McMurrain and Jerry Peterson served as members. The group developed a vision for the corridor. A master plan was ultimately adopted and submitted to the ARC for approval.

Rast continued that the advisory group had looked at architectural controls and design standards for the area. Council provided funding for a consultant to help with the standards, and McMurrain's company paid 50% of the cost. The consultant and City staff worked with the main property owner and the advisory group with funding assistance from the City. The design guidelines and an overlay district for the 54 West corridor were adopted. The City had secured close to $2 million in funding for projects in the corridor from the LCI construction program.

McMurrain said that Rast had given about two years of history. He said his partnership had agreed to delay their development to give the City time to go through the process. The delay was almost a year and a half. It was arduous, but the end product was very nice and they were very proud of it. McMurrain said leasing had been a little slow, but he was also ready to pull four permits. General contractors were bidding on four buildings, and one contractor would be chosen to complete the project on the north side. He showed the locations on the map.

McMurrain gave an overview of the master plan for the area. Office Depot and the San Francisco Bread Company would be coming on soon. The courtyard area would have a Caribou Coffee and Johnny's New York Style Pizza. AutoZone was coming. A discount tire store would go in the area originally reserved for a gas/convenience store. McMurrain added that the Wynnmeade residents had not been happy about a convenience store. Applebee's had killed the deal for the parcel they were interested in.

Plunkett asked about the frontage road that was in back of the commercial development. She said it was not very safe and was very crooked. Rast said the road had been designed to be crooked. He explained that there had been 15 curb cuts on GA 54 at one point. The City did not want that. The developer gave up his curb cuts. The plan for the access road was to have an alternative way to get to the businesses without getting back on GA 54. There was a concern if the road was straight, that people would go to fast. Plunkett said people just made the road straight. McMurrain said that once the development was completed, they would complete the frontage road and add tables instead of speed bumps for traffic calming. Rast continued that a lot of issues in the area would be resolved once the road widening was completed.

McMurrain said his company would complete their projects on the north side of the highway within 160 days, with the exception of a 20,000 square-foot building that would be built when he found a tenant.

Plunkett asked McMurrain if he had any property on the south side of the highway. On the south side of the highway, McMurrain said the Days Inn property and another tract were under contract with another developer. He said he had all the area under contract at one time and was prepared to bring in a plan, but was asked not to by a previous elected official. He respected those wishes.

McMurrain continued that he had asked for the meeting with Council. The City was tightening up its ordinances. He said he had enough history with the City that Council knew the end product would be something everyone would be proud of. He wanted to finish the project if the City wanted it finished in the manner proposed by the advisory committee and the overlay district. He did not want to fight. McMurrain said the south side of GA 54 could be put together as nicely as the north side of the road. There were tenants that wanted to be in the City. He was willing to commit the time and money and put forth a project the City would be proud of. If Council wanted to see something else there, then he would leave it alone.

Rutherford asked what the zoning was for the area. Rast said everything was General Commercial (GC), and that 54 West had always been zoned and land used commercial, including Planterra, Summit Apartments, and Cedarcroft. The Land Use Plan said that intensive retail should be in the GA 54 West corridor. There had been litigation in the 1990s that resulted in the Summit Apartments and Cedarcroft subdivision residential developments in the general commercial area. Cardiff Park was also rezoned from GC to Limited Use Residential (LUR), which assured to Planterra Ridge that there was a transition between the commercial area and their subdivision. Rast said he met with the development group that had the Days Inn and Adamcyzk tracts, and they were working on a site plan for an upscale retail development. Rast gave a brief overview of the tracts on the south side of the highway. The Adamcyzk tract was approximately six acres. The Days Inn tract was three acres. Next to the Days Inn tract, there was the Oglethorpe transmission easement, a small City-owned tract, the one-acre Buckner tract, and a variety of tracts in the Line Creek commercial park. There were City-owned tracts on either side of the Planterra subdivision entrance. There were some tracts between Planterra and Huddleston Road that had been identified for re-development.

Logsdon asked if the area had been originally specified in the Land Use Plan for the type of development McMurrain was asking about. Rast said the end result of the overlay district and the LCI study was what McMurrain and his partners were doing on the north side of the highway. Rast continued that The Avenue had been very successful, and the intent had been to keep the same architectural style in the corridor. He said they also had not wanted to have huge parking lots in the front of the development along GA 54, so the buildings were pushed to the front. Rast said the four-sided front construction was more expensive for the developer. Ultimately, there would be a wide sidewalk between the buildings and the highway that would meander through the development, as well as landscaping. McMurrain said they had not been able to even put up their monument signs yet due to the DOT work. McMurrain thanked Rast for his efforts.

Plunkett asked McMurrain if he was asking for an exemption from the big box ordinance. McMurrain said he had a big box that wanted to there. Rast said the ordinance restricted single tenants to 32,000 square feet, or a combined development exceeding 150,000 square feet. The ordinance was not a blanket denial of big boxes, but required additional impact studies. If Council agreed with the study findings, then Council could grant a special use permit for the development.

McMurrain said he wanted to take Council's temperature. He was 160 days away from completing the first 50% and he did not want to spend hundreds of thousands of dollars for a project that absolutely would not happen. A theater was interested in the parcel. Rutherford told McMurrain she was glad he had come to discuss the matter with Council so Council could think about it. It was not useful for Council to get in the middle of an ongoing wrangle. McMurrain said it was an ongoing relationship that was not always perfect. He would like to finish the next phase if it was something Council would entertain. Logsdon said he liked the theater idea. Rutherford said she did not like the idea of a theaterplex, which was probably what they wanted to put there. Plunkett asked what would happen if a theater was approved, but the theater developer pulled out. Rast said there was a series of documents a developer would have to produce in order to build a single facility over 32,000 square feet, or a combined parcel of more than 150,000 square feet. If Council felt the project met the requirements for the special use permit, then Council could issue a permit for that site. If the developer wanted to change the project after the special use permit had been issued, Rast said the developer would have to start all over again, according to the draft ordinance. McMullen said the special use permit was an approval for a specific use on a specific site. Rast said the special use permit was similar to a Limited Use Commercial (LUC) or LUR zoning. It was very specific and Council would adopt specific restrictions for the special use permit.

Rutherford told McMurrain Council could not answer whether or not they would make any exceptions at all at this time. McMurrain said he understood that, but asked if this Council was in favor of the vision for the corridor. McMullen asked Council if they wanted to see the south side of the highway develop or re-develop. Rutherford asked how much control Council would have. Plunkett said if she had a choice, she would choose greenspace, but there was no choice since there were individual property owners.

Logsdon asked McMurrain if he would be the sole developer for the corridor. McMurrain said there was a 15-acre tract on the south side that was available. Logsdon said he favored one developer as the best option, because that was how the City developed. There would be more control. If there were half-dozen developers, then the area would look like Riverdale. Rutherford noted the Lexington Circle LUC, compared to other areas such as The Avenue. She said it was a nightmare. All the projects had individual developers. The City was always better off if one developer shared the vision rather than teaming with 22 people with their version of the vision. Plunkett agreed that a unified front was much better. McMurrain said that was exactly what he wanted to know. He did not envision another Avenue going in on the south side, since that development was the right size in the right place. He said he did not build projects that went back to the lenders. The surrounding markets were growing. There was some softness in the market now that would take a while to absorb. Logsdon said anything on the corridor should have a good chance as Coweta County developed.

Boone asked what the objections were from Planterra Ridge. McMurrain said the Planterra Ridge Homeowners Association did not want the project period. The concerns were traffic, crime, and traffic cutting through the neighborhood.

McMullen noted that McMurrain had worked with staff and had been doing extra things to improve his projects. McMurrain said they had done hundreds of thousands of dollars worth of extra touches that had been a wise investment on their part.

There being no further business to discuss, the meeting adjourned at 9:00 a.m.

Pamela Dufresne, Recording Secretary

Harold Logsdon, Mayor

City Council of Peachtree City
Minutes of Meeting
February 2, 2006
7:00 p.m.

The City Council of Peachtree City met Thursday, February 2, 2006, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present were: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized Susan Tanner, the children's specialist at the Library, as the Employee of the Month.

Minutes

Rutherford moved to approve the July 21, 2005, executive session minutes as written. Kourajian seconded. The motion carried unanimously.

Rutherford moved to approve the January 12, 2006, stormwater utility workshop minutes as written. Boone seconded. The motion carried unanimously.

Rutherford moved to approve the January 19, 2006, regular meeting minutes as written. Plunkett seconded. The motion carried unanimously.

Monthly Reports

Logsdon noted that a revised report from the Police Department was on the dais. Kourajian asked if golf carts thefts were considered thefts or auto thefts. Police Chief Jim Murray said the carts were considered an auto by the FBI. He added that approximately 99% of the auto thefts were golf carts. The Top Five Accident Locations for the month were GA 54/Commerce Drive, GA 54/GA 74, GA 74/Clover Reach, GA 54/Peachtree Parkway, and GA 74/Crosstown Road.

Consent Agenda

1. **Alcohol License – Change in Licensee and License Representative – China Café 9**
2. **Alcohol License – Change in License Representative – Y-Knot Sports Bar**
3. **Consider Declaration of Surplus Computer Equipment**

Rutherford moved to approve the Consent Agenda. Kourajian seconded. Kourajian asked if the computer equipment was worthless. System Administrator Matt Robinson said that they might be good for parts, but basically yes because they had a supply for that purpose. The motion carried unanimously.

Old Agenda Items

10-05-02 Consider Amendment to Article XI, Section 1108, Landscape Plan Requirements

City Planner David Rast said the City had been trying to adopt an ordinance for some time dealing with tree save areas and landscape buffers. The previous Council had considered the amendment twice. Rast said the former mayor had requested that the landscape ordinance include language that would require property owners to replace vegetation within the buffers if the vegetation was removed by something beyond the property owner's control. He continued that staff had concerns about enforcing such a requirement. If a building and landscaping were destroyed by a tornado, the last thing staff wanted to do was to tell the property owner they had to replace all the trees.

Rast continued that Council had expressed concern about what was considered to be an "act of God" at the December 1, 2005, meeting. Council did not want to require property owners to replace vegetation lost to "acts of God." Rast said he researched various "acts of God" and *force majeure* clauses and had come up with the paragraph included at the top of page 2 of the staff memorandum:

> *Should any of the remaining vegetation within a tree save and landscape buffer be removed or destroyed by an action that is beyond the control of the property owner, the property owner shall not be required to replace vegetation within this area. Such actions may include, but are not restricted to, acts of God, acts of the public enemy, or any other such evens that are not in control of the property owner. Acts of God shall be defined as a manifestation especially of a violent or destructive natural force, such as a lightning strike, fire, tornado or hurricane, that is beyond human power to cause, prevent, or control.*

Rast said staff recommended the proposed policy be implemented as opposed to trying to determine what exactly was left on the site and having to go to someone who was potentially trying to rebuild their business and require they spend additional money to replace vegetation that been lost because of something that was beyond the property owner's control. Rast continued that Council had also discussed creating a board to review these types of situations. Staff's recommendation at that time had been to use the Tree Board, which was already in place. Rast said including the proposed language in the ordinance would be better than creating a separate board or entity to make a determination.

Logsdon said that he had seen wording encouraging replacement of vegetation at one time. He asked why it was not in the proposed change. Rast said staff had previously recommended that property owners be encouraged to replace vegetation. He believed it was still in the language. Kourajian asked what "encouraging" someone really meant. "Encouraging" could not be enforced. Logsdon agreed, but said it did not hurt to encourage anyone to be environmentally conscious. Kourajian asked Logsdon if he wanted the language in the ordinance. Logsdon said he liked it. City Attorney Ted Meeker said the language could be added in – "the property owner shall be encouraged, but not required, to replace vegetation in this area."

Rutherford moved to approve the language as amended to read "Should any of the remaining vegetation within a tree save and landscape buffer be removed or destroyed by an action that is beyond the control of the property owner, the property owner shall be encouraged, but not be required, to replace vegetation…" and the rest of the changes as written. Kourajian seconded. The motion carried unanimously.

New Agenda Items

02-06-01 Alcohol License – Change in Ownership – B&B Bottle Shop (Hartigan's Fine Wines, Spirits & Cigars)

Council considered a request for a change in ownership and a change in the alcohol license for B&B Bottle Shop. The applicants requested that Rory Don Evans be appointed as the Licensee and Yoon-Joo Kim Hartigan be appointed as the License Representative. Rutherford moved to approve the change in ownership and in the alcohol license for the B&B Bottle Shop, which would now be Hartigan's Fine Wines, Spirits & Cigars. Kourajian seconded. The motion carried unanimously.

Logsdon noted there was an additional document on the dais concerning the agenda item concerning a correction.

02-06-02 Discuss Walt Banks/Peachtree Parkway Roundabout

Logsdon noted there was an additional document on the dais – an e-mail to Mayor and Council from Norm Moore.

City Engineer Dave Borkowski addressed Council. He introduced Matt Houser from Qk4, the City's transportation consultant. StreetSmarts prepared a traffic study in February 2000 for the proposed Lexington Circle development, which consisted of 212,000 square feet of retail, 88,000 square feet of office, and 135 single-family and 60 loft residential dwelling units. The study showed the intersection had a level of service (LOS) of "F" during peak hours. The future LOS was an "F" even without the Lexington development. The study recommended constructing a new northbound right turn lane and a new southbound left turn lane on Peachtree Parkway to handle the existing traffic. With the Lexington development, the study recommended a westbound right turn lane on Walt Banks and signalization.

Borkowski continued that Council approved the rezoning request for Lexington Commons on Walt Banks Road in March 2000. Staff had recommended a roundabout at the intersection as part of the rezoning, and Council had approved the rezoning request. The rationale for the roundabout included that there would be no need for additional right-of-way, the cost would be less than the cost for a traditional intersection, a roundabout would be safer, and a roundabout was in keeping with North Peachtree Parkway's designation as a scenic road.

Houser said that Qk4 had been commissioned to design the roundabout. The design was more or less complete. He said that signage and splitter islands would direct drivers to stay in their lane. The overall diameter of the roundabout was approximately 50 feet. Everyone approaching the roundabout had to yield to the person in the circle. There would be a warning sign to slow down to 15 miles per hour, as well as a diagram of the roundabout. The path crossing was south of the roundabout with a small refuge area in the middle of the road for carts and pedestrians. Not a great deal of land would be needed for construction. The cart path alignment would need to shift further away from the intersection. Temporary construction easements would be needed, and adjacent driveways would need some reconstruction. Turn lanes required taper length and storage length. A traditional approach would be a few feet wider and longer than an approach to a roundabout. Since the roundabout would require less right-of-way than a traditional intersection, the construction would be less expensive.

Borkowsi reiterated that a traditional intersection was more expensive due to the additional right-of-way, paving, and traffic signal installation. A roundabout was considered to be safer due to the lower speed and right turns only. The roundabout was also more in character with the scenic road designation of Peachtree Parkway. He said the preliminary cost of the roundabout was $400,000, but did not include any right-of-way costs or utility relocation. The current funding sources included developer contributions, SPLOST, and the T-23 grant program (federal money). Rutherford asked if the grant money had been approved. Borkowski said the grants were programmed into the Transportation Improvement Program (TIP) for 2008. City Manager Bernard McMullen said the money would be for intersection improvements.

Logsdon asked the cost difference between the two options. Borkowski said the roundabout would be approximately $400,000. The cost for a signal would be another $75,000-$100,000 for the equipment, as well as additional pavement costs for wider lanes and longer approaches. McMullen added that the annual maintenance cost for a traffic signal was $3,000-$4,000.

Rutherford asked if the signal would be a full light, or just a blinking yellow light. Borkowski said the light would have three signal heads. Rutherford clarified that a roundabout would keep traffic moving unless traffic was very heavy, but the stops at a light would be longer than the time for the four-way stop. Borkowski said a roundabout would keep the traffic flowing continuously at slower speeds. There was no engineering difference in the capacity. The light would stop and stack traffic.

Kourajian said there had been no study since 2000, but the traffic had gotten worse. Borkowski agreed traffic was probably getting worse with the development going on in the area. Kourajian asked if there were times when the LOS was not an "F". Borkowski said the study had only been done during peak hours in the morning and afternoon. Boone asked if the peak time in the afternoon was just when school got out. Rutherford said she commuted and got stuck at the intersection every night. She said traffic on Peachtree Parkway picked up from 4-6 p.m. Kourajian and Rutherford both agreed traffic would be worse when the Target opened in the summer. Logsdon noted that people who lived on the south side of the City would use Peachtree Parkway as an alternate route when the widening began on GA 74 South.

Logsdon said he could not see how a roundabout was safer. He saw bumper cars in the roundabout. Houser said there had been statistical analysis done in other locations before and after roundabouts were constructed. According to the guidance, roundabouts were safer. Houser said people would be traveling at a slower speed if they bumped into each other. Boone asked if there would be signage about the cart paths. Houser said there would be signage and striping. Logsdon said that if the intent was to keep cars moving, then a tunnel was probably needed. Adults, as well as kids, tended to dart into traffic. Kourajian agreed and said there would be more traffic once Target opened. Houser reiterated that the center island would have room for refuge so carts could go halfway across the road. He said they could also do a raised table to slow the vehicles down as they approached the cart path. Rutherford asked what the average cost of a tunnel under the road was. McMullen said the cost was $400,000-$500,000. The issue in that area was right-of-way and topography. The tunnel would have to go to the north side of the intersection. Houser said a tunnel would need a depth of 14-15 feet plus the grades to up and down. The impact to the surrounding property could be substantial. Kourajian noted that cars always had the right-of-way. Houser said there was also state law about vehicles stopping for pedestrians in a crosswalk, but a good percentage of people did not pay attention to signs. Houser said Qk4 was currently working on a study for Georgia State students in downtown Atlanta. The signs were up on Peachtree Street, and people did not pay much attention to the signs in spite of strict enforcement. Enforcement would help educate people about the state law.

Kourajian asked if an officer could be put in the area at peak times, especially before and after school. McMullen said the police usually positioned themselves at the Interlochen entrance since people were traveling faster in that area going up and down the Parkway. A lot of students also came out from Interlochen to cross Peachtree Parkway. Kourajian said he saw that more as a stopgap rather than an ultimate solution.

Residents who spoke on the issue included Glen Kinzly, Norm Moore, Bill Ivey, Sean Loughlin, Doug Chambers, Jeff Graham, Sherri Smith Brown, and Scott Simon. Their comments included:

- The design of the traffic circle was too small for people to feel comfortable;
- Traffic circles would not solve peak time problems;
- Students had varied driving abilities;
- Traffic signal would solve problems and gave options for priorities;
- Study data was not accurate;
- School traffic cleared out quickly;
- Disaster waiting to happen;
- Roundabout would make it more difficult to get out of Interlochen and Steven's Entry;
- Someone on a golf cart not paying attention would get killed;
- No sense of proportion, traffic not an issue all day long;
- Nothing in the proposal required traffic to stop;
- Stop signs were the only reason some people in area could get out of driveways, and golf carts had opportunity to cross street;
- Turn signals would not disengage prior to the right turns, causing confusion and accidents;
- An officer at the intersection during peak times could solve a lot of problems;
- Cart path caused double stop for drivers, cart path should be moved;
- Did not favor roundabout, but not as bad as a signal to adjacent properties.

Logsdon noted that he had received one e-mail in favor of the roundabout.

Plunkett asked to hear the costs again. McMullen said the traffic signal equipment was $75,000-$100,000. More right-of-way would be required for turn lanes, which would increase the expense. Plunkett asked how this roundabout compared to the average roundabout in size. Houser said roundabouts were all sizes. This one would be appropriate for the amount of traffic that was predicted. Kourajian asked what the diameter of the circle was. Houser said the smaller circle would be landscaped or grassed. The outer band was 12-feet wide and would have a mountable curb for larger vehicles that would need extra space. The total dimension was 60 feet overall diameter. Logsdon noted that the circle was smaller than the one in Whitesburg. Rutherford said the one in Whitesburg was probably smaller. She continued that she grew up in New England where roundabouts were common, and they did work. There would be accidents, but people would learn to negotiate the circles. The accidents at a light would be worse. Roundabouts slowed the traffic down, but kept it moving. Rutherford added that no one had mentioned adding Target to the mix. The road would be busier all day. Peachtree Parkway got busier every year.

Plunkett said the golf cart crossing was the biggest problem for her. Golf carts were trying to cross the road, and the cars were not stopping. She asked how much consideration was given to them in the design. Houser said the design moved the path out of the intersection itself, which was the way to handle the circumstance in roundabouts. Kourajian agreed with Plunkett. He said they had to figure out a way to get the carts across the Parkway. Borkowski said part of the design was to move the cart path away from the intersection as people slowed down for the roundabout. Kourajian said the traffic would slow down, but it would not stop to let carts across the street. There had to be another solution for the golf carts. Kourajian said he liked the idea of a roundabout, but not when combined with the golf carts.

Logsdon said he did not like the roundabout. He understood traffic lights, and people were used to them. He did not want to start experimenting with roundabouts in the City. He did not see a roundabout as the right step. Borkowski said they could install a pedestrian crossing at a signal. Logsdon said he would rather spend the extra money to signalize the intersection than experiment with a roundabout.

Kourajian asked if the City could put in turn lanes without a traffic signal. Borkowski said one option would be to phase in a signal, put in northbound and southbound turn lanes, and leave the intersection a four-way stop. McMullen said there had been some discussion about adding the turn lanes, but turn lanes caused confusion at the four-way stop at Peachtree Parkway and Crosstown. He said if the City was going to put in the turn lanes, then the City should put in a light so they would not have the same situation at this intersection. He continued that they could provide the ability to put all the lights in the red situation, so golf carts and pedestrians could clear the intersection. Rutherford said that would create the same situation at GA 74 South and Paschall, since the crossing would have to be where the light was located. The light was not long enough for more than one cart to cross the highway. McMullen said the timing could be adjusted. All four lights would have to be red in order for the carts to cross. Houser said that was called "phasing." Time would have to be built in for each phase of traffic movement, switching from green to yellow to red. Each phase reduced the overall capacity of the intersection because less time would be granted to a particular phase. Kourajian said he was concerned about the frustration level after a driver had been waiting at a light. Very few people stopped at yellow lights. Plunkett said she wanted another solution.

Kourajian moved to table the issue and get more feedback on golf cart safety, whether a roundabout or traffic light situation. Rutherford seconded. The motion carried unanimously.

McMullen said staff would brainstorm the matter and come back to Council.

02-06-03 Consider Request to Waive Fees at Kedron Fieldhouse for Katrina Fundraiser

Leisure Services Director Randy Gaddo addressed Council. He said that the Fayette County NAACP Youth Council had requested the waiver and the use of the two gyms on March 25, 10 a.m.-5 p.m. They would not need Room 2 as stated in the letter from the organization. The normal cost for a Fayette County group was $910 for seven hours at $130 per hour. Council had approved the same request in September for an October 22 event; however, that event was cancelled due to conflicts. There was an urgency for funding at the time for the Hurricane Katrina victims entering the County school system. Gaddo said he had contacted the Board of Education for information on the current status of those students. There had been 216 Katrina students in the system at one time, but only 82 were left. Those students were expected to disperse at the end of the year, and most of their needs had been taken care of. The Department of Family and Children Services (DFCS) had funds available to those students for things that came up. Gaddo said staff believed it would be counter to policy for Council to approve the request and would set a precedent that would be difficult for Council to reverse if asked by other non-profit groups in the future. Staff recommended against approval and that Council refer the requesters to the Fayette County Board of Education, since the fundraiser's purpose included students. Gaddo added that he had confirmed that the Superintendent of Schools had the authority to waive any fees.

Rutherford noted that the organization was waiting for basketball season to be over to get the coaches and volunteers, so the school gyms would be open. Logsdon asked if it would be better to table the request, contact the organization, and suggest they contact the school system. Gaddo said he had called the contact in the organization and pointed out that circumstances had changed. He offered her the opportunity to withdraw the request and contact the schools, but the contact had declined, preferring a definite answer from Council.

Rutherford moved to deny the request to waive fees at Kedron Fieldhouse for the Katrina fundraiser since everything was available through the school system. Boone seconded. The motion carried unanimously.

02-06-04 Consider International Property Maintenance Code Ordinance

Building Official Tom Carty and Chief Code Enforcement Officer Tami Babb, who was also a certified housing official, addressed Council. Carty discussed the 2003 International Property Maintenance Code (IPMC) and the 2003 International Existing Building Code (IEBC). He said staff recommended adoption of the ordinance. He explained that the Department of Community Affairs (DCA) had updated the state codes and had adopted the 2003 IPMC and IEBC. Carty said he understood it could be confusing, but added that adopting the proposed ordinance was really just housekeeping.

Carty continued that the original code had been drafted by the Southern Building Code Congress, which had merged with the other code groups to form an international code. He said the staff had gone through the international codebooks and added some amendments to update it for the City. Kourajian asked if there was any reason not to approve the code. Carty said there was not and that the state had officially adopted the code. Rutherford clarified that the 2003 editions were the most current available. Carty said yes.

Kourajian moved to adopt the 2003 editions of the International Property Maintenance Code and the International Existing Building Code with local amendments. Rutherford seconded. The motion carried unanimously.

02-06-05 Consider Stormwater Utility Ordinance

Borkowski said that due to recurring flooding problems, drainage system maintenance requirements, surface water quality and biological integrity issues, development and construction activities, and various regulatory requirements, the City had realized the need for a stormwater management program (SWMP). The City had also realized that an equitable way of funding the program was through a stormwater utility. The staff and Integrated Science & Engineering (ISE) had worked hard to come up with a sound and equitable way to develop and finance the SWMP. Borkowsi said staff recommended the City develop a stormwater utility and user fee system to finance the SWMP. If Council approved the proposed ordinance, the document would be used to administer the program and establish the enterprise fund. Staff would begin ramping up to meet the needs of the program and permit responsibilities if the ordinance was adopted.

Boone asked if there had been any opposition from the local businesses that attended the recent forum held at Cooper Wiring. Borkowski said there had not. Most of the comments voiced had been about the credit system. Ron Feldner of ISE told Boone that the forum had gone very well. There had been a lot of questions. Plunkett attended the forum and agreed that the business representatives had been more concerned about hiring engineers and how to get credits.

Rutherford asked if people and businesses that pre-paid their bills would get a discount, or if that would be based on the billing company. McMullen said that staff had looked at a quarterly billing, as well as the bill size and expense. Staff had also looked at an annual billing and one flat rate, but a credit for pre-payment was not currently in the credit manual. Rutherford said staff might want to look at some kind of credit if a customer paid within the first 30 days of billing. The utility would save money on those bills paid within the first 30 days since reminder notices would not have to be sent. She said residents on a limited income would especially welcome a discount. Boone asked how much the discount would be. Rutherford said they had discussed billing quarterly and having a discount for those residents who paid for the full year. McMullen said the credit manual, without a discount, was part of what was recommended for approval at this meeting. He said the approval of the billing vendor was on the February 16 agenda. Staff could bring a modification to the credit manual that addressed a discount for approval at the next meeting.

Plunkett asked if anything would happen when the projects on the list were completed. She wanted some kind of check to revisit the fees. McMullen said there was a system of checks and balances that would occur when Council approved the stormwater budget every year. Rutherford compared Plunkett's request to toll roads. The toll was supposed to stop once the road was paid for, but often the toll was still being collected years later. McMullen said that 75% of the cost of the utility was maintenance and operations, and those requirements were driven by the federal clean water legislation. About 25% of the fees would be spent on capital improvements. The $3.7 million bond would be financed for 20 years. Plunkett said the budget might handle that, but she wanted to ensure there was some way to possibly reduce fees. Rutherford said that at some point the utility would collect more money than was going out, and the fees would be lowered at that time. McMullen said staff had asked that question. The only utility to lower its fees at this point was in Seattle, and that utility had been in place for 20 years. Rutherford said that utility had time to pay off its bond.

Rutherford moved to approve the stormwater utility ordinance and credit manual as presented, and to discuss the discount for payment in the credit manual at the next meeting. Kourajian seconded.

Kourajian asked if any cities had increased their fees. Feldner said it was fairly common. There were approximately 450 utilities around the country, and it was common to raise the fee after establishing a capital program. The difference here was that the City's program had been defined and the capital program was included in the initial rate structure. Feldner said it was typical to review the fees on a five-year basis to see if adjustment was needed. Feldner said McMullen had indicated the fee would be looked at annually as part of the budget process.

City Attorney Ted Meeker noted that the ordinance did not have a clear reference to the date of the credit manual. Rutherford amended her motion so that the ordinance and the manual were dated January 24, 2006. Kourajian accepted the amendment. The motion carried unanimously.

Russell Treat addressed Council regarding a stormwater issue on his property. He noted that the storm sewer was in front of his house. A City employee told him that the sewer would give him problems. It would crack his driveway and cause it to sink. Treat said his driveway had cracked, and the crack had almost reached his garage. He said if the City was working on the system, he wanted his driveway replaced. Logsdon said it was a good request, but did not know if it would happen. Treat said, now there was a tax on it, he wanted his driveway fixed. He gave his address to staff.

02-06-06 Award Bid for Multi-use Path Bridge over CSX Railroad

Rutherford clarified that this was the golf cart bridge that would go over the railroad tracks on GA 54. McMullen said it would be parallel to the new bridge being installed. Borkowski pointed out that this bridge would be located next to Best Buy. Staff recommended that Council approve the bid for abutment construction and bridge installation to MASSANA Construction, LLC, in the amount of $515,000. Borkowski said the project was funded at $494,000 and the additional funds would come from 2006 interest for the Bricks & Mortar loan. He said MASSANA was the lowest qualified bidder for the construction.

Rutherford moved to approve MASSANA Construction for $515,000 to build the bridge with $494,000 already budgeted and the additional funds to come from the interest for the Bricks & Mortar loan. Kourajian seconded.

Plunkett asked when the bridge would be completed. Borkowski said the bridge would be physically installed in April 2006 providing the existing vehicular bridge was completed. The abutment construction would begin as soon as MASSANA coordinated with the existing contractor on the site.

Rutherford noted there was a significant gap between MASSANA's price and the next lowest bid. She asked if all the references were fine. Borkowski said that the reference check had been completed, and the company had recently completed a similar project. Rutherford asked if the City had all the necessary permits. Borkowski said all that remained was coordination with the DOT contractor, who had priority on site. The City could do nothing to impede their progress or slow down their time frame.

Logsdon asked if the City had any prior experience with MASSANA. He noted there was a considerable difference between the bids. Assistant City Manager Colin Halterman said that MASSANA had worked on the Hip Pocket culverts. McMullen added that the City would have a performance bond.

The motion carried unanimously.

02-06-07 Consider Resolution in Opposition of District Voting

Logsdon said that Rep. Virgil Fludd originally dropped a bill last year that would divide the County into districts for the County Commission. Residents would only be able to vote for the candidates in their district. Fludd had reintroduced the bill this session. The legislative delegation had five members, three lived outside the County and two lived in the County. The members that lived in the County opposed the legislation. Logsdon said district voting began pork barrel politics and started divisiveness within commissions. He continued that Fludd had modified his stance to three districts, with two at-large candidates that all districts would vote on. The next step would be to do the same for the Board of Education, then each city. Logsdon said he resented someone that did not live in the County telling the residents how to run the County and the cities. The cities were under attack due to current state legislation. Logsdon said he was also working on some other issues. He said the resolution needed to be in Representative Dan Lakly's hands, and the Council needed to speak as one voice in opposition to district voting. Logsdon moved to sign the resolution as a Council and send it forward. Boone seconded.

Kourajian asked Logsdon if he was concerned that the next step would be the cities and the Board of Education. Logsdon said he wanted the resolution to stand just on the merits of the County Commission. The County Commissioners did not like the proposal, and the overwhelming majority of people Logsdon said he had spoken to did not want it. Rutherford asked Plunkett, Boone, and Logsdon if they had been asked about the issue during their campaigns. Plunkett said the question had only come up at the Rotary forum.

Kourajian said he was not sure this was a City issue. He was not prepared to approve a resolution. He wanted more time to think about the issue and the information had only been distributed the previous day. He noted that the County Commission had not really been the City's friend the last few years. There were issues such as the EMS district, SPLOST, and recreation to consider. He preferred to wait. Rutherford added that the commissioner that lived in the City had not supported the City on any of the issues. She said the City might possibly have representation on the Commission if there were district voting.

Logsdon said he met with one of the candidates running for the open seat on the County Commission. The candidate, who was African-American, said he was against district voting. Logsdon said he and the candidate had a very frank discussion. District voting would create a racial division in the County that the County did not need. Logsdon said he was fighting hard to keep the County's quality of life, especially in the City. The proposed bill was bad politics and bad legislation. Logsdon said he would rather have Council be comfortable when they voted on it. Boone said the Council needed to sign the resolution and get it to the County's legislative delegation. Logsdon said he wanted a unanimous vote and wanted all the members to sign the resolution willingly.

Plunkett suggested that Council get more background information before taking action on the resolution. Plunkett said she, Logsdon, and Boone had gotten a lot of background information at the recent Georgia Municipal Association (GMA) meeting. She said GMA's feeling was the legislation was bad for the cities. Boone said he had also spoken to Lakly at the meeting. Logsdon withdrew his motion. Boone withdrew his second.

Rutherford moved to table the resolution for two weeks to gather information. Boone seconded. The motion carried unanimously.

Council/Staff Topics

Library Commission Presentation on Update to Library Master Plan

Library Commission Chairman Marie Washburn addressed Council. She introduced Library Administrator Jill Prouty. She noted that the photograph of the library at night used in the presentation had been taken by Parks Monitor Freddy Frank and had been submitted to the ***American Library*** magazine for publication in the April issue. A copy of the PowerPoint presentation is included in the official meeting file.

Washburn noted that the other members of the commission included Deborah Conley, Mary Ann Browning, Madge Quick, and Kathleen Akins. Former members who served on the commission and helped with the bond issue and renovation were Chris Clark and Barbara Swafford. In addition to Prouty, the library staff included M.T. Allen, the library manager with more than 25 years experience; Lola Williams, circulation supervisor with more than 10 years experience; Mary Haas, reference supervisor with more than 25 years experience; Janice Dukes, youth services librarian; Susan Tanner, children's specialist; Rebecca Watts, reference specialist; Richard Mathews, network specialist; and 11 part-time staff members. Washburn added the staff had very few turnovers and was very stable.

Washburn continued that the library's mission statement was important. She said the words they focused on were comprehensive and trustworthy. The library was a community center and they felt they should provide a comprehensive program, and that the staff and the members have trustworthy community resources. The mission statement follows:

> *Peachtree City Library will be a comprehensive and trustworthy community resource for the citizens of Peachtree City and any cardholding member of Georgia Library Public Information Network for Electronic Services (PINES).*

Washburn continued that the mission would be accomplished through providing access to materials in a variety of formats included, but not limited to, print, audio, video, and electronic; providing a warm and friendly atmosphere; providing programs for patrons of all ages that were informational, educational, and recreational; and assisting patrons in locating materials.

Washburn continued that the major accomplishments included the completion of the expansion/renovation, which should meet the needs for the next 20 years. The expansion/renovation added over 11,000 square feet including a new children's wing, a special place for kids with room to grow, noise reduction throughout facility, and a new adult fiction wing with Teen Zone and Café. The Café had been very popular, and there was room to expand. Teen use of the library had also increased. The library added over 5,000 items to its collection. The current size was approximately 75,000 volumes and could grow to approximately 120,000 volumes in 20 years. The expansion/renovation included upgrades to the roof, HVAC system, lighting, acoustics, exterior walls, and a loop road around the complex. Washburn added that they had also put in pervious parking, the first in the City.

Washburn said the library received 500 books per month through the Flint River regional system, and had increased the purchase of non-print materials. She said about 90% of the DVDs were checked out at all times. The demand was high since commuters listened to books on tape as they drove to Atlanta. In addition, two positions were added in the Children's Department, new computers were purchased for the entire facility (public internet workstations-12, online public access catalog-11, computer lab-12, circulation/reference desk-9, staff-7), and there was wireless access throughout the facility.

Washburn said the library had 24,289 cardholders, and circulation statistics were on the rise. Programs included the vacation reading program, which had 1,200 enrolled in 2005; StoryTime, with an average attendance of 55; BabyTime, with an average attendance of 100; Super Science Saturday, with an attendance of 40 plus a waiting list; and computer classes, with an average of eight per class. The foreign language films were to return on Saturday evenings this month.

The library was open 68 hours per week, more than any library in the County. The hours were Monday-Thursday, 9 a.m.-9 p.m.; Friday-Saturday, 9 a.m.-5 p.m.; and Sunday, 1-5 p.m. The City was the only library in the County that had Sunday hours.

Washburn continued with the commission's goals, which included updating the master plan, developing and implementing a collection development program (out with the old, in with the new, while maintaining significant works), and expanding computer classes (basic PC skills, GALILEO, Microsoft Word, internet, e-mail, genealogy). The Children's Department programming would be expanded to include Saturday programs, science programs, and book clubs. The teen programming would include taste testing (vendors would bring in samples and teens would write reviews that would possibly be published in the newspaper), a Teen Advisory Board, and a teen book club. The Super Science program had been an immediate hit and expanded from 20 to 40 participants.

Washburn went over the library's needs for Fiscal Years 2007-2011. Facility needs would be minimal. Equipment needs for FY2007 included self-checkout, $27,000, and replacing 30% of the computers in FY 2008-2011 at a cost of $21,600 each year. Personnel needs included a part-time customer service representative in FY 2007 for $14,087, a full-time staff assistant in FY 2008 for $34,442, and another part-time customer service representative for $14,087 in FY 2009. Spot painting of the interior facility would be needed in FY 2011 for $15,000. The acquisition of non-print materials should increase 10% each year FY 2007-2011. The estimated costs for the needs was $52,587 for FY 2007, $67,442 for FY 2008, $47,187 for FY 2009, $33,100 for FY 2010, and $48,100 for FY 2011. Washburn added that the library's budget grew 20% each year for books. The number one community need through the suggestion box was best sellers and current research.

Logsdon asked about funding from the regional library system. Washburn said the library paid Flint River $14,000 annually for services. The bulk of the money was local. Some state funding came to the library through Flint River. Rutherford pointed out that everything in the presentation came from local funds. Washburn said the library received some grants through the Flint River region, but most everything was bought locally. Rutherford told Logsdon that he needed to find out exactly what Flint River did for the library. Washburn said there was not enough state money to support anything at the library's current level. The library's patrons demanded the support. She pointed out that the City's library had more circulation than the County library. Plunkett asked if the proposed funding for the next five years was consistent with money the City had provided in the past. Prouty said the requests in the past had dealt more with the facility. The current requests dealt more with staffing. There were more computers in the building, and the replacement was consistent with the City's policy. She continued that there were a lot of new computers in the Flint River region, but the County was not eligible for the grants due to the income level in the County. Prouty said the additional personnel would ensure coverage for the 68 hours the library was open, as well as providing time for the professional staff to "weed" through the collection and perform customer service duties. Rutherford asked that the PowerPoint be e-mailed to Council.

Rutherford said that Council had briefly discussed the commercial development at Lexington Circle when Council met with Doug McMurrain on January 25. Rast had mentioned a workshop to look at everything. She wanted to move forward with that workshop. Plunkett agreed.

Logsdon reported that Allied Waste had given 90 days notice to cancel the preferred provider agreement on April 1. Rutherford noted that the City had always had an open market, but Allied Waste had agreed to a negotiated rate.

McMullen said the City had received notification from the state regarding the 2006 Local Assistance Road Program requests for funding to resurface streets. Nine projects were approved including TDK Boulevard from Dividend Drive to GA 74, Kelly Drive from GA 74 to Flat Creek bridge, Pascall Road from Dividend Drive to GA 74, Wynnmeade Parkway from GA 54 to Kings Ridge, Kings Court, Kings Ridge, Fortress Drive, Commerce Drive from GA 54 to Westpark Drive, and Marks Style from Peachtree Parkway to Claridge Curve. The contracts would come to Council for approval, but the work might not be done until 2007 due to scheduling.

Kourajian asked for an update on the Three Dollar Café. McMullen said he had heard nothing since the last meeting. Plunkett asked for an update on the GA 74/Georgian Park traffic light. McMullen said there was a meeting with DOT on Monday, February 6. The state was asking the City to install a left turn lane on Ardenlee and Georgian Park. McMullen said if that had to be done there could be a problem getting the light installed before Target opened.

Rutherford moved to convene in executive session for threatened or pending litigation. Kourajian seconded. The motion carried unanimously.

Rutherford moved to reconvene in regular session. Kourajian seconded. The motion carried unanimously.

Rutherford moved to authorize the City Manager to sign the release with Fincher Construction regarding the Satellite Auto Shop project. Kourajian seconded. The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn. Plunkett seconded the motion. Motion carried unanimously. The meeting adjourned at 9:32 p.m.

Jane Miller, City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**
Assistant City Manager

FROM: **City Clerk**

DATE: **February 9, 2006**

SUBJECT: **Alcohol License – Change in Ownership, Licensee, and License Representative – Hangar 74**
February 16, 2006, Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a change in the alcohol license.

Discussion:

Hangar 74, a bar located at 288 North Highway 74, has submitted a request for a change in the alcohol license. Mr. Thomas Christopher Wukovits has requested he be appointed as the Licensee and as the License Representative. Council recently approved Mr. Wukovits' request for an alcohol license for Grinds & Wines, which is located adjacent to Hangar 74. He will attend the meeting on Thursday, February 16th, to answer any questions you may have.

Budgetary Impact:

The change will have no impact on the budget.

JSM:pd

Attachments

PEACHTREE CITY
PLAN TO STAY™

CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

Application For Alcoholic Beverage License

Business Name: GRINDS & WINES LLC DBA HANGAR 74	**Business Location:** 288 N. HWY 74 PTC, GA 30269	
Nature of Business: BAR	**Mailing Address:** 288 N. HWY 74 PTC, GA 30269	**Business Phone Number:** 770-631-1980
Name of Licensee: THOMAS CHRISTOPHER WUKOVITS	**Home Address:** 417 CIMARON PARK PTC, GA 30269	**Home Phone Number:** 770-486-1102
Name of License Representative: THOMAS CHRISTOPHER WUKOVITS	**Home Address:** 417 CIMARON PARK PTC, GA 30269	**Home Phone Number:** 770-486-1102

Please indicate type of licenses applying for:

Retail Consumption Dealer	Retail Package Dealer	Wholesale Dealer
☒ Malt Beverage	☐ Malt Beverage	☐ Malt Beverage
☒ Wine	☐ Wine	☐ Wine
☒ Distilled Spirits	☐ Distilled Spirits	☐ Distilled Spirits

Please complete information below (use separate sheet if necessary)

NAME Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	ADDRESS Please provide Home Addresses for the individuals listed:	PHONE NUMBERS Please provide Home and Business Phone Numbers for individuals listed:
THOMAS CHRISTOPHER WUKOVITS	417 CIMARON PARK, PTC GA 30269	770-486-1102
MARK DAVID CIRILLO AS THE AGENT FOR MJE, INC.	1854 ERIE ST. - SAN DIEGO, CA 92110	858-248-0085
Grinds & Wines, LLC		

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES / [✓ NO]

If YES, Please Provide Name of Employee: ____________________

PEACHTREE CITY
PLAN TO STAY™

City Hall
151 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-7657
Fax: 770-631-2505
www.peachtree-city.org

State of Georgia

City of Peachtree City:

I, James V. Murray, Chief of Police for the City of Peachtree City, do hereby certify that:

Thomas Christopher Wukovits
Name

417 Cimaron Park Peachtree City, GA 30277
Address

Has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.

James V. Murray
Signature

Feb. 9, 2006
Date

Major R.M. Dukha
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**
Assistant City Manager

FROM: **City Clerk**

DATE: **February 9, 2006**

SUBJECT: **Alcohol License – Change in Licensee and License Representative – Hartigan's Fine Wines, Spirits & Cigars**
February 16, 2006, Regular Meeting

Recommendation:
Staff recommends Council consider the attached application for a change in the alcohol license.

Discussion:
Council approved that alcohol license for Hartigan's Fine Wines, Spirits & Cigars, 2591 Highway 54 West, on February 2 with Rory Don Evans as the Licensee and Yoon-Joo Kim Hartigan as the License Representative. The applicants inadvertently filled out the application incorrectly and have asked that Council approve Yoon-Joo Kim Hartigan as the Licensee and Rory Don Evans as the License Representative. They will attend the February 16th meeting to answer any questions.

Budgetary Impact:
There is no impact to the budget due to the change in the alcohol license.

JSM:pd

Attachment

PEACHTREE CITY
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CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

Application For Alcoholic Beverage License

Business Name: Hartigans's Fine wine, spirits & cigars	**Business Location:** 2591 Hwy 54 West Peachtree City, GA 30269	
Nature of Business: Package Store	**Mailing Address:** " "	**Business Phone Number:** 770-487-7612
Name of Licensee: Yoon-Joo Kim Hartigan	**Home Address:** 515 Brogdon Rd Fayetteville, GA 30214	**Home Phone Number:** 770-460-6208
Name of License Representative: Rory Don Evans	**Home Address:** " "	**Home Phone Number:** 770-460-6208

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
	Malt Beverage		Malt Beverage ✓		Malt Beverage
	Wine		Wine ✓		Wine
	Distilled Spirits		Distilled Spirits ✓		Distilled Spirits

Please complete information below (use separate sheet if necessary)

NAME Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	**ADDRESS** Please provide Home Addresses for the individuals listed:	**PHONE NUMBERS** Please provide Home and Business Phone Numbers for individuals listed:
Hartigan's Fine wine, spirits & cigars, Inc.		
Yoon-Joo Kim Hartigan	see Address above	
Rory Don Evans		

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES [✓ NO]

If YES, Please Provide Name of Employee: ____________________

PEACHTREE CITY
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City Hall
151 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-7657
Fax: 770-631-2505
www.peachtree-city.org

State of Georgia

City of Peachtree City:

I, James V. Murray, Chief of Police for the City of Peachtree City, do hereby certify that:

Yoon-Joo Kim Hartigan
Name

515 Brogdon Rd. Fayetteville, GA 30214
Address

Has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.

James V. Murray
Signature

Jan. 12, 2006
Date

Witness

PEACHTREE CITY
PLAN TO STAY™

City Hall
151 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-7657
Fax: 770-631-2505
www.peachtree-city.org

State of Georgia

City of Peachtree City:

I, James V. Murray, Chief of Police for the City of Peachtree City, do hereby certify that:

Rory Don Evans
Name

515 Brogdon Rd. Fayetteville, GA 30214
Address

Has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.

James V. Murray
Signature

Jan. 12, 2006
Date

Major R.M. Duker
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Assistant City Manager

FROM: **Administrative Services Director / City Clerk**

DATE: **February 10, 2006**

SUBJECT: **Amend Golf Cart Ordinance – Registration fees**
February 16, 2006, City Council Meeting

Recommendation:

That Council adopt the attached clarifications of the Golf Cart ordinance relative to registration fees.

Discussion:

On January 19, Council adopted changes to this ordinance for staff to move forward with a decal replacement program for golf carts. While setting up the procedures for this program, staff encountered some vague verbiage and apparent iniquities in the existing ordinance relating to charges for out-of-city users. The attached changes clarify the $12 cost of the decal, while maintaining the annual $60 registration and user fee, which requires annual billing on the part of staff.

The second proposed change corrects an erroneous charge of the transfer fee to the out-of-city golf cart seller. Transfer fees are charged to the purchaser of a registered cart.

The City Attorney has reviewed these changes.

Budget Impact:

This item has minimal budgetary impact, but will result in a one-time additional $12 fee each time a new out-of-city golf cart is registered.

ORDINANCE NO. ______

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED SO AS TO PROVIDE FOR MOTORIZED CART REGISTRATION AND TRANSFERS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. That Section 78-92(a)(2) of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended as follows:

Sec. 78-92. Registration/transfer requirements.

(a) **Motorized carts**. It shall be the duty of every owner of an electric or gasolinepowered motorized cart that is operated over the recreation paths and streets and those areas accessible by the public to register the cart with the city within ten business days of the date of purchase. Two numerical decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the City Clerk's Office. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The failure to have a current registration decal on a motorized cart shall be a violation of this Section and subject the owner of such cart to the penalties set forth in Section 1-11 of the Code of Ordinances of the City of Peachtree City.

1) **Resident Fee**: The registration fee for motorized carts owned by city residents shall be $12.00, and the registration shall be effective until the next regular registration period. Registration periods shall occur every five (5) years, beginning in 2006.

2) **Non-Resident Fee**: ~~An~~ **In addition to the initial $12.00 fee for the registration and decal, an** annual registration/user fee of $60.00 shall be charged to nonresidents of the city. The nonresident fee is due by January 31 each year until such time as the cart is sold or otherwise disposed of. This nonresident registration/user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership, unless the nonresident had previously paid the registration/user fee the same calendar year, in which case ~~a one-time transfer fee of $17.00 would be applicable to transfer ownership of the old cart and to~~ **the $12.00 registration fee would be required to** register and obtain decals for the new cart.

3) **Registration Deadline**: If the cart is not registered within ten business days of purchase, a $20.00 penalty will be applied in addition to the registration fee; and the cart shall be considered an unregistered cart after the ten business-day period.

4) **Transfers**: Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the city, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of $5.00, and if the new

owner is not a city resident, the nonresident registration/user fee for the balance of the year shall be due from the new owner. If the registration is not transferred within ten business days, a $20.00 penalty will be applied in addition to the $5.00 transfer charge; and the cart shall be considered an unregistered cart after the ten business-day period. Dealers acquiring a registered cart exclusively for resale (non-rental) shall not be required to pay the transfer charge, but shall notify the city of the transfer within ten business days of receiving the cart, and of the ultimate disposition of the cart within ten business days of sale.

5) **Special tourism events**: Council may, at its discretion, waive registration requirements for special events of a limited duration to which out-of-city residents may bring carts as participants.

Section 3. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This ______ day of ___________ 2006.

____
Harold K. Logsdon, Mayor

____

____

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Attest: _______________________________
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council Members**

VIA: **City Manager**
Financial Services Director
Assistant Finance Director
Interim Developmental Services Director

FROM: **City Engineer**

DATE: **February 10, 2006**

SUBJECT: **Stormwater Utility Credit Technical Manual**
February 16, 2006 City Council Meeting

Recommendation:

Staff recommends approval of the attached manual titled **Stormwater Utility Credit Technical Manual.**

Discussion:

The credit manual was presented to Council on February 2, 2006, and staff was directed to look at changes to the single-family residential discounts/credits. Providing a discount for early payment was considered to have too great of an impact on the utility budget due to the anticipated high number of people that would take advantage of this discount. Staff is recommending other various options and increased the types of activities that will count towards credits for a residential stormwater bill. There is a 25% credit for a watershed stewardship activity such as Adopt-A-Stream, Adopt-A-Mile, Adopt-A-Cart Path, and Adopt-A-Park. Also a 25% credit for a low impact parcel (ER Zoning).

Budget Impact:

This manual will have an impact on the utilities revenue; however, a reasonable amount of credits have been taken into account in the rate model.

Attachments

cc: File

Peachtree City
Engineering Department

Peachtree City Stormwater Utility

Stormwater Utility Credit Technical Manual

February 10, 2006

Section 1. Overview

This manual outlines the methodology for the Peachtree City (City) Stormwater Utility customers to secure and maintain a potential stormwater utility rate credit(s) for their property. A Stormwater Utility rate credit, or stormwater credit, represents a reduction in the customer's Stormwater Utility fee. The credit is only applicable for instances where stormwater management best management practices (BMPs) are operated and maintained to reduce the impact of runoff from the subject property on the City's stormwater management systems or in recognition of activities undertaken by the customer to reduce the cost of operating the stormwater management program (see Watershed Stewardship and Water Resources Education Program credits). A maximum of a 50% credit, if applicable, is available for customers. The only exception to this maximum credit is for select educational institutions which may be able to secure additional credits beyond the 50% associated with operation of onsite stormwater controls. This additional credit may be obtained by an owner of property which is used as a site for a public or private school and which agrees to teach an environmental science curriculum that includes an eligible water resources education program at the primary or secondary level, such additional credit potentially being earned as a result of the benefits of such educational program to the community as a whole.

The various credits described in this manual are applicable as indicated and are subject to the requirements of the latest version of the *Georgia Stormwater Management Manual* (GSMM), complete with all appendices and attachments. **Table 1** summarizes the potential credits available to property owners within the City. Each credit is explained in further detail later in this manual.

Table 1: Summary of Peachtree City Potential Stormwater Utility Credits

Credit	**Term**	**Potential Stormwater Utility Credit**	
		Single Family Residential (SFR)	**Non Single Family Residential (NSFR)**
Low-Impact Parcel	3 years	25%	▨
Watershed Stewardship	1 year	25%	▨
NPDES Industrial Stormwater Permit	1 year	▨	10%
Water Quality	3 years	▨	10%
Channel Protection	3 years	▨	10%
Overbank Flood Protection	3 years	▨	10%
Extreme Flood Protection	3 years	▨	10%
Water Resources Education Program *(only applicable to public and private institutions)*	1 year	▨	50%

Definitions

Credit: A reduction in the amount of a customer's Stormwater Utility fee in recognition of a property's efforts to mitigate the runoff impact that the property improvements (i.e. impervious areas) have on the City stormwater management system.

Best Management Practice (BMP): Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, flood controls, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Detention Facility: A system which provides temporary storage of stormwater runoff with a designed release of the stored runoff over time to manage the discharge volume, rate, pollutant loading and/or velocity and mitigate the property's impact on the City stormwater management system.

Georgia Stormwater Management Manual (GSMM): A document governing stormwater management activities in Georgia. This document serves as a comprehensive technical handbook for stormwater management design, construction and long-term maintenance.

Impervious Area: Areas that do not allow, or only allow to a small extent, the infiltration of rainfall or stormwater runoff into the soil.

Single Family Residential (SFR): A developed property that contains one residential dwelling unit designated for that use. A SFR property shall be classified as residential and shall not be multi-family residential (MFR), commercial, industrial, institutional, educational, religious, municipal, and recreational.

Non-Single Family Residential (NSFR): A developed property that contains structures utilized for purposes other than a residential dwelling unit. Examples of NSFR properties include those classified as MFR, commercial, industrial, institutional, educational, religious, municipal, and recreational.

Retention Facility: A system that provides storage of stormwater runoff, preventing release of a certain volume to a surface water body.

Runoff: Portion of stormwater, snow/ice melt, irrigation, and drainage that is collected in a stormwater management system that does not percolate into the ground.

General Policies

The following general policies apply when considering stormwater credits:

- Credits are only applied to eligible property owners. Since the stormwater fee is being assessed on an individual parcel basis, a group of property owners cannot apply for a credit unless otherwise noted. An eligible property owner is defined as a property that contributes runoff to the qualifying stormwater BMP located on the same property via natural and/or manmade conveyance systems.

  If a group of properties are served by a BMP(s) then the credit will be applied to the property owner on whose property which the BMP resides. This applicant will be referred to as the primary applicant. If the primary applicant provides a memorandum of agreement (MOA) between the primary applicant and another property owner for which the BMP(s) provides adequate treatment for the applicable credit, the City will apply the credit to all property owners named in the MOA. The credit shall be applied to all applicants until such time as the primary applicant notifies the City that the MOA is no longer in effect or the term of the credit expires, whichever is sooner. If the MOA is revoked by the primary applicant, the credit shall only apply to the primary applicant.

- A residential homeowner's association (HOA) which has its own properly designed, constructed, and maintained stormwater BMP(s) should contact the City Stormwater Manager to determine if a credit can be provided.

  For the purposes of the credit, the BMP(s) must be located on a parcel that is owned by the HOA or a resident in the HOA. BMPs located within City owned greenbelts or rights-of-way are not eligible. Additionally, BMPs that the City maintains through a dedicated maintenance easement or other legal agreement though lying within private property are also ineligible.

  For the purposes of awarding the credit, the credit being applied for must be met for the entire development and must meet the credit conditions. For example, if a credit for channel protection is applied for, the channel protection requirements must be met for the entire development.

  Any resulting credit awarded will be divided among eligible property owners within the HOA.

- Applications for a stormwater credit for existing facilities may be submitted to Peachtree City at any time. Approved credits will be applied to the customer's next billing cycle. For those applications submitted and approved by May 1, 2006, the credit shall be applied retroactively for the NSFR customer accounts and reflected on the customer's next Stormwater Utility bill. The SFR customers must secure the credit before making payment since **no** refunds will be issued against payments already posted. In either case, the payment deadline shown on the customer's Stormwater Utility bill must be adhered to by the customer.

- Applications for a stormwater credit for new construction may be submitted once the BMP is in place or when the Stormwater Utility rate is applied, whichever is later.

- The City will, at its discretion, undertake periodic visual inspections of the BMPs being utilized to obtain a credit. Consequently, a Right-of-Entry or an access easement must be granted to the City for credits to be approved.

- The term of the credit varies based upon the type credit. See **Table 1** for credit terms. During the credit term, the City will conduct random inspections such that each credit could potentially be revoked. If the BMP facility is found to be functional and being properly maintained, the credit will remain in effect. Likewise, if the BMP facility is not functional or is not being maintained, the credit will be voided on the next billing cycle. Before a credit is re-instated, the property owner will have to reapply for the credit as outlined in this manual.

Basic Procedures

Most of the credits in this manual require an application, and some of the credit applications require engineering calculations to verify eligibility to receive a credit. The credits associated with engineering calculations are identified in the manual and the credit application forms. The City requires that these calculations be performed, signed, and sealed in accordance with the professional certification provisions outlined herein. The procedure for filing a credit application includes the following tasks:

- Obtain an application packet from the City.

- If required by the credit, retain a professional engineer to perform the required analysis.

- Submit the completed application with all sections appropriately filled out, and all required information contained within or attached to the application.

- The City will review and rule on the eligibility of the credit application within 30 days of receipt of the completed Stormwater Utility credit application. Incomplete packages will not be considered by the City and will be returned to the customer for correction/revision. The decision of the City regarding credit eligibility is final.

- If the credit application is approved, the City will put the stormwater credit into affect with the next billing cycle.

- During the credit term, the City has the right to inspect the BMP facility to ensure it is functioning per the design documents and is being properly maintained.

- At the end of the credit term, the credit will automatically expire. It is the property owner's responsibility to ensure that an application is made prior to the credit expiring. Reapplication must be made to receive a credit. A new credit application is required at the end of the credit term.

- When credits are awarded for SFR customers, they will be applied to the next billing cycle. Since SFR properties are being billed annually, the credit will be posted and reflected in the next annual bill, except as noted herein for the first year of the Stormwater Utility. After the first year of the Stormwater Utility, SFR credits received and approved less than 30 days before the established annual billing date will be posted the following year. At this time, the City intends to establish the annual SFR billing date as April 1st each year. For NSFR properties, which are being billed monthly, the credit will be applied the month following approval of the credit. In the first year of the Stormwater Utility, NSFR credits will be posted retroactively provided they meet applicable deadlines outlined herein.

Design and Implementation

Any stormwater management system within the City must follow the recommendations and guidelines presented in the City's Water Resources Protection Ordinance, as well as the GSMM First Edition. The City's Water Resources Protection Ordinance (Article X of the Land Development Ordinance) provides the local framework for stormwater management within Peachtree City. Technical guidance for implementation of the goals outlined therein was incorporated into the ordinance via the GSMM by reference.

The GSMM can be found on the Internet by using the following link: http://www.georgiastormwater.org/. This document discusses stormwater management planning and design, unified stormwater sizing criteria, and specific BMP controls achieving various levels of treatment. The unified stormwater sizing criteria accounts for varying levels of treatment provided for calculating BMP effectiveness.

Section 2. Credit Policies and Procedures

This section explains the procedures involved in applying for a stormwater credit. The procedures include step-by-step instructions and eligibility requirements for obtaining the Stormwater Utility credit.

Single Family Residential (SFR)

Listed below are the stormwater credits SFR property owners are eligible to apply for. Each credit is explained in more detail in the pages that follow. The SFR property owner shall follow the credit application procedures outlined herein for each credit.

- Low-Impact Parcel
- Watershed Stewardship

Low-Impact Parcel

There are several areas in the City where parcels are relatively large and the amount of impervious area, in comparison to the total lot size, is relatively small. These parcels have a resulting impact; whereby, there is a reduction of runoff impacts since most of the parcel is in an undeveloped or low impact condition.

Credit Description

A credit shall apply to those SFR property owners who can prove that their lots comply with the "low-impact" development provisions presented herein. This shall be achieved through the use of large lot SFR parcels and natural area conservation. Typical characteristics that shall apply are included in **Table 2**:

Table 2: Stormwater Utility Credit Requirements for Low-Impact Parcels

Parameter	Requirement
Impervious Cover (%)	Must be less than 15%
Total Site Area (Acres)	Must be greater than 2 acres

Each SFR property owner that wishes to apply for this credit shall be responsible for calculating the total site area, impervious surface area, and natural conservation area. Utilize the following procedures:

- Determine the total area of the SFR parcel. This must be a minimum of two acres.
- Determine the impervious area for the SFR parcel. The impervious area shall include the structure, driveway, sidewalk (do not include the sidewalk in front of the house next to the street), pool, pool deck, patio, shed, or any other accessory impervious area. The impervious surface must be less than 15% of the total (pervious area plus impervious surface) area of the parcel.
- If the SRF parcel meets all the requirements above, the customer would be eligible for a Stormwater Utility rate credit of 25%.

Stormwater Credit Application Procedures

The SFR property owner shall follow the procedures below when applying for a stormwater credit for Low-Impact Parcel:

STEP 1: Obtain a credit application packet from the City.

STEP 2: The property owner shall provide a copy of the information where the property owner obtained total parcel area and total impervious area. Total impervious area shall be detailed to include which portion pertains to the structure, driveway, sidewalk, and other accessory areas. This information should be documented in the form of a sketch that will allow City personnel to verify the measurements, calculations and other pertinent information.

STEP 3: The property owner shall submit the credit application, complete with the relevant documentation and calculations, and a Right of Entry Agreement to the City.

Upon receipt of the credit application, the City shall review the documentation and calculations. Upon verification, the stormwater credit will be applied, starting with the next billing cycle. If the City inspector does not approve of the customer's application for a Stormwater Utility credit under the low-impact criteria, the City will send a letter to the property owner explaining why the credit application was not approved.

Renewal of the Stormwater Utility credit shall be in accordance with the Basic Procedures section of this manual and the requirements listed above. A 25% credit is available for the Low-Impact Parcel credit.

Watershed Stewardship

SFR property owners are eligible for a stormwater credit if the property owner participates in an eligible, City approved local watershed stewardship event. Eligible events are set up, organized, and executed through a partnership with citizens, local groups, county, and federal agencies. The City has identified eligible watershed stewardship BMPs in their National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Permit Notice of Intent (NOI) to the Georgia Department of Natural Resources (DNR) Environmental Protection Division (EPD).

Credit Description

In general, eligible watershed stewardship activities will include community stream clean-ups via City approved organizations (such as Rivers Alive and the Great American Clean-Up Campaign). In addition, watershed stewardship programs such as Adopt-A-Stream, Adopt-A-Park, Adopt-A-Mile, and Adopt-A-Path will be considered eligible watershed stewardship activities. Other eligible programs might be added to the City's NPDES Phase II Stormwater Permit NOI in the future, but customers should verify activity eligibility with the City Stormwater Manager in advance.

The City shall provide a schedule of Watershed Stewardship Program event dates and locations. Each SFR property owner shall be responsible for reserving space for participation in each event by contacting the City Stormwater Manager. The City shall have a maximum enrollment for each event and try to assign participation roles in a manner that fosters equal opportunity. Several events shall be scheduled throughout the year, subject to City staffing resources. However, the City is not required to schedule events to match demand from SFR property owners.

There shall only be one stormwater credit certificate issued per SFR property. Participation may include more than one person. However, the certificate may only be issued for those properties where the property owner or adult over the age of 18 responsible for paying rent or mortgage is one of the participants, unless otherwise approved by the City Stormwater Manager. It is the property owner's responsibility to maintain the location of the certificate and to provide this certificate upon payment of the Stormwater Utility fee. Certificates shall be issued for a minimum of eight hours of participation in an event. No replacement certificates shall be issued for those lost or misplaced.

Stormwater Credit Application Procedures

The SFR property owner shall follow the procedures below when applying for a stormwater credit for watershed stewardship:

STEP 1: Obtain a credit application packet from the City.

STEP 2: The property owner shall secure the appropriate attendance certificate for the Peachtree City Watershed Stewardship Program event. Attendance at Fayette County or other events is not transferable to Peachtree City's Stormwater Utility credit program, unless approved by the City Stormwater Manager.

STEP 3: The property owner shall submit the credit application, complete with the relevant certificate, to the City.

Upon receipt of the credit application, the City shall review the certificate with the event and the participation roster. Upon verification, the stormwater credit will be applied starting with the next billing cycle.

If the City Stormwater Manager does not approve of the certificate being utilized for the watershed stewardship Stormwater Utility credit, the City will send a letter to the property owner explaining why the credit application was not approved. If the property owner reapplies, and the verification results in an approval of the application, the City will notify the property owner of the credit amount and the date the credit will become effective.

The property owner shall continue to participate in the stewardship events annually to receive a certificate. Renewal of the Stormwater Utility credit shall be in accordance with the Basic Procedures section of this manual and the requirements listed above. A 25% credit is available for watershed stewardship.

Non-Single Family Residential (NSFR)

NSFR property owners can apply for the credits listed below provided they meet specified eligibility requirements. Each credit is explained in more detail in the pages that follow:

- Water Resources Education Programs
- NPDES Industrial Stormwater General Permit Compliance
- Management of the Stormwater Runoff Water Quality Volume
- Management of the Stormwater Runoff Channel Protection Volume

- Management of the Stormwater Runoff Overbank Flood Protection Volume
- Management of the Stormwater Runoff Extreme Flood Protection Volume

The last four credits listed above are part of the Unified Stormwater Sizing Criteria discussed in the GSMM. These four credits will be discussed as a group under the Unified Stormwater Sizing Criteria heading.

Water Resources Education Programs

It is the goal of Peachtree City to strongly and financially encourage both public and private educational systems (grades 1-12 inclusive), to educate and inform their students on the importance of surface water, ground water and stormwater resources, and how they can play a role in preserving and restoring the physical, chemical, and biological integrity of the City's water resources. Consequently, the owner of property which is used as a site for a public or private school and which agrees to teach an environmental science curriculum that includes an eligible water resources education program at the primary or secondary level may receive a credit against the stormwater user fee charge.

Eligibility

The education credit shall be available to all public or private educational systems in grades 1-12 inclusive, which teach as part of their official curriculum, the *WaterWise*^{TM} program, Enviroscape Program, GLOBE (Global Learning and Observation to Benefit the Environment) Program, Project WET, or another such program approved by the City Stormwater Manager:

- The credit shall not be available to non-education individual SFR and NSFR customers.
- The credit shall not be available to educational institutions which have less than one thousand (1,000) full-time students enrolled in the system.
- The credit will be applied system wide and within the jurisdiction/service area of the Peachtree City Stormwater Utility.
- No other curriculum shall be eligible for such credit unless granted by the City Stormwater Manager.
- The credit shall not be applied retroactively in the first year of the Stormwater Utility unless it meets the deadlines specified herein. The credit will be applied at the next billing cycle following credit approval.

Amount of Credit

The education credit will not exceed 50% of the total user fee charge for the school system properties/facilities. Education credits may be taken in conjunction with, and in addition to, other credits available under this section that the customer is eligible to secure. School systems do not need to offer the curriculum during the summer to obtain a 12-month credit.

Education Credit Application Procedures

Prior to July 1 of each year, the superintendent of the Fayette County School System or in the case of private schools the Chief Executive Officer of the school, shall certify to the City Stormwater Manager, the water resources based curriculum is being taught in each school for which an education credit is being claimed and the extent to which such curriculum is being taught. For purposes of this education credit, a public school shall be any school operated by the Fayette County School System and a private school shall be a school operated by a private entity teaching some, or all, of the grades K-12 at which are taught subject(s) commonly taught in the public schools operated by the Fayette County School System.

The following additional information should be provided to help assess the credit allowance:

- Address of site (property) and point of contact.
- Approximate number of total students per grade and total school enrollment at the site(s).
- Approximate number per grade that will take the curriculum.

NPDES Industrial Stormwater General Permit Compliance

By complying with NPDES Industrial Stormwater General Permit requirements for industrial facilities, NSFR property owners are helping the City address potential water quality issues onsite before they are discharged into the public drainage system and/or Waters of the State. Therefore, these properties are eligible for a Stormwater Utility credit. If the NSFR property owner has properly secured coverage under the NPDES Industrial Stormwater General Permit, and is in compliance with all applicable requirements (i.e. development and implementation of a Stormwater Pollution Prevention Plan (SWPPP)), a credit application may be filed with the City.

Stormwater Credit Application Procedures

The following requirements will apply for NSFR property owners who qualify for an NPDES Industrial Stormwater General Permit Stormwater Utility credit:

- NSFR properties that operate under compliance with their NPDES Industrial Stormwater General Permit are eligible for a credit in their Stormwater Utility fee. The credit shall only be applied to that portion of the property covered by the permit.
- It is the property owner's responsibility to obtain a credit application from the City. The property owner shall complete the application, attaching any required documents verifying compliance with the NPDES Industrial Stormwater General Permit. At a minimum, the documentation attached to the credit application shall include the following:
  - Address of site and point of contact
  - Copy of the current NPDES Industrial Stormwater Permit NOI
  - Copy of a summary annual report of compliance
  - Copy of the SWPPP
  - Certification by the responsible party/permit holder that the SWPPP is being implemented
- Once complete, the application shall be submitted to the City.
- Upon approval, the credit will be applied at the next billing cycle following approval. The maximum credit amount available for NPDES Industrial Stormwater General Permit compliance is 10%.
- The NSFR property owner shall continue to send a copy of an annual summary report of compliance to the City Stormwater Manager and continue to comply with their NPDES Industrial Stormwater General Permit requirements. The property owner will be responsible for sending the annual report to the City. Failure to do so will nullify the Stormwater Utility fee credit.
- Prepare and submit a Right of Entry Agreement.

Unified Stormwater Sizing Criteria

The four treatment levels of the unified stormwater sizing criteria include water quality, channel protection, overbank flood protection, and extreme flood protection. **Table 3** presents each treatment level with a description of each, as provided in the GSMM.

Table 3: Unified Stormwater Sizing Criteria

Treatment Level	Maximum Available Credit	Description[1]
Water Quality	10%	Treat the runoff from 85% of the storms that occur in an average year. Per the GSMM, this equates to providing water quality treatment for the runoff resulting from a rainfall depth of 1.2 inches. Reduce average annual post-development TSS loadings by 80%.
Channel Protection	10%	Provide extended detention of the 1-year storm event released over a period of 24 hours to reduce bankfull flows and protect downstream channels from erosive velocities and unstable conditions.
Overbank Flood Protection	10%	Provide peak discharge control of the 25-year storm event such that the post-development peak rate does not exceed the predevelopment rate to reduce overbank flooding.
Extreme Flood Protection	10%	Evaluate the effects of the 100-year storm on the stormwater management system, adjacent property, and downstream facilities and property. Manage the impacts of the extreme storm event through detention controls and/or floodplain management.

1) Description of each treatment level is as published in Chapter 1.3 of the GSMM (August 2001).

The various options available for providing the desired level of treatment can be found in the GSMM. Volume 2, Chapter 1.3 provides an overall comparison of BMP options as they apply to the four levels of the unified stormwater sizing criteria. Volume 2, Chapter 3 provides more detailed information on each BMP. Design examples for a select number of BMPs are provided in Volume 2, Appendix D.

NOTE: All work associated with pursuit of a Stormwater Utility fee credit shall be done in strict accordance with the City's current ordinances related to the management of stormwater runoff.

Credit Applications

Credit applications are required for all credits included in this manual. **Appendix A** provides the credit application forms for the applicable credits described in this manual. **Appendix B** contains miscellaneous forms required as part of the Stormwater Utility credit application process, including a Right-of-Entry Agreement and a City inspection form.

APPENDIX A

A-1: NPDES Industrial Stormwater General Permit Credit Application Form

A-2: Stormwater Utility Credit Application Forms

Appendix A-1

NPDES Industrial Stormwater General Permit Credit Application Form

PEACHTREE CITY

NPDES Industrial Stormwater General Permit Compliance Credit Application/Renewal Form

Instructions:

Fill out this form completely. A separate application must be made for each separate property location. One application must be submitted for each separate NPDES Industrial Stormwater General Permit. Please ensure all NPDES permitted facilities are in a proper state of repair and maintained.

Fill out and attach the following:

- NPDES permit
- Previous year's annual report
- Copy of the Stormwater Pollution Prevention Plan (SWPPP)
- Right of Entry Agreement

Mail the completed forms, annual report, the NPDES Industrial Stormwater Permit NOI, and SWPPP to:

Peachtree City
Attn: City Stormwater Manager
153 Willowbend Circle
Peachtree City, GA 30269

Parcel Identification Number:	
Property Owner Name:	
Property Address:	
Property City/Zip Code:	
Property Owner E-mail Address:	
Property Owner Phone/Fax Number:	
Mailing Address:	

I hereby request Peachtree City to review this application for a stormwater service fee credit. I certify that I have authority to make such a request and grant such authority for this property. The attached information is true and correct to the best of my knowledge and belief. (This form must be signed by the financially responsible person if an individual, or if not an individual by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person). I agree to provide corrected information should there be any change in the information provided herein.

Type or print name

Title or Authority

Signature

Date

Appendix A-2

Stormwater Utility Credit Application Forms

PEACHTREE CITY

SFR Stormwater Utility Credit Application Form

Instructions:

Fill out this form completely. <u>One application</u> must be submitted for each separate property location. Follow the steps outlined in the applicable section of this Credit Manual. Attach all appropriate documentation to support this request, as outlined herein.

Fill out and attach appropriate documentation. Mail completed form (with attachments) to:

Peachtree City
Attn: City Stormwater Manager
153 Willowbend Circle
Peachtree City, GA 30269

Place a check next to the credit being applied for with this application:

	Type Credit	Applicability/Requirements
	Low Impact Parcel	SRF property
	Watershed Stewardship	SRF property

General Information:

Owner Name:	
Owner Mailing Address:	
Owner Mailing City/Zip:	
Contact Phone/Fax Number:	
Contact E-mail Address:	

Property Information:

Parcel ID Number:	
Parcel Address (number and street):	
Parcel Address (city and state and zip)	
Parcel Location/Development:	
Authorized Contact, if different than owner:	

PEACHTREE CITY
SFR Stormwater Utility Credit Application Form (continued)

I hereby request Peachtree City to review this application for a stormwater service fee credit. I further authorize Peachtree City to investigate the impervious area characteristics of the above identified parcel for the purpose of assessment for a stormwater service fee credit. I certify that I have authority to make such a request and grant such authority for this property. The attached information is true and correct to the best of my knowledge and belief. (The financially responsible person must sign this form if an individual, or if not an individual by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person). I agree to provide corrected information should there be any change in the information provided herein.

____________________ __________________________
Type or print name Title or Authority

____________________ __________________________
Signature Date

Approval:

____________________ __________________________
City Stormwater Manager Date

PEACHTREE CITY

NSFR Stormwater Utility Credit Application Form

Instructions:

Fill out this form completely. One application must be submitted for each separate property location. Multiple stormwater controls may be included in the application for a single property location. Please ensure all stormwater management facilities are in a proper state of repair and maintained. Attach all appropriate documentation to support this request. Documentation shall include:

1. Site plan with stormwater facilities and contributory drainage area.
2. Description of stormwater control facilities.
3. Appropriate pages from Volume 2 of the Georgia Stormwater Management Manual (August 2001, or as amended) identifying design requirements for each on-site stormwater control.
4. Documentation that the stormwater control facilities meet one or more criteria for the user fee credit (technical report).
5. Seal by professional engineer licensed in Georgia (does not apply to educational credit).

Fill out and attach a Right-of-Entry Agreement. Mail completed form (with attachments), and Right-of-Entry to:

Peachtree City
Attn: City Stormwater Manager
153 Willowbend Circle
Peachtree City, GA 30269

Place a check next to the credit being applied for with this application:

	Type Credit	Applicability/Requirements
	Educational Institution	Public & Private schools grades 1-12
	Water Quality	NSFR property - requires PE certification
	Channel Protection	NSFR property - requires PE certification
	Overbank Flood Protection	NSFR property - requires PE certification
	Extreme Flood Protection	NSFR property - requires PE certification

General Information:

Owner Name:	
Owner Mailing Address:	
Owner Mailing City/Zip:	
Contact Phone/Fax Number:	
Contact E-mail Address:	

PEACHTREE CITY
NSFR Stormwater Utility Credit Application Form (continued)

Property Information:

Parcel ID Number:	
Parcel Address (number and street):	
Parcel Address (city and state and zip)	
Parcel Location/Development:	
Authorized Contact, if different than owner:	

I hereby request Peachtree City to review this application for a stormwater service fee credit. I further authorize Peachtree City to inspect the above identified stormwater facility(ies) for the purpose of assessment for a stormwater service fee credit. I certify that I have authority to make such a request and grant such authority for this property. The attached information is true and correct to the best of my knowledge and belief. (The financially responsible person must sign this form if an individual, or if not an individual by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person). I agree to provide corrected information should there be any change in the information provided herein.

Type or print name ____________________ Title or Authority ____________________

Signature ____________________ Date ____________________

Approval:

City Stormwater Manager ____________________ Date ____________________

APPENDIX B

B-1: **Right-of-Entry Agreement**

B-2: **Inspector Checklist for Stormwater Control Facility Inspection**

Appendix B-1

Right-of-Entry Agreement

PEACHTREE CITY
Right of Entry Agreement

STATE OF GEORGIA
FAYETTE COUNTY

I/We ______________________________________, the owner(s) of the property commonly identified as ____________________________________,Peachtree City, Fayette County, State of Georgia, do hereby grant and give freely and without coercion, the right of access and entry to said property to the City of Peachtree City, its agents, contractors, and subcontractors thereof, for the purpose of performing maintenance on the ________________________ (hereinafter "facility") located on Lot _____ _________________ subdivision in Peachtree City, Georgia.

It is fully understood that this agreement shall not constitute or in any way be construed as to obligate the City of Peachtree City to perform any work on the above described property or to obligate the City of Peachtree City for any ongoing maintenance of the above-described facility. The undersigned agrees and warrants to waive and hold harmless the City of Peachtree City, its agents, employees, contractors, and subcontractors, for damage of any type, or any claim or action, either legal or equitable that might arise out of any activities on the above described property that are conducted by the City of Peachtree City, its agents, employees, contractors and subcontractors, pursuant to this Agreement.

In consideration of this Right of Entry Agreement and the rights granted to the City of Peachtree City herein, the receipt and sufficiency of which is hereby acknowledged, the City of Peachtree City agrees, to the greatest extent practicable, to replace or restore the area upon completion of maintenance to, or work on the facility to the condition of such area as of the date of this Right of Entry Agreement. This Right of Entry agreement shall not obligate the City of Peachtree City to perform any certain work relating to the facility either now or in the future.

I/We, will not receive(d) any compensation for this Right of Entry agreement.

For the considerations and purposes set forth herein, I set my hand this ________ day of ____________ 20___.

____
Witness

____
Owner

____
Notary

____
Owner

____
Address

Appendix B-2

Inspector Checklist for Stormwater Facility Inspection

PEACHTREE CITY
Inspector's Checklist for Stormwater Control Facility Inspection

Instructions to Inspector:

- Make contact with the authorized contact from Credit Application Form and notify of and coordinate site inspection. Authorized contact or owner need not be present for site inspection though inspector should make every effort to accommodate authorized contact's availability to accompany inspector.
- Fill out the form completely only if the facility is in proper state of maintenance and repair. If not in proper repair and maintenance fill out only the "General Information" and "Maintenance and Repair" sections and return to the City Stormwater Manager.
- If site plans were supplied by engineering and all dimensions and necessary site improvement details can be checked against the plans, then only deviations from the plans should be noted and annotated in red pen on the plans. If plans are used, check the blocks in the "Facility" and "Drainage Area" sections.
- If site plans are not available or not used fill out all sections fully.
- Attach Credit Application Form and return to the City Stormwater Manager.

General Information

Inspector's Name: ______________________ Date Inspected: ______________

Maintenance and Repair:

Description	**YES**	**NO**[1]
Is facility compliant with *Georgia Stormwater Management Manual*?		
Is facility clear of sediment deposits or debris that significantly reduce operating ability or capacity?		
Is facility in good repair to allow proper function?		
Is the facility emergency overflow (if applicable) in proper repair and not eroded?		
Comments on "NO" check marks and Other Pertinent Comments:		

(1) Note: A "NO" check will void the credit application. When the condition is remedied, a new application may be submitted.

PEACHTREE CITY
Inspector's Checklist for Stormwater Control Facility Inspection (continued)

Site Plan Available? **Yes ☐** **No ☐**

[Check block to refer reviewer to City supplied site plan. If all necessary information is not supplied on the site plan give additional information here.]

Facility Dimensions and Layout (provide sketch with dimensions):

Note: Outlet information, if applicable, must be sufficient to develop a rating curve for the facility.

Facility Ancillary Device Layout (provide sketch with approximate dimensions):

Note: Dimensions and sketch must be sufficient to calculate volume of storage area (if applicable) from lowest outlet elevation to top of overflow point.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM: **City Manager**

DATE: **February 10, 2006**

SUBJECT: **Resolution in Opposition to District Voting**
February 16, 2006, City Council Meeting Agenda

Recommendation:

Staff recommends that Council consider the attached resolution.

Discussion:

Council considered this resolution at the February 2, 2006, Council meeting. At that time, some Council members requested additional information on this item. Attached are copies of articles that were in the local newspaper last year when the legislation was initially proposed in the State legislature. The resolution currently being proposed by Mayor Logsdon is in support of the Fayette County Board of Commissioners, who opposes the legislation and has passed a similar resolution.

Budget Impact:

This item has no budgetary impact.

BJM/jsm

Attachments

CITY OF PEACHTREE CITY
STATE OF GEORGIA

RESOLUTION NO. ____________

A RESOLUTION TO EXPRESS OPPOSITION TO PROPOSED LEGISLATION PRESENTLY PENDING IN THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA, PERTAINING TO THE RECONSTITUTING OF DISTRICTS FOR THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, the Fayette County Board of Commissioners is the governing authority of Fayette County, Georgia; and

WHEREAS, the Fayette County Board of Commissioners is comprised of five (5) members each of whom must garner the support of a majority of Fayette County's voters to attain a position amongst the membership of the Board; and

WHEREAS, each member of the Fayette County Board of Commissioners is dedicated to providing fair, unbiased service to all citizens of Fayette County; and

WHEREAS, the objective of local government under the Home Rule provisions of the Georgia Constitution is the provision of government, representation, and service by those whom are closest to, and as a result are most capable of responding to the people they represent; and

WHEREAS, a bill has been introduced in the General Assembly of the State of Georgia so as to reconstitute the Board of Commissioners of Fayette County, Georgia and, in particular, to create district representation and voting for such Board positions; and

WHEREAS, the Board of Commissioners, as representatives of its constituents, has heard no great support for a change in the current system to district voting for the election of its membership; and

WHEREAS, the Board of Commissioners, in Resolution No. 2005-06, dated March 19, 2005, expressed its opposition to the bill that has been introduced in the General Assembly of the State of Georgia so as to reconstitute the Board of Commissioners of Fayette County, Georgia; and

WHEREAS, the City Council of the City of Peachtree City, Georgia wishes to express its support for the Fayette County Board of Commissioners and the position taken by such Board with respect to the bill that has been introduced in the General Assembly of the State of Georgia so as to reconstitute the Board of Commissioners of Fayette County, Georgia.

THEREFORE, BE IT RESOLVED that the members of the Peachtree City Council do hereby encourage and support the members of the General Assembly to oppose the bill that has been introduced in the General Assembly of the State of Georgia so as to reconstitute the Board of Commissioners of Fayette County, Georgia.

IT IS SO RESOLVED, this _____ day of February, 2006.

ATTEST:

______________________________ ______________________________
Jane Miller, City Clerk Harold Logsdon, Mayor

____

____

____

____

News
The Citizen
Friday, Mar. 18, 200

District voting may be forced on Fayette

By JOHN MUNFORD
jmunford@TheCitizenNews.com

The Georgia House of Representatives will be presented a bill Monday that would require the Fayette County Board of Commissioners to be elected on a district basis instead of an at-large basis.

Rep. Virgil Fludd confirmed Thursday that “a majority” of the county’s five-member House delegation voted to create the bill and present it to the full House. Because the bill is considered local legislation, it still could be passed this year by the House and Senate despite missing the crossover day deadline for bills from one half of the legislature to be sent to the other half, Fludd said.

Currently, all county commissioners are elected at-large, instead of limiting voters to decide on one given position based on a geographical boundary. Proponents have said district voting would allow different areas of the county to have a chance at fair representation, specifically the northern Fayette sector, which has a higher proportion of minority voters than elsewhere in the county.

Rep. Dan Lakly said he and Rep. John Yates voted against the motion from Roberta Abdul-Salaam to get the district voting bill rolling for the Fayette County Commission only. Lakly offered a substitute motion that died, which would have encouraged the county, school board and all municipal governments in Fayette to establish districts based on population, but still allowing all eligible voters to vote for each seat, regardless of the geographical boundaries drawn for the districts.

Lakly argues that he wasn’t elected “to dictate” that the county or any other political subdivision go to district voting. While he recognizes that the county is growing, now is just not the time, Lakly said, adding that he wanted the matter held off until the next Census comes in.

“I just think it’s too divisive an issue,” Lakly said.

Fludd wouldn’t say who voted in support of the measure, but he noted that all five House members attended the delegation meeting. That includes Fludd, Lakly, Yates, Abdul-Salaam and Darryl Jordan.

The vote among the Fayette delegation to forward a district voting bill to the House was not unanimous, which could possibly endanger its chances of passing the House or Senate. Fludd said traditionally that legislation approved by the local delegation gets a vote of approval, but he was quick to note “anything can happen” with this bill or any other locally proposed legislation.

The bill will not need to go before Fayette’s Senate delegation of Ronnie Chance and Valencia Seay for their separate approval, Fludd said.

While this year’s bill will only focus on the county commission, all the county’s governments could be considered for a similar bill next year, including the Board of Education and municipalities, Fludd said. The consensus of the delegation is that whatever is done on the matter, it should be applied equally to all of Fayette’s governments, Fludd said.

While Fludd wouldn’t take credit for “carrying the ball” on district voting, he said it was an important issue to many constituents.

“We have a number of constituents, a very large number and a growing number, that would like to see an approach to electing people who represent them who reflect their interests and viewpoints,” Fludd said. The idea was to make it “so all voices in Fayette County are heard,” Fludd added.

Since the county’s inception in 1821, the county commission districts have never been redrawn to take into account population changes, Fludd pointed out. The Fayette County Board of Education, however, last redistricted its boundaries in 2000, he added.

“They have kept pace,” Fludd said of the BOE. “They recognize the population has grown and grown fairly drastically.”

Lakly said Fludd called the “emergency” meeting in a hasty manner and thus did not include Chance; Seay hasn’t attended any of the meetings of the local delegation, Lakly added.

Fludd contends that Tuesday’s delegation meeting was not secret, and it was not an “emergency” meeting, but each member of the House delegation was invited.

The county commission could have petitioned the legislature for a change to district voting instead of at-large voting, but that is not the case in this proposal. Lakly said the delegation should only be making changes after a resolution is approved by the county, or any other governmental entity that wants to have its voting procedure changed.

“What Virgil is doing is unheard of,” Lakly said. He pointed out that only he, Fludd and Chance live in Fayette County, while the other four members of Fayette’s entire legislative delegation live elsewhere.

Lakly accused the Democrats in the delegation of attempting to get Democratic candidates elected in Fayette County at local seats "because they can't do it at the ballot box. It's devious."

Fludd, Abdul-Salaam and Jordan are all Democrats, while Lakly and Yates are Republicans.

Lakly said he went to all three of the public hearings on the district voting issue, and all three had mostly the same core of 60 or so people in attendance, excluding elected officials and members of the media.

Lakly blamed the problem on the Democratic-favored legislative redistricting plan enacted in 2002. He went further to attack Fludd, saying that with one exception, Fludd has always voted without Fayette's best interest at heart.

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News
The Citizen
Wednesday, Mar. 23, 2(

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Rep. Lakly tries to stop district voting; bill may die in Senate

By JOHN MUNFORD
jmunford@TheCitizenNews.com

A bill introduced Monday that would require the Fayette County Commission to adopt district voting in time for the 2006 elections may not have enough time, or support, to pass by April 1, the last scheduled day of the Georgia General Assembly.

The commission met Saturday evening in a special session, adopting a resolution against the proposal authored by Democrat Rep. Virgil Fludd in House Bill 856.

The bill would require commissioners to be elected by voters in certain geographical districts only, instead of at-large by all county voters as is currently done.

Rep. Dan Lakly of Peachtree City, who is opposing the bill, is slated to voice his opposition at a meeting this afternoon of the State Planning and Community Affairs Committee, to which the bill is currently assigned.

Even if the bill passes the House in quick fashion, it must be approved by both senators Ronnie Chance and Valencia Seay, since the Senate requires a majority vote from the local delegation before a local bill can be voted on by the full Senate, according to Freida Ellis, a bill clerk for the Secretary of the Senate.

Opponents of the at-large voting process currently used for county commission elections say it can prevent minorities from getting elected. In this case there could be enough of a minority contingent in north Fayette County that district voting proponents say would allow for a minority to be elected if such a district were drawn up. The commission candidates must also reside in the district they run for, the bill states.

Lakly, who joined Republican Rep. John Yates in voting against the resolution to create the bill when the local House delegation voted on it, said Monday that he was pulling out all the stops to put a halt to the bill. That includes asking one of the bill's Democratic sponsors to remove his signature from the bill, he added.

Lakly also put copies of the county commission's resolution against the bill, along with newspaper articles about the district voting issue, on the desks of all 180 members of the House, and he met with various House leaders to drum up support for halting the bill in its tracks.

"I have received nothing but support from everyone I've talked to," Lakly said of his colleagues in the House who have inquired about the disputed bill.

The assembly's session is scheduled to end April 1, leaving precious little time for wiggle room in terms of getting the bill to a vote by the House and Senate.

Lakly said he opposes the bill because "it is not the right time" to consider such a change. He prefers waiting for the 2010 Census figures to come back and then revisit the idea, and he hopes to still be in the legislature so he can help that happen.

The county's resolution against the bill points out that of the three Democrat House legislators voting to introduce the bill, only one resides in Fayette County. Fludd, who lives in Fayette, joined Roberta Abdul-Salaam and Darryl Jordan as voting in favor, splitting the vote along party and racial lines as Yates joined Lakly in voting against the resolution to create the bill.

The county's resolution also claims that the legislation contradicts the home rule provisions of the Georgia constitution "and is symptomatic of the dampening of the voices of the citizens of Fayette County in the legislature of the state resulting from redistricting by a previous General Assembly."

The resolution indicated that the commission couldn't support the bill "as the citizens of Fayette are not supportive of such measures and the parties proposing these measures do not provide a representative voice for Fayette County."

Lakly said Monday that Fludd secured the necessary public notice advertisement for the bill the day before the House delegation voted on the matter. Typically, ads for local legislation are handled only after the delegation has voted on the particular bill, Lakly noted.

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About Us Advertise

News **The Citizen** Friday, Mar. 25, 200

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House kills district voting

By J. FRANK LYNCH
jflynch@theCitizenNews.com

A Democrat-led attempt to change the way Fayette voters choose members of the County Commission died Thursday when the Georgia House broke with tradition and defeated a local bill that would have forced a switch from at-large to district voting.

The 82-63 vote against HB 856, sponsored by Democrat Rep. Virgil Fludd of Tyrone, was hailed as "unprecedented" by some longtime observers of the General Assembly.

Historically, legislation that's of a strictly local nature is given blanket approval in House and Senate votes.

But because the five Fayette House members were split along party lines in support of the change, Rep. Dan Lakly of Peachtree City — the measure's most vocal opponent — was able to convince a majority of his colleagues that the bill violated rules of fairness and home rule.

"It was defeated on the strength of my argument for fairness," declared an elated Lakly Thursday afternoon.

Along with Fludd, fellow Fayette Democrats Rep. Roberta Abdul-Salaam and Rep. Darryl Jordan — who both represent a handful of north Fayette precincts — gave favor to the switch to district elections; Lakly and fellow House Republican Rep. John Yates, who serves rural south Fayette, were adamantly opposed.

But despite the 3-2 split vote, Fayette House Delegation rules allow for for local bills to move on to the full House with a simple majority. Based on that rule, Fludd expected the bill would be given courtesy in the House and move on to the Senate.

But Lakly argued that the effort by Fludd, Abdul-Salaam and Jordan was not in keeping with the will of the majority of Fayette voters. Muddling the issue further, he said, is the fact that both Abdul-Salaam and Jordan actually live in Clayton County.

Lakly stated his case before a hastily called meeting Wednesday of the House Planning & Community Affairs Committee, and again in an impassioned five-minute speech from the well of the House Thursday, when he convinced Speaker Glenn Richardson to take the bill off the consent agenda and offer it up for a seperate House vote.

Later, Lakly called the bill's defeat the "most satisfying political victory of my career."

Efforts to contact Fludd for comment before press time Thursday were unsuccessful.

After the vote, Fludd did request that the bill be "reconsidered" by the full House again. The earliest that could happen is Tuesday, but Lakly said chances were slim that opinions would change among House members.

Commission Chairman Greg Dunn, who traveled to Atlanta Wednesday for the committee hearing, congratulated the House members who voted to defeat the bill for showing "courage" and standing up for "home rule."

"I think what we have here is a lot of people understanding that you shouldn't tamper with local government at the state level unless there's a legal or moral issue at hand."

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POSITION PAPER

2/10/06

Proposed Variance: Lot 1, Country Downs subdivision (V-2006-1)
Mr. Felton Taylor
City Planner/ Zoning Administrator David
February 9, 2006

Situation:

Mr. and Mrs. Felton Taylor own the home at 101 Leisure Trail within the Country Downs subdivision. The overall parcel is 4.48 acres in size and is zoned ER Estate Residential, which requires a minimum front building setback of 100'. The subject tract is located at the corner of Crabapple Lane and Leisure Trail, and is thus classified as a multiple frontage lot. Because of this designation, the minimum front building setback applies to the property boundary fronting both Leisure Trail and Crabapple Lane.

The Applicant desires to construct a freestanding garage and storage building on the subject tract. Because of the size of the proposed building, it cannot be constructed within a required building setback. Because of the location of the existing home and existing driveway and the manner in which the lot was initially graded to accommodate the home, the Applicant is seeking approval to construct the garage and storage building at the end of the existing driveway. If the building were constructed within this area, it would encroach approximately twenty-five (25) feet into the required building setback. Mr. Taylor has applied for a variance to permit this encroachment (Attachment "A").

Facts:

1. The subject parcel is zoned ER, Estate Residential, which requires a minimum front building setback of 100' as measured from the right-of-way/ property line (Attachment "B").
2. Because the subject tract has frontage on both Crabapple Lane and Leisure Trail, it is classified as a multiple frontage lot (Attachment "C"). Because of this designation, the minimum front building setback is applicable to both Crabapple Lane and Leisure Trail.
3. The foundation survey submitted by the Applicant indicates the front corner of the home is located 157' from the right-of-way of Leisure Trail and the rear corner of the home is located 132' from the right-of-way of Crabapple Lane. The remainder of the site is undeveloped and heavily wooded.
4. The existing driveway leads to a garage opening towards Crabapple Lane on the end of the home. The Applicant desires to extend the existing driveway and construct a freestanding garage and storage building approximately 8' due east of the existing driveway and parking area. Locating the garage in this area would require an encroachment of 25' into the minimum 100' building setback.
5. A copy of the portion of the Zoning Ordinance that addresses variance policies and procedures is included as Attachment "D".

Recommendation:

City Staff recommends that the variance not be approved. While it is understood that locating the garage and storage building as proposed would be beneficial and economical to the property owner, Staff is concerned that granting this variance would set a precedent for similar variance requests on other properties throughout the city. The minimum building setbacks were incorporated into the zoning ordinance based on the size of the lots and to establish uniform streetscapes within each zoning district. Because of the fact that the lot in question is quite large, it is our opinion the proposed garage and storage building could be located elsewhere on the lot and not encroach into established building setbacks.

Attachments "A" – "D"

RECEIVED OCT 1 7 2005

REQUEST FOR VARIANCE
ZONING ORDINANCE, CITY OF PEACHTREE CITY

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 101 LEISURE TRAIL PEACHTREE CITY

The reason this variance is being requested is as follows: I WOULD LIKE TO BUILD A DETACHED GARAGE APPROXIMATELY 8' ~~45~~' DUE EAST OF EXISTING PARKING PAD. THIS STRUCTURE WOULD BE LESS THAN 100' FROM THE BUILDING LINE. I AM REQUEST A 25' VARIANCE IN ORDER TO BUILD THIS GARAGE AT THIS LOCATION. SEE ATTACHED SURVEY FOR APPROXIMATE LOCATION.

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

> Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.
>
> In making a determination on a variance request, the City Council shall consider the following factors:
>
> a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
>
> b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
>
> c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

Name: (Please type or Print) FELTON TAYLOR
Address: 101 LEISURE TRAIL PEACHTREE CITY, GA 30265
Phone: (770) 487-4101
Signature: Felton Taylor

****

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: David E. Rast V-2006-01
Title: City Planner/Zoning Administrator
Date of Acceptance: January 23, 2006
Date of Public Hearing: February 16, 2006

07/01/01

Attachment "A"

Felton L. Taylor
101 Leisure Trail
Peachtree City, Georgia 30259

January 9, 2006

Dear Sir:

I would like to build a detached garage starting approximately 8 feet due East of my existing parking pad. I have 4.6 acres on the corner of Crabapple Lane and Leisure Trail. Due to the Southeast curve of Crabapple Lane along my property, I would have to build the garage behind my house, instead of beside it, in order to abide by the 100 feet required building line distance. This would require that I pour much additional concrete for the driveway to the garage and pour it in an east-south-east configuration that would go around my patio (which is 20 ft. wide by 28 ft. long with a 30 inch high by 8 inch wide brick wall around it) and take up a lot of green space in my backyard. I am requesting a 25 foot variance in order to build this garage at this location.

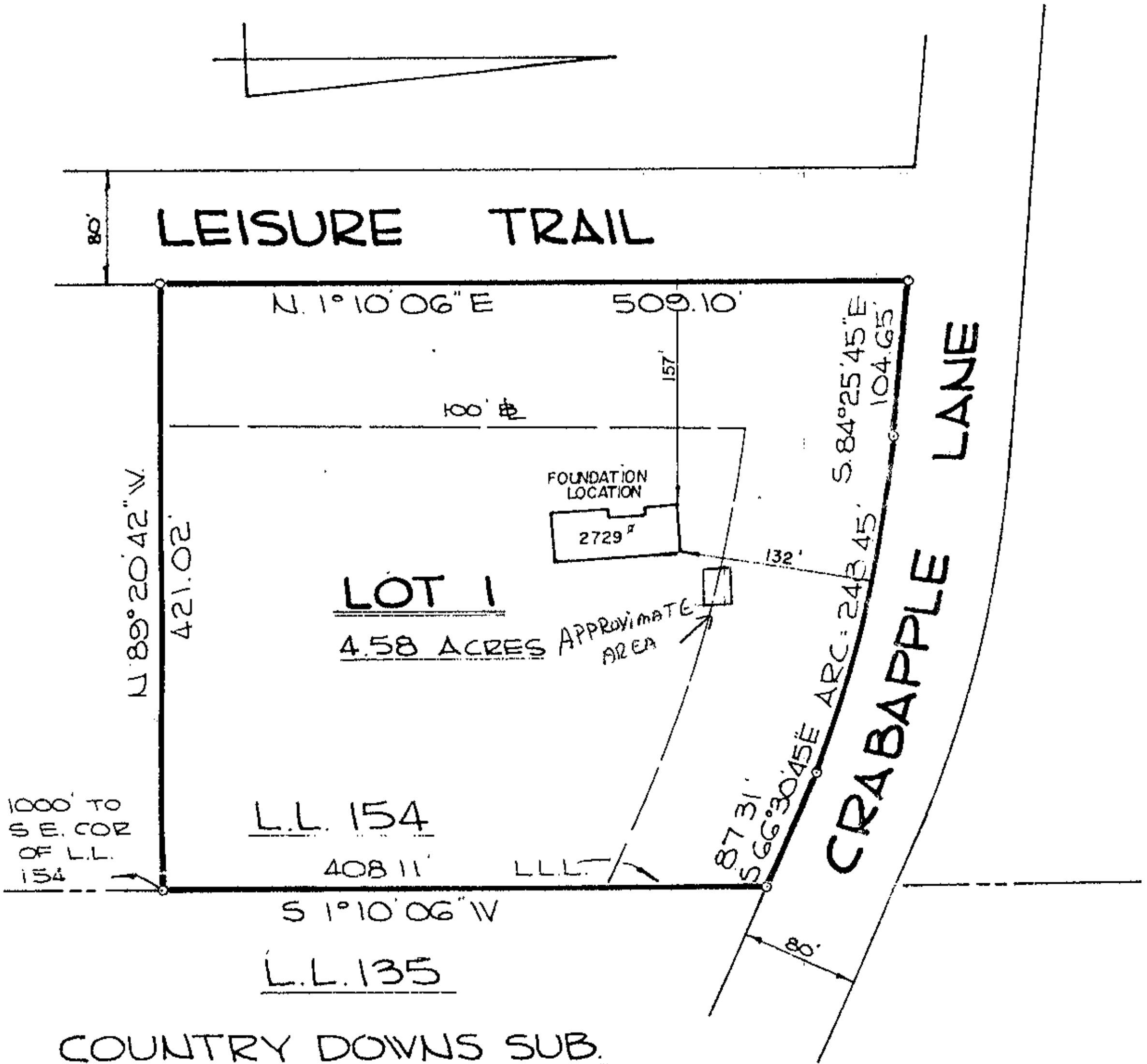
If this variance is allowed, it would save me money, be more convenient and help retain green space in my backyard. I feel for appearance sake that it would look much better if the garage was built behind the existing parking pad instead of behind the house.

If there is any additional information needed in the consideration of this variance, please contact me at (770) 487-4101 . Thank you for your time and consideration in the matter.

Sincerely,

Felton Taylor
Felton Taylor

rec'd. 01-09-06



COUNTRY DOWNS SUB.

REF: PLAT BY R.A. OSLIN AND ASSOC
DATED 11/15/72

NOTE IN MY OPINION, THIS PROPERTY DOES NOT LIE IN A FLOOD HAZARD AREA.

GEORGIA, FAYETTE COUNTY
Filed and Recorded this 28th day
of Jan, 1991 10:00 A.M.
Book 21, Page 153.
W. A. Ballard Clerk

No. 2048

PREPARED FOR:

FELTON L. TAYLOR
AND
MELBA C. TAYLOR

LAND LOT 154 - 7TH DIST.
FAYETTE CO., GEORGIA
1" = 100' 3/22/78

JOB NO. 78324
REVISED: 5/5/78

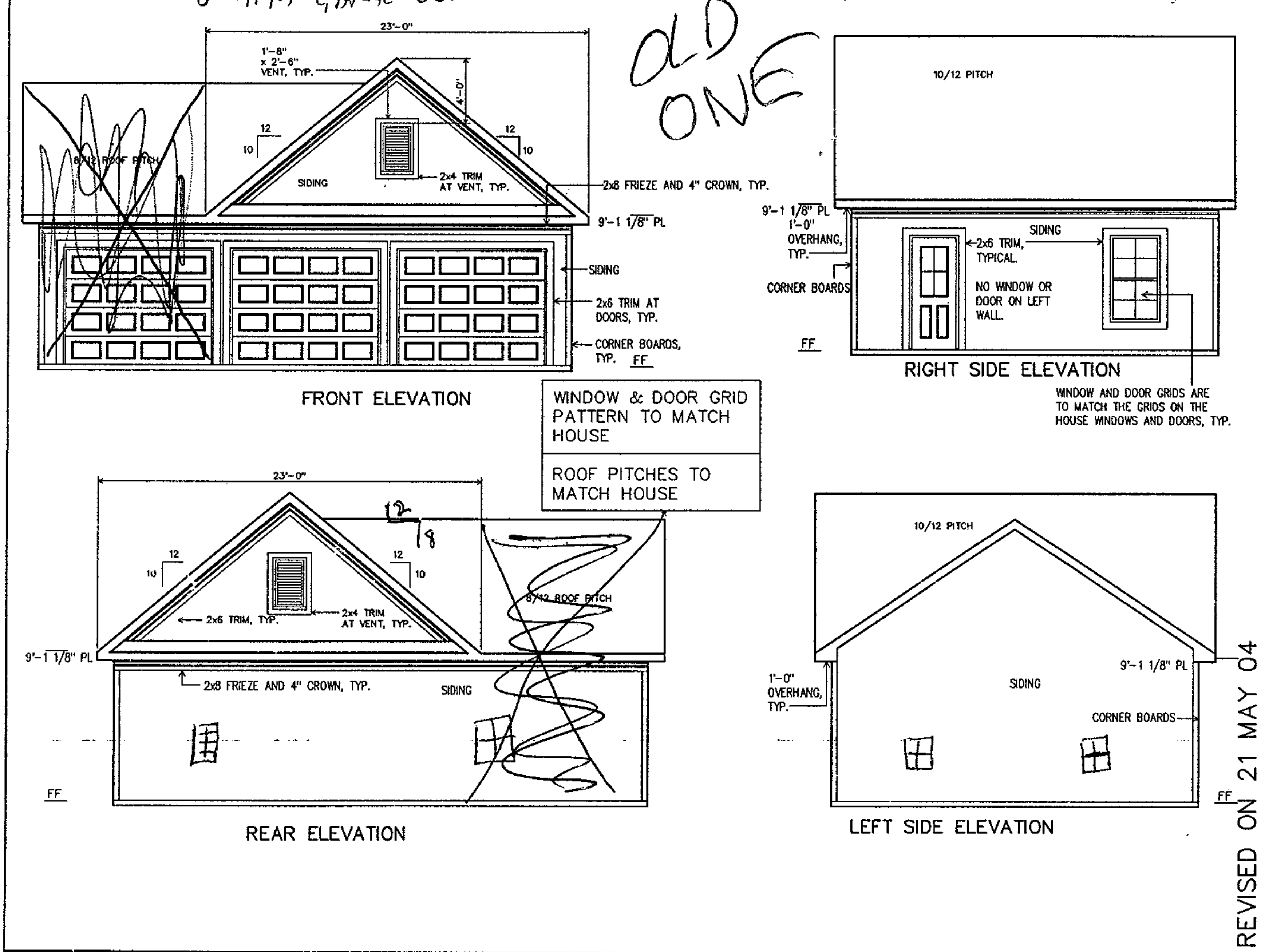
jr wood SURVEYORS AND PLANNERS, INC.
PEACHTREE CITY, GA. 487-9220

① SAME ROOF PITCH AS FRONT GABLE ③ windows back + STREET side

② 16' Door + 9' Door

THIS is SOMWHAT LIKE THE DETACHED TO BE BUILT. hip
~~WHICH~~ WILL MOST LIKELY ONLY BE A DOUBLE GARAGE

8' high garage doors



FRONT ELEVATION

RIGHT SIDE ELEVATION

WINDOW & DOOR GRID PATTERN TO MATCH HOUSE

ROOF PITCHES TO MATCH HOUSE

REAR ELEVATION

LEFT SIDE ELEVATION

REVISED ON 21 MAY 04

REVISIONS
#1 5mar98 revisions

~~Atlanta Market Home~~
[redacted]
Frame Four Sides
1/8"=1'-0"
Job Start Plot Date: 5/21/04
drawn by: SS
checked by:
GVR 2 – gar

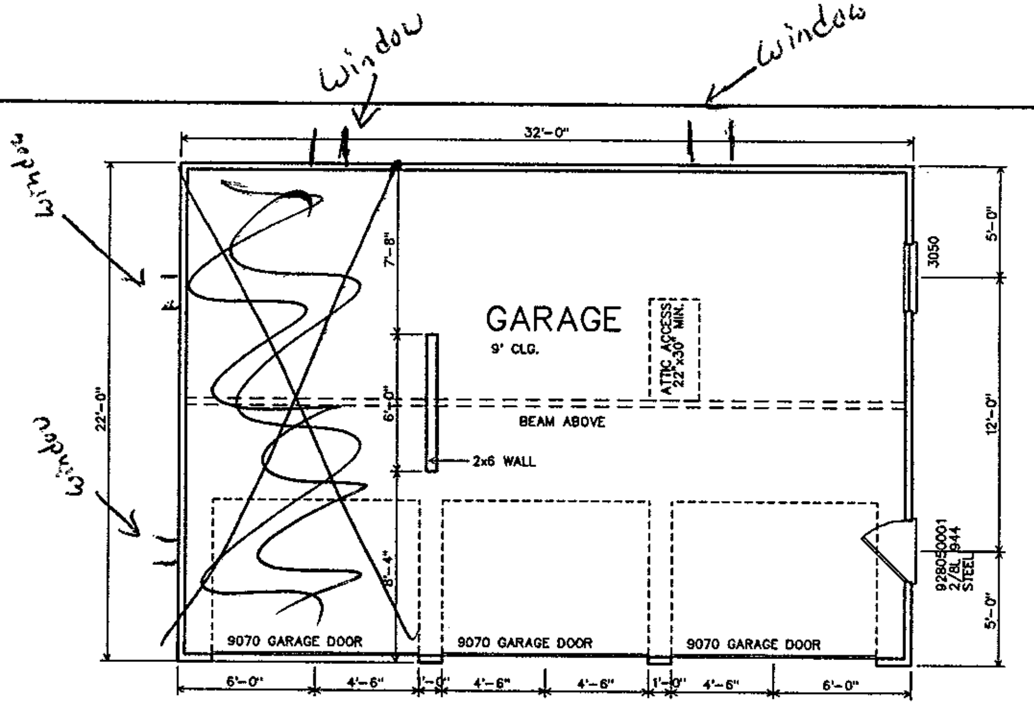
Drawn by | plot date

~~DETACHED GARAGE~~
ELEVATIONS

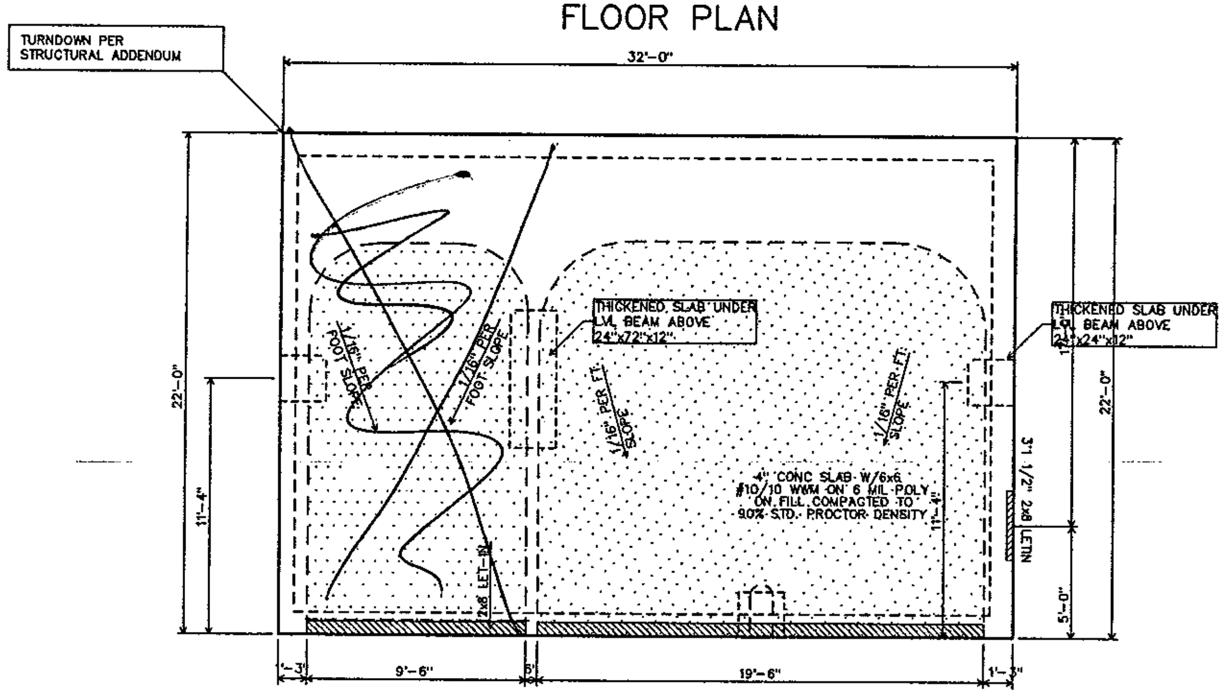
[redacted]
1950 Sullivan Road, ~~Atlanta, Georgia~~ 30337
~~(770)390-1400~~

sheet no.

?? 100' FROM BUILDNG LINE ??



FLOOR PLAN



FOUNDATION PLAN

REVISED ON 21 MAY 04

REVISIONS

#1	5mar98	revisions

[redacted]

Frame Four Sides

Job Start Plot Date: 5/21/04
drawn by: SS
checked by:
GVR 2 - gar

1/8"=1'-0"

Drawn by | plot date

~~DETACHED GARAGE~~

~~FLOOR &~~ FOUNDATION PLAN

[redacted]
1950 Sullivan Road, Atlanta, Georgia 30337
(770)996-1400

sheet no.

Sec. 1003. [ER] estate residential district.

(1003.1) *Intent of district:* It is intended that the ER zoning district be reserved and developed for low-density residential purposes where agriculture-type conditional uses would be expected. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on zoning lots having an area of three acres or more with provisions for on-site sewage disposal and limited agricultural activities. These regulations are also intended to discourage encroachment by commercial, industrial or other uses capable of adversely affecting the intended residential character of the district.

(1003.2) *Permitted uses:* The following uses shall be permitted in an ER zoning district:

(a) One-family dwelling (other than a mobile home), including a guest house facility.

(b) One-family dwelling (other than a mobile home) using primarily as a guest house or second home.

(c) Publicly owned building, facility or land.

(d) Building, facility or land for the distribution of utility services.

(e) Building, facility or land for noncommercial park, recreation, thoroughfare, or open space purposes.

(f) Private boat dock, fishing pier, boathouse, and related accessory concession and support facilities.

(g) Accessory uses: See section 908.

(h) Customary home occupation: See section 907.

(1003.3) *Conditional uses:* The following uses shall be permitted in any ER residential zoning district on a conditional basis:

(a) Noncommercial horticulture or agriculture on the following conditions:

(1) No poultry or livestock shall be maintained within 100 feet of the property line of any adjoining street or residential zoning lot; except when it abuts an AR or ER zoning lot, it may be no closer than ten feet.

(2) No building used for animals shall be constructed within 200 feet of any property line; except when it abuts an AR or ER zoning lot, it may be no closer than 50 feet.

(3) At least 5,000 square feet of fenced area shall be provided for each animal, not including household pets, to be maintained on the zoning lot.

(b) On-site sewage disposal system on the following conditions:

(1) A permit for the system is obtained from the county health department prior to its installation.

(c) Cemetery on the following conditions:

(1) The zoning lot is not less than ten acres in area.

(2) There is no crematorium or dwelling, other than a one-family dwelling for a caretaker, on the lot.

(3) The lot has direct access onto an arterial road.

(4) No building is constructed less than 100 feet from any property line.

(5) All gravesites shall be at least 50 feet from any property line.

(6) No identification sign is installed other than one nonilluminated sign not greater than 24 square feet in area for each panel of a double-sided structure.

(d) Riding stable on the following conditions:

(1) The zoning lot is not less than ten acres in area.

(2) No building is constructed within 200 feet from any property line.

(3) Animals are not maintained within 100 feet of the property line of any adjoining residential zoning lot.

(4) The building height requirements for the district are maintained.

(5) The zoning lot has direct access onto an arterial or major collector road.

(6) No activities, other than normal maintenance, will be conducted within 100 feet of the property line of any adjoining residential zoning lot.

(7) No automobile parking will be permitted within 100 feet of any property line.

(8) No identification sign is installed other than one, nonilluminated sign not greater than 24 square feet in the area for each panel of a double-sided structure.

(e) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:

(1) Notwithstanding any other requirements in this ordinance the following conditions shall apply to all churches regardless of zoning district.

(2) Minimum zoning lot area is three acres.

(3) Minimum lot width: 100 feet.

(4) Minimum setback area, front:

(a) Building: 40 feet.

(b) Parking: 20 feet.

(5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.

(6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.

(7) Maximum building height: As approved by the fire department.

(8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.

(9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.

(10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable planting screen six feet in height at time of planting. The required fence, wall, or screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.

(11) One nonilluminated sign not greater than 32 square feet in area for each panel of a double-sided structure is permitted.

(12) Parking: See section 909.

(13) Lighting: See section (1005A.4)(n).

(14) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.

(f) Private school, nursery or day care facility on the following conditions:

(1) No building is constructed within 75 feet of the property line of any adjoining residential zoning lot.

(2) The setback and height requirements for the district are maintained.

(3) The zoning lot has direct access onto an arterial or major collector road.

(4) No automobile parking will be permitted within the front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.

(5) Parking, service and/or play areas are separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above required screen, fence or wall must provide for a reasonable visual separation between the properties.

(6) Plans for the facilities must receive the written approval of the state regulatory agencies and the fire department prior to any construction or occupancy.

(7) No identification sign is installed other than one nonilluminated sign no greater than 24 square feet in area for each panel of a double-sided structure.

(Ord. No. 268, § 1(C)(3), 6-3-1982; Ord. No. 408, 8-21-1986)

(1003.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in ER residential zoning districts shall conform to the following standards:

(a) Minimum floor area per dwelling unit: 1,600 square feet.

(b) Minimum zoning lot area: Three acres.

(c) Minimum land area per dwelling unit: Three acres.

(d) Minimum lot width: 250 feet.

(e) Minimum front setback depth: 100 feet.

(f) Minimum side setback depth: 15 feet.

(g) Minimum rear setback depth: 30 feet.

(h) Maximum building height: 35 feet.

(i) Parking: See section 909.

(j) Signs: See Peachtree City sign ordinance.

(Ord. No. 366, § 19, 5-22-1985)

Cross references: The "sign ordinance" is found in § 66-1 et seq. of the Code.

Sec. 905. Multiple-frontage lots.

Any lot having a property line adjacent to more than one public street right-of-way or private street shall be deemed a multiple frontage lot. Any rear or side setback that also fronts on a public right-of-way or private street shall have a setback depth equal to the minimum front setback depth specified for the appropriate zoning district. (Ord. No. 366, § 17, 5-22-1985)

(1202.2) The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

(a) Variance applications shall be filed with the city planner on forms provided by the city planner.

(b) Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.

(c) An application fee of $50.00 must accompany each variance application.

(d) Upon receiving an application, the city planner shall schedule a public hearing on the request before the city council within 45 days after receipt.

(e) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.

(f) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the hearing date.

(g) At the public hearing before the city council, the applicant may appear in person or be represented by an agent or attorney.

(h) Variances from the provisions of this ordinance may be approved by the city council if it is determined that they will not cause substantial detriment to other parties or impair the purpose or intent of this ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the city council shall consider the following factors:

(1) Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;

(2) Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and

(3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance. (Ord. No. 589, 11-19-1992; Ord. No. 618, 7-7-1994)

(1202.3) After due consideration of an application for special exception, the city council shall take such action or establish such reasonable conditions of approval as will accomplish the intent and purposes of this ordinance.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager** Bernard J McMullen
Interim Developmental Services Director

FROM: **City Planner/ Zoning Administrator** David

DATE: **February 9, 2006**

SUBJECT: **Amendments to Chapter 66. Signs**
February 13, 2006 City Council agenda

Recommendation:
Staff recommends that Council adopt the proposed amendments to Chapter 66 (Attachment "A") and authorize Staff to incorporate the amended ordinance into the City's Code of Ordinances.

Discussion:
After a number of workshops with both the Planning Commission and City Council, the City's Sign Ordinance was amended and adopted on June 2, 2005. One of the items included within these amendments was a restriction on any signage within the city or state highways, which included temporary yard sale and real estate directional signage.

Due to a number of complaints from homeowners, realtors and other individuals, Staff was asked to research and develop specific language that would once again allow these types of signs. The proposed amendments have also taken care of numerous "housekeeping" items that were not included in the initial amendments to the ordinance.

These proposed amendments are identified in bold print. Staff and the City Attorney will be available to discuss these amendments and to answer any questions that may arise.

Budget impact:
There are no budget impacts associated with this request.

Attachments

Ordinance Number _______

AN ORDINANCE TO AMEND CHAPTER 66, SIGNS, OF THE PEACHTREE CITY CODE OF ORDINANCES TO CLARIFY DEFINITIONS; TO CLARIFY SIGNAGE PERMITTED IN VARIOUS ZONING DISTRICTS AND TO ESTABLISH PROCEDURES FOR INSTALLING SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Chapter 66, Signs, of the Code of Ordinances be repealed in its entirety and amended as follows:

DIVISION 1. GENERAL

Section 66-1. Purpose

Intent of article and declaration of public policy. The City of Peachtree City finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of such signs tends to proliferate, with property owners desiring ever-increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises.

Regulation of the size, height, number and spacing of signs is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the City, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the City's citizens.

Section 66-2. Authority.

This ordinance is enacted pursuant to Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, the Charter of the City of Peachtree City, the general police powers of Peachtree City and other authority provided by federal, state or local laws applicable hereto.

Section 66-3. Definitions.

As used in this ordinance, the following terms shall have the meanings respectively ascribed to them.

Awning: A roof-like-cover that projects from the wall of a building for the purpose of shielding a doorway, walkway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zoned lot as the light source; also, any light with one or more beams that rotate or move.

Building Official: The Building Official of the City of Peachtree City **or his or her designee**.

Business premises: A building, suite, office or other unit used for nonresidential purposes. In the case of businesses licensed by the City, the area occupied by a single business license holder shall be deemed as one (1) business premises. In the case of professionals paying individual taxes to the City, each professional corporation, partnership or other entity in which the professional participates shall be considered the occupant and all area occupied by that occupant shall be the business premises. For the purpose of this Ordinance, business premises shall include nonresidential space occupied by charitable organizations, political organizations, institutions or other noncommercial entities.

Canopy: A roof-like structure supported by columns or projecting from a building and open on at least three sides.

Code Enforcement Officer: **The Code Enforcement Officer of the City of Peachtree City or his or her designee.**

City Planner: The City Planner of the City of Peachtree City **or his or her designee**.

Commercial message: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity

Election cycle or election season: That period of time commencing with the closing date for filing notices of candidacy and ending with the final determination of each ballot issue or successful candidate for office.

Flag: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of government, political subdivision, or other entity

Frontage or street frontage: The width in linear feet of a lot where it abuts the right-of-way of any street from which access may be directly gained.

Fronts or fronting on a street. A business "fronts" on a street when the lot line on the property on which the business is located also forms the line marking the edge of a publicly dedicated right-of-way.

Lot: See definition of "zoned lot" herein.

***Marquee:* Any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.**

Non-commercial message: Any sign wording, logo or other representation promoting an activity or idea other than a commercial activity or idea.

Pennant: Any lightweight plastic, fabric, or material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind as a means of attracting attention.

Person: Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind

Principal building: A building in which the primary use of the lot on which the building is located is conducted.

Setback: The distance from the property line to the nearest part of the applicable building, structure or sign, measured from the property line to that portion of the building, structure or sign which is most proximate to such line.

Sign: Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement or illumination. Individual signs shall be defined as follows:

> *A-frame or easel sign:* A portable sign consisting of two sign faces placed back-to back and hinged together at the top in such a manner that each sign face leans toward the other, connecting at the top and forming a self-supporting structure which is not permanently affixed to the ground.
>
> *Animated sign:* Any sign or attention-getting device, including spinners, which involves motion or rotation of any part by any means, or which is illuminated by flashing, intermittent, or color changing light or lighting, or which uses movement or change of lighting to depict action or create a special effect or scene.

Awning sign: A sign imposed or painted upon an awning **(prohibited).**

Banner sign: Any sign of lightweight fabric or similar material that is mounted to a building **or structure**. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Blade sign: **A sign affixed to a wall and extending more than four inches (4") from the surface of such wall and perpendicular to the wall surface.**

Building sign: A sign that in any manner is fastened to, projects from, or is placed upon the exterior wall, window or door of a building.

Changeable copy sign: **A sign panel that allows the display of words, numbers, symbols and/ or graphics on a temporary basis by the use of interchangeable letters or graphics manually mounted to the sign face.**

Directional sign: A sign used to give direction or specific instruction to the public, such as, but not limited to, "enter," "exit," "no parking," "drive through," "rest room," etc. Such signs shall contain only instructional information, and shall not contain any logos, trademarks, or other commercial message.

Directory sign: A sign used to identify the location of structures or a single structure.

Externally-illuminated sign: Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

Internally-illuminated sign: Any sign that is illuminated by an artificial light source from within the sign structure over any or all of its sign face (prohibited).

Marquee sign: Any sign attached to, in any manner, or made a part of a marquee (prohibited).

Monument sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. A monument sign may include individual letters, numbers, figures mounted on a surface composed of stone, brick or other permanent structures. The supporting structure must rest on the ground.

Portable sign: Any sign not permanently attached to the ground or other permanent structure, or sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal, day-to-day operations of the business, then the vehicle shall be parked in a designated parking space at the location of the business and furthest from the right-of-way at the location of the business.

Residential sign: Any sign located in a district zoned for residential uses that contains no commercial message.

Roof sign: A sign erected upon and above a roof structure and wholly supported by the roof structure or a structure placed upon the roof. Roof signs shall also constitute any signage placed upon sloped building fascia intended to appear as or actually be roof elements of the building **(prohibited).**

Shared sign: A sign that serves as common or collective use for a group of persons or businesses operating on the same lot such as, but not limited to, a shopping center or business park. Ownership of and responsibility for a shared sign shall remain with the owner of the building or buildings served by the sign.

Sign face: That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Special event sign: A temporary sign utilized in conjunction with and for the same time period as a valid special event permit issued by the City.

Spectacular sign or device: Spectacular sign or device includes, but is not limited to:

(a) any piece or strip of cloth, paper, canvas, plastic or similar material, including banners, but excluding flags, on which a message, slogan or emblem is painted, drawn or otherwise projected, colored or shaped for the purpose of advertising or drawing public attention;
(b) any advertising display, sign or copy that is animated;

(c) balloons, air and gas filled devices;
(d) streamers;
(e) other attention-getting devices.

Subdivision sign: **A sign located at the main entrances to and used for identifying the name of a residential, commercial or industrial subdivision.**

Suspended sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign: Any sign that is used only temporarily and is not permanently mounted or affixed to the ground.

Wall sign: A sign that is fastened directly to the exterior wall of a building and extends from the surface of the wall no more than fifteen inches (15").

Window sign: Any type of sign that is located on the interior of a business premises and is either attached to or is located within 48" of an exterior window, and is intended primarily to be viewed from the exterior of the premises. Glass doors are to be considered windows for the purposes of administration of this Article. Merchandise located within a window shall not be considered a window sign, as long as there are no commercial messages attached to or associated with the display of merchandise.

Street: A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles.

Street frontage: The length of any property line of a zoned lot, which property line abuts a legally accessible street right-of-way. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the zoning definition for yards.

Window: An opening made in the wall of a building to admit light and air, and/or to furnish a view; provided, however, that as such term is used herein, the term "window" shall not include the framework for such opening, but shall only include the glass or translucent portion of such opening.

Zoned lot: A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other open spaces as required by the zoning regulations

Section 66-4. Applicability.

A sign may be erected, placed, established, painted, created, or maintained in the City only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance.

The effect of this ordinance as more specifically set forth herein, is:

(a) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance;
(b) To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits;
(c) To provide for temporary signs with and without commercial messages in limited circumstances;
(d) To regulate signs so as to prevent the degradation of the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value of tourism, visitation, and permanent economic growth;
(e) To prevent the proliferation of signs which may result in roadside clutter that would impede the flow of information from businesses to consumers thereby harming the economic health of the community, and that would impede the flow of information from traffic signs and signal and therefore create hazards to drivers and pedestrians;
(f) To lessen hazardous conditions, confusion and visual clutter caused by the proliferation, improper placement, illumination and excessive height and size of signs that compete for the attention of pedestrians and vehicular traffic, and impede vision of traffic, traffic control signs and devises;
(g) To prohibit all signs not expressly permitted by this Ordinance; and
(h) To provide for the enforcement of the provisions of this Ordinance.

Section 66-5. Prohibited signs.

The following types of signs are prohibited:

(a) Signs imitating warning signals; signs displaying lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles; signs using words, slogans, dimensional shape or size, or colors of governmental traffic signs in such a manner as to resemble official traffic signs.
(b) Signs with lights blinking and / or flashing in series, lines, or rows.
(c) Flashing, blinking, fluctuating, or otherwise animated signs.
(d) Signs attached to fences, trees, utility poles or boxes **or traffic control devices**; signs painted on or otherwise attached to rocks or other natural

objects; signs, other than those placed by a local, state or federal government, located within the public street right-of-way or within five (5) feet of the edge of curb or closest edge of the pavement of any public street.

(e) Signs emitting or utilizing in any manner any sound capable of being detected on a public road by a person of normal hearing.

(f) Signs which obstruct any fire escape, any means of egress or ventilation, or prevent free passage from one part of a roof to any other part thereof; signs attached in any manner to any fire escape.

(g) Banners, fringe, twirling, sidewalk or curb-type signs, balloons, streamers, **pennants,** portable display signs, air or gas filled figures and other similar temporary signs, other than as specifically authorized in this Chapter.

(h) Roof signs.

(i) Signs displaying any statement, word, character or illustration of an obscene nature.

(j) Illuminated signs from or to which direct rays of light are projected onto a lot other than on the lot where the illumination occurs.

(k) Portable signs, other than as specifically authorized by this Chapter.

(l) Search lights or similar devices.

(m) Vending machines, trash cans, or other outdoor devices which display a commercial message **if the total area of the commercial message is more than two square feet in area**.

(n) Animated signs.

(o) Awning signs.

(p) Internally-illuminated signs.

(q) Marquee signs.

(r) Bench signs.

No sign otherwise prohibited by this ordinance shall be installed within a building in such a manner that is visible from the public right-of-way.

Section 66-6. Signs exempt from the regulations of this ordinance.

The following signs shall be exempt from regulation under this ordinance:

(a) Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;

(b) Any sign inside a building, not attached to a window or door, that is not legible from **the exterior of the building or structure**;

(c) Works of art that do not include a commercial message;

(d) Holiday lights and decorations with no commercial message;

(e) Traffic control signs on private property, such as stop, yield, and similar signs, which meet Georgia Department of Transportation standards and which contain no commercial message of any sort;

(f) Address numerals that are affixed to a single family residential structure on the property, or to a mailbox on the property, that are no more than six inches (6") in height, or Address numerals that are affixed to a multi-family, commercial, office, or residential structure on the property, or to a mailbox on the property, that are no more than twelve inches (12") in height; and

(g) Signs **pertaining to public safety, including but not limited to signs** evidencing the presence of a security, or alarm system, on the property that are no more than one (1) square foot in area, **or signs indicating the presence of children in certain rooms of a structure in the event of a fire or other emergency.**

DIVISION 2. PERMITS AND PROCEDURES

Section 66-7. Permits and procedures.

(a) Unless specifically exempted from obtaining a permit under provisions of this ordinance, no person shall erect, construct, replace, relocate or structurally alter any sign within the City without first obtaining a sign permit from the City Planner. No permit shall be required to repaint or change the lettering of an existing conforming sign, provided that no change of ownership of the entity displaying the message thereon has been made. A permit is not required for a change limited solely to the copy of an existing changeable copy sign, for example, a change in the normal price or products offered on the premises.

(b) **A Sign Permit Application and appropriate application fee must be submitted for each sign being considered for approval.** Applications for permits shall be made upon forms provided by the City and shall contain or have attached thereto the following information:

(1) Name, address and telephone number of the applicant.
(2) Address of building, structure, or lot to which or upon which the sign is to be attached or erected.
(3) One accurate drawing showing the position of the sign in relation to nearby buildings or structures, including other signs, driveways, parking areas, and any other limiting site features.
(4) One accurate drawing of the plans, specifications and method of construction and attachment of the sign to the building or ground. Such drawings shall include the size of the sign area, overall height of the sign, location of the sign installation and its relation to existing rights-of-way and all driveways, and, if a monument sign, any protective devices or landscaping around the base of the sign.
(5) Name, address and telephone numbers of person erecting the sign.
(6) Written consent of the owner, manager, leasing agent or lessee of the building or land to which or upon which the sign is to be erected.

(7) The location and size of all other signs on the lot upon which the sign is to be erected.
(8) The size of the lot on which the sign is to be erected and the length of the street frontage for the street to which the sign is oriented.
(9) If the sign is to be lighted, an application for electrical permit meeting all standards of the City's electrical code.
(10) Such other information as the City shall require to show full compliance with this and other ordinances of the City.

(c) For signs shared by more than one person or entity, the owner or sign contractor shall secure a permit for the sign structure and the owner shall be responsible for the maintenance of the structure as well as for removal of individual sign panels identifying uses which no longer exist within the building or buildings covered by the shared sign. In addition to the permit required for a shared sign structure, a separate permit shall be required for each panel, which shall be obtained by the owner, his tenant, an authorized agent, or the sign contractor.

(d) Fees for permits shall be as fixed from time to time by the City Council.

(e) Upon the filing of an application for a permit and the payment of all necessary fees, the City Planner shall examine all plans and specifications submitted and the premises upon which the sign is proposed to be erected. Such review shall be completed within thirty (30) days of submission of a completed sign application. If it appears from review of the permit application and the site that the proposed sign is in compliance with the requirements of this ordinance and all other ordinances and laws of the City, the City Planner shall issue a permit no later than thirty (30) days from receipt of the completed application.

(f) *Denial of permit.* The City shall deny permits to applicants who submit applications for signs that do not comply with the provisions of this ordinance, are incomplete, or contain any false material statements. The City may deny permits for master sign programs, or amendments to master sign programs, based upon the architectural appearance of the program; such review, however, shall not include the content of the message(s) conveyed in the master sign program. Violation of any provision of this ordinance will be grounds for terminating a permit granted by the City for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this ordinance, the City Planner shall revoke the permit. Should the City Planner deny a permit, the reasons for denial shall be stated in writing and mailed by certified mail, return receipt requested, to the address on the permit application on or before thirty (30) days after the City received the application. Alternatively, the City may personally serve the sign applicant with a copy of the written notice of denial within thirty (30) days after the City's receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of resubmission, instead of the date of the original submission.

No permit shall be denied or revoked, except for due cause as hereinafter defined, and after the applicant is given ten (10) days written notice containing a statement of the reasons for the proposed denial of the permit application or the revocation of a permit. "Due cause" is the violation of any provision of this ordinance, or other applicable ordinances, state or federal law, or the submission of an incomplete application or an application containing false material statements.

(g) *Appeals.* An individual whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision to the City Council, provided such appellant files a written notice of appeal with the City Clerk within ten (10) business days of the City Planner's notice. Such appeal shall be considered by the City Council at the next City Council meeting held after the City's receipt of the written notice of appeal, provided that such notice of appeal is received a minimum of five (5) business days before the next meeting. Appeal notices received within five (5) days of a scheduled City Council meeting shall be heard at the next available meeting more than five (5) days following receipt of appeal. The City Council shall issue a written decision to the applicant no later than thirty (30) days following the close of the appeal hearing. Decisions of the City Council to affirm the decision of the City Planner or to overrule the decision of the City Planner and grant or continue the permit for which appeal is taken shall be reduced to writing and served upon the applicant in the same manner as the original notice to deny or notice of revocation. Such decision shall constitute a final determination by the City of Peachtree City.

In the event an applicant whose permit has been denied or a permit holder whose permit has been revoked is dissatisfied with the decision of the City Council, such applicant or permit holder may appeal such decision via a Petition for Writ of Certiorari to the Superior Court as provided by law.

(h) Variances. Each sign shall comply with the provisions of the ordinance, unless a written request is filed and approved to waive this requirement. All variance procedures shall be held in strict conformance with the procedures for variances as set forth in Article XIII, Section 1302 of the city's Zoning Ordinance.

Variances from the regulations of this ordinance shall be limited to the following hardship situations:

(1) Where the proximity of existing signs on adjoining lots causes the subject property to be ineligible, due to spacing requirements, for a sign of the type sought; or

(2) Where visibility of a conforming sign from the proposed street and within fifty (50) feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, buildings or structures on a different lot; and

(3) Placement of the sign elsewhere on the lot would not remedy the visual obstruction;

(4) Such visibility obstruction was not created by the owner of the subject property; and

(5) The variance proposed would not create a safety hazard to vehicular traffic or pedestrians as determined by the City Engineer.

Variances shall be limited to the minimum relief necessary to overcome the hardship. No variances shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist.

Relief from the application of the provisions of this ordinance by use of variances granted by the City Council shall be granted only upon a finding of hardship as previously defined. Hearing on such variances shall be noticed using this same time frames and notice requirements as for variances from zoning decisions.

(i) *Double permit fees.* Any person commencing work on a sign before securing the necessary permit from the City Planner shall be subject to double permit fees under the permit fee schedule.

Section 66-8. Expiration of sign permit.

A sign permit shall become null and void if the sign for which the permit was issued has not been completed and installed within three (3) months after the date the permit was issued. No refunds will be made of permit fees for permits that expire due to failure to erect a permitted sign; provided that where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted sign but the fabrication has not yet been completed, one ninety (90) day extension may be granted by the City Planner on the duration of the permit. Where a permit has expired for failure to erect the sign, if an individual later desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule in effect at the time of resubmission.

Section 66-9. Display of permit.

The owner of the sign shall be responsible for maintaining the permit for every sign approved, erected or maintained for which a permit is required by this ordinance. The City Planner shall inspect each sign following its installation to

ensure the sign is installed in accordance with the approved sign permit. Once it is determined the sign complies with said permit, a decal shall be affixed to the actual sign or to the entrance door of the place of business indicating the sign has been approved. The purpose of this decal shall be to notify city officers and employees that the sign complies with the provisions of this ordinance and the approved sign permit application.

Section 66-10. Compliance with technical codes and zoning.

All signs hereafter erected, replaced, reconstructed, altered, relocated or modified within the City shall conform with the requirements of the City's Building Code in effect on the date the application for a sign permit is submitted, the requirements of the National Electrical Code, and the requirements of all other applicable codes as adopted by the City. Where the provisions of the building or electrical code and this ordinance conflict or overlap, the most stringent requirement shall prevail and be controlling.

All signs hereafter erected, replaced, reconstructed, repaired, altered or relocated within the City shall conform to the zoning ordinance of the City. In the event of conflict between the provisions of this ordinance and the zoning ordinance, the most stringent requirement shall prevail and be controlling.

DIVISION 3. REGULATION OF SIGNS BY ZONING CLASSIFICATION

Section 66-11. Scope.

The sign standards by district in this section apply to all zoning districts within the city. The districts are defined by the zoning ordinance, Appendix A to this Code, and referenced on the official Zoning Map of the City of Peachtree City.

Section 66-12. Public use, all districts.

A Church, public school, community center, or other public institutional building shall be permitted one monument sign not exceeding thirty two (32) square feet in area and shall extend no more than five (5) feet in height above the ground as described herein.

Section 66-13. Residential (R-1, R-10, R-12, R-15, R-22, R-43, GR, ER, VR, LUR).

Any developed residential property which is zoned other than multi-family residential may post only such signs as are authorized by this section and shall comply with the following requirements:

(a) *Residential signs.* Such property may contain not more than one residential sign, the area of which may be not greater than sixteen (16) square feet. Any monument sign shall be five (5) feet in height or shorter and shall be setback so that such sign is no closer than five feet (5') from the curb or edge of pavement on streets with no curbing. Signs shall not project over the property lines.

(b) *Subdivision signs.* In addition to any other signs authorized by this section, one single faced-sign, one double-faced sign, or two single-faced signs may be permitted at the entrance to any residential subdivision to identify the name of the subdivision, which shall not exceed twenty-four (24) square feet each. **Such sign may be located within the right-of-way or dedicated sign easement provided that such sign is no closer than five feet (5') from the back of the curb or edge of pavement on streets with no curbing.**

(c) Any sign permitted under Section 66-17.

Section 66-14. Multi-family (GR, GR-6, GR-10, GR-12, GR-14, GR-15, LUR).

(a) In multifamily residential districts, one directory sign per building shall be required, no larger than four (4) square feet. Such sign shall indicate only the name, number, and/ or address of the individual building. Each such sign shall be reflective, and shall be placed so that it is visible from the closest interior street or access drive adjacent to the structure.

(b) One **monument** sign shall be permitted at each major entry, no larger than twenty-four (24) square feet.

(c) Any unit in which a sales or rental office is allowed shall be permitted one (1) building sign not exceeding four (4) square feet.

(d) Window signs, provided that no more than one (1) window per unit or residence shall be used to display window signs, and further provided that no commercial message is displayed on such window signs.

(e) Any sign permitted under Section 66-17.

Section 66-15. Retail, commercial, office or industrial (LC, GC, LUC, OI, LI, GI, LUI).

For properties which are zoned for any retail, commercial, office or industrial use, such properties may post only such signs as are authorized by this section. All signs not expressly authorized by this section are prohibited on such properties. Authorized signs shall comply with the following requirements:

(a) *Monument signs.* Such property may contain one or more monument signs in accordance with the following:

(1) Except for regulatory signs approved and erected by appropriate federal, state or local authorities, no signs shall be constructed, erected or maintained **within a public right-of-way**.

(2) Only one monument sign per platted lot shall be allowed along the right-of-way, provided that for business premises fronting on more than one street, one monument sign shall be allowed along no more than two (2) right-of-way frontages, which signs shall be separated a minimum of two hundred (200) feet.

(3) All monument signs shall be located within a **landscaped island** with curb and gutter or within a landscaped area. No monument sign shall be permitted to encroach in a parking area to such extent that the remaining parking spaces fail to meet the minimum standards of the zoning ordinance for off-street parking.

(4) The maximum sign area of any monument sign, inclusive of any border and trim, but excluding the base, apron, supports and other structural members shall be:

    (a) On lots zoned for retail or commercial use with a single tenant, thirty-five (35) square feet in sign area.

    (b) On lots zoned for retail or commercial use with more than one tenant, including signs that are shared, fifty (50) square feet in sign area.

    (c) On lots zoned for office use, thirty-five (35) square feet in sign area.

    (d) On lots zoned for industrial use with a single tenant, thirty-five (35) square feet in sign area.

    (e) On lots zoned for industrial use with more than one tenant, including signs that are shared, fifty (50) square feet in sign area.

(b) *Drive thru menu boards.* In addition to any other monument signs authorized by this Section, if such property contains a business premises where materials are delivered at a drive thru delivery point other than on the front side of the building, then one additional monument sign per delivery point shall be allowed to be located on the property in the side or rear yard; no such sign shall exceed thirty (32) square feet in sign area nor five (5) feet in height. The location of the menu board on the lot shall be approved as a part of the site plan review process.

(c) *Wall signs* (retail and commercial zoning districts):

(1) For a single tenant building and/ or multi-tenant building with less than 100 linear feet of building frontage, the wall sign for each tenant shall be limited to no more than one and one-half (1½) square feet per linear foot of building frontage. The maximum area of the wall sign for each tenant shall not exceed one hundred (100) square feet.

(2) For a single tenant building and/ or a multi-tenant building with more than one hundred (100) linear feet of building frontage, the wall sign for each tenant shall be limited to no more than two and one-half (2½) square feet per linear foot of building frontage. The maximum size of the wall sign for each tenant shall not exceed one hundred fifty (150) square feet.

(d) Wall signs (office zoning districts):

(1) For a single or multi-tenant office building, the wall sign shall be limited to one-half (1/2) square feet per linear foot of building frontage to a maximum of 30 square feet.
(2) Each tenant within a multi-tenant office building that has direct access from the exterior of the building into the actual tenant space may have one wall sign not to exceed ten (10) square feet located immediately adjacent to or above the entrance to the tenant space.
(3) In a multi-building office complex, each building may have one identification sign not exceeding five (5) square feet.

(e) *Wall signs* (industrial zoning districts):

(1) For an industrial building occupied by a single tenant, the wall sign shall not exceed one-half (½) square feet per linear foot of building frontage. The maximum size of the wall sign for the building shall not exceed of fifty (50) square feet.
(2) For a multi-tenant industrial building, each tenant shall be allowed one wall sign not to exceed thirty (30) square feet. In a multi-building complex, each building may have an identification sign not exceeding five (5) square feet.
(3) For an industrial building with single-tenant or multi-tenant occupancy and more than 30,000 square feet of gross floor area, the wall sign shall not exceed one (1) square foot per linear foot of building frontage. The maximum size of the wall sign shall not exceed one hundred fifty (150) feet.

(f) **Wall signs** may be flat against the wall or pinned away from the wall, but in no case project more than fifteen (15) inches from the wall surface.

(g) For any building that is primarily used for retail and service commercial, office/ institutional or industrial purposes, no part of a wall or building sign shall extend above the eave line or the top of a parapet on the wall to which it is attached.

(h) For any building that is primarily used for retail and service commercial purposes, no part of a wall sign shall be located more than **thirty six (36)**

feet above the existing level of the ground. In addition, for any retail or service commercial buildings, no sign shall be installed on any wall over the level of the bottom of any second story window on that wall unless the building is a multi-tenant structure where tenants have direct access from their second floor space to the outside. This direct access must include outside walkways and stairways properly designed for public use.

(i) Signs may not cover or interrupt architectural features of a structure.

(j) Multi-frontage sites are calculated with one major frontage only. The building frontage shall be determined by using the address of the building.

(k) Multi-tenant building directories are allowed if not in excess of six (6) square feet in width, two-inch maximum size letters, and must be located within ten (10) feet of the structure(s) on the lot.

(l) *Directional signs.* In addition to any other signs authorized herein, any such property may contain not more than two directional signs per driveway entrance. Such signs are limited to no more than twenty-four (24) inches in height and no more than two (2) square feet in sign area.

(m) *Master sign plan.* All multiple-occupancy development complexes, such as shopping centers or planned industrial parks, shall submit to the City Planner a master sign plan prior to the issuance of new sign permits, which plan must comply with all provisions of this Chapter.

The master sign plan shall establish standards and criteria for all signs in the complex, which require permits and shall address, at a minimum, the following:

(1) Proposed sign locations.
(2) Approved materials and colors.
(3) Type of illumination, including fixture specifications and wattage.
(4) Design of free standing and wall sign structures.
(5) Size.
(6) Quantity.
(7) Uniform standards for non-business signage, including directional and informational signs.
(8) Identification of delivery or rear access door by name and suite number.

Approval by the City Planner shall apply only to the architectural elements, uniformity of size, color and placement of the master sign program. The review by the City Planner shall not address the content of any sign within the master sign program.

All applications for sign permits for signage within a multiple-occupancy development complex shall comply with the master sign plan.

Any amendments to a master sign plan must be approved by the City Planner and the property owner(s) within the development complex before such amendment will become effective. Approval by the City Planner shall apply only to the architectural elements, uniformity of size, color and placement of the master sign program. The review by the City Planner shall not address the content of the master sign program.

It shall be the responsibility of the owner or leasing agent of the property to provide the occupant with a copy of the approved master sign plan.

The signing for new businesses within existing projects shall comply with the provisions of this chapter.

(n) *Banners.* Banners shall be permitted in all zoning districts of the City. Banners shall be permitted for no more than fourteen (14) calendar days, and the maximum size of a permitted banner shall not exceed thirty-five (35) square feet. Unless specifically permitted elsewhere in this chapter, no banner will be permitted off the premises.

Banners shall be securely attached to a building and maintain a seven (7) foot clearance between walking surface and bottom edge of the banner if placed over a walk surface. Only one banner will be permitted for a particular premises during a period of 120 days. Banners shall not be attached to the roof of the structure, or above the parapet line of the structure.

(o) *Window signs.* Except as otherwise provided in this Chapter, window signs are allowed for each tenant within commercial zoning districts only (GC, LC, and LUC). Window signs are defined as any type of sign that is located on the interior of a business premises and is either attached to or is located within 48" of an exterior window, and is intended primarily to be viewed from the exterior of the premises. Window signs may be installed without a permit, but they must be installed in accordance with the provisions of this chapter.

Window signage applied directly to the window shall be limited to decal-type or direct adhesion graphics. No panels, boxes or other items mounted directly against the face of the window shall be allowed. There shall be no background for window signage which obstructs view through the glass. Opaque signage shall be limited to the letter and/ or graphics only.

The total square footage of all window signs shall not exceed twenty five (25%) percent of the individual tenant's total window area exposed to public view, subject to the following conditions:

(1) No more than six (6) windows shall be used to display window signs; and

(2) If the business premises has three (3) windows or less, no more than two (2) windows shall be used to display window signs.

(3) No more than fifty percent (50%) of an area of a window shall be used to display window signs, and no window sign shall extend from one window to another. As used in this section, the term "window" shall include only the glass portion of a window, and shall not include any frames or other non-glass portion of such window. Glass doors are to be considered windows for the purposes of administering this article.

(4) Temporary writing or graphics applied to the glass or window, such as by marker, paint or shoe polish, shall be prohibited.

(p) If a lot contains a mixture of commercial, industrial and/ or residential uses, the signage requirements for each use shall apply. For example, if a lot contains residential and commercial uses, the sign regulations for the residential uses on such lot shall be as set forth in Section 66-13 or Section 66-14, and the sign regulations for the commercial uses on such lot shall be as set forth in this Section 66-15.

Section 66-16. Computation of sign area.

The following principles shall control the computation of sign area for monument and wall signs:

(a) *Monument signs.* The area of a monument sign shall be computed as the area within the smallest rectangle enclosing the limits of the surface of a sign whereon the sign face or sign face modules may be placed, including all portions of a sign structure that provide a background for the sign face and are not intended to contain any message or idea and are purely structural or decorative in nature.

The supports or structure upon which the sign face is located shall not be included in determining the overall size of the monument sign unless they are designed in a manner to form an integral part of the display and the surface area of the frame that is parallel to the display is no greater than one hundred percent (100%) of the area of the sign displayed, and provided that no part of the monument sign is higher than five (5) feet.

(b) *Wall signs.* The area of a wall sign shall be computed as the area within the smallest rectangle enclosing the limits of the surface of a sign whereon the sign face or sign face modules may be placed, including all portions of a sign structure that provide a background for the sign face and are not intended to contain any message or idea and are purely structural or decorative in nature. Any open space contained within the limits of the rectangle delimiting the sign face, sign face module, or sign structure shall be included in the computation of the area of such sign face, sign face module, or sign structure.

(c) *Computation of sign height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoned lot, whichever is lower.

The maximum height of monument signs shall be no greater than five (5) feet.

Section 66-17. Signs permitted in all districts without approval.

In addition to any other signs permitted under this Chapter, the following signs may be erected without a sign permit, subject to the following:

(a) *Real estate signs.* Real estate signs which indicate the sale, rental or lease of the property are permitted, provided such signs are located on the property, are at least five feet from the paved portion of any street or driveway, and are no more than five feet above ground level. Only one real estate sign per property is permitted.

(1) In residential zoning districts, the maximum size is six square feet, and the sign must be removed no later than seven days after closing of sale, rental or lease of the property.

(2) In all other zoning districts, the maximum size is 32 square feet; and the sign must be removed no later than seven days after closing of sale, rental or lease of the property.

(b) *Construction signs.* Construction signs are permitted in all districts subject to the following:

(1) Signs can be no more than five feet in height and are limited to one sign for each site. The sign may be erected after a building permit has been issued for the site and work is in progress; this sign shall be confined to the site of construction. Construction signs shall be used to identify the name of the project, architect, engineers, contractors, and other individuals or firms involved with the construction.

(2) In single-family residential zones, the maximum size is six square feet; and the sign must be removed no later than seven days after issuance of an occupancy permit by the city (in no case more than two years).

(3) The sign must be removed when the builder places property for sale or not later than seven days after the closing of the sale.

(4) In all other zoning districts, the maximum size is 32 square feet; and the sign must be removed no later than seven days after issuance of an occupancy permit by the city (in no case more than two years).

(c) *Vacant or unimproved property.* Each vacant or unimproved lot shall be allowed to have one (1) **real estate sign, the size of which shall comply to the provisions set forth above.** Such signs shall not exceed five feet (5') in height. Once construction begins on any such vacant or unimproved lot, such signs shall be removed and the provisions regarding construction signs set forth above shall be applicable.

(d) *Flags.* **No more than three (3) flags are** permitted on each zoning lot, provided that each such flag does not exceed five feet by eight feet on a lot zoned industrial, four feet by six feet on a lot zoned commercial, and three feet by five feet on a lot zoned to any other zoning classification under the Peachtree City Zoning Ordinance.

(e) *Memorial signs or tablets.* Memorial signs or tablets, names of buildings and date of erection are permitted when cut into any masonry surface or when constructed of bronze or other incombustible material.

(f) *Bulletin boards.* A bulletin board not over 15 square feet in area for a public, charitable or religious institution is permitted when located on the premises of such institution and located in such manner as not to interfere with the vision of motorists.

(g) *Municipal graphics.* Traffic or other municipal street graphics such as railroad crossing signs, legal notices and such temporary emergency signs may be required by the city council.

(h) *Utility signs.* Signs of public utilities companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities, or of public telephones are permitted.

(i) *Directional, informational, public service signs.* Directional, informational or public service signs erected for the convenience of the public, not identifying any commercial or public entity, are permitted.

(j) *Signs regulating use of property.* No trespassing signs or other such signs regulating the use of property such as no hunting, no fishing, etc., of no more than two square feet in area are permitted.

(k) Unless otherwise described in this Chapter, and in addition to other signs authorized by this Chapter, temporary signs shall be permitted regardless of the message conveyed on each temporary sign, subject to the following:

(1) Each temporary sign cannot exceed sixteen (16) square feet in area on residential zoned property, and cannot exceed thirty-two (32) square feet on all non-residential zoned property; and
(2) Each temporary sign cannot exceed five (5) feet in height; and
(3) One (1) temporary sign per lot shall be permitted; provided, however, that an unlimited number of temporary signs are allowed during a political election, between the date of close of filing for qualification of candidates or issues and final determination on each ballot candidate or issue.

Section 66-18. Signs permitted within the public right-of-way.

(a) No signs shall be allowed in the public right-of-way, except as otherwise provided in this chapter and as follows:

(1) Temporary signs shall be permitted in all zoning districts.
(2) Temporary signs shall be freestanding and not attached to any building, post or structure other than those approved within this ordinance.
(3) All signs permitted within city-owned right-of-way shall be brown and buff in color, and printed on a surface no larger than twelve (12) inches in height and fifteen (15) inches in width. Signs may be posted on a stake or stand so as not to exceed a total height of thirty-six (36) inches from finish grade to the top of the sign.
(4) All permitted temporary signs shall be placed a minimum of 5' and a maximum of 10' from the edge of pavement or back of curb, within 50' of the intersection of a street, and shall not obstruct vehicular, pedestrian or golf cart traffic in any

manner. For purposes of this ordinance, the right-of-way shall be considered approximately ten feet (10') behind the edge of pavement or back of curb.

(5) Permitted temporary signs shall not be placed within any median strip, along the rights-of-way of State Routes 54 or 74, or within the right-of-way of any street within 200 feet of any intersection with State Highway Routes 54 and 74.

(b) Signs permitted – permit required.

Temporary signs within the public right-of-way shall be allowed only by permit approved by the City of Peachtree City. Such application shall be submitted on the form provided by the City Planner or his designated official. The size, height, color, location, and period of display for all temporary signs associated with a single event shall be stipulated upon each application.

The City Planner shall review each request and may issue a temporary sign permit consistent with the following regulations:

(1) Temporary signs shall be limited to city-recognized holidays and/ or functions, charitable events, baby announcements, graduation announcements, lost pet signs or any other message a property owner wishes to display provided that no commercial message or logo is displayed.

(2) Signs for special events sponsored by the city, community groups or civic clubs for public events or public celebrations may be permitted. Such signs shall be approved on an individual basis as to size, height, color, location and period of display.

(3) Tethered hot air balloons, other inflatable objects, spinners and banners attached to temporary signs are not permitted.

(c) Signs permitted – exempt from permit.

The following temporary signs shall be exempt from filing an application, provided that such signs comply with the following:

(1) *Public signs.* Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;

(2) *Informational signs.* Informational signs of public utility regarding its poles, lines, pipes, or facilities; and

(3) *Emergency signs.* Emergency warning signs erected by a governmental agency, a public utility company, or a contractor

doing authorized or permitted work within the public right-of-way.

(4) *Yard and/ or garage sale signs.*
   (a) Each sign shall be acquired at City Hall.
   (b) Each sign shall include the date(s) of the sale and the street address.
   (c) No additional writing is permitted on the sign.
   (d) Signs may be placed the evening prior to the sale (after 7 PM) and must be removed on the last registered date of the sale upon completion of the sale.

(5) *Real estate directional signs.*
   (a) Each sign shall be brown with buff lettering, as available from local sign and hardware stores. A sample of the approved sign design shall be available at city hall.
   (b) Phrasing shall be limited to "Home for Sale", "Home for Rent", "Home for Lease" or "Open House" in buff letters on a brown background with an associated directional arrow.
   (c) No additional writing is permitted on the sign

(6) *Other commercial or quasi-commercial speech.*
   (a) Signs shall conform in appearance and placement as specified above.

(7) *Non-commercial speech.*
   (a) Signs shall conform in appearance and placement as specified above.
   (b) Each sign shall be acquired at City Hall or approved by the City Planner prior to installation.

(d) Election signs.

Election campaign signs are prohibited in public right-of-way per O.C.G.A. 21-2-3.

(e) Duration of Signs.

All signs in the public right-of-way shall have a date written thereon indicating the date that the sign was installed. No sign shall be displayed for more than fourteen (14) days. Any sign that is installed without a date shall be removed.

(f) Forfeiture of signs.

Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing or maintaining such a sign the

full costs of removal and disposal of such sign. This cost shall be the same as that established by City Council for a Sign Permit Application submittal fee.

Section 66-19. Special events permits.

(a) In addition to signs otherwise permitted in this Chapter, properties in commercial, office and industrial districts wishing to erect special event signs and devices including portable signs and spectacular signs and devices, may do so only by obtaining a permit under the following conditions and requirements:

(1) *Application.* Prior to display of a special event sign, an application for a permit shall be filed with the City Planner. One permit shall be issued to cover all signs and devices during the period of permit coverage. Handling of permit requests shall conform to Section 66-7. All signs and devices to be covered by the permit shall be specifically described as to their construction and/ or composition and location on the business premises.

(2) *Size.* Banners for special events shall not exceed thirty five (35) square feet and shall comply with the regulations of this ordinance. The maximum size for the total of all special event signs shall not exceed seventy two (72) square feet.

(3) *Number of permits.* The maximum number of special event permits to be issued to a single premise in a business, office or industrial district shall be four (4) per year. Each permit shall be issued for no more than seven consecutive (7) calendar days.

(4) In considering an application for a special event signs, the City Planner shall only consider the size of signs and number of permits issued, and shall not consider the content of the signs.

(b) Except as modified by this Section all special event signs or devices must comply with all other applicable regulations and conditions set forth in this ordinance governing their usage.

Section 66-20. Noncommercial message permitted on all signs.

Any sign otherwise permitted by this ordinance may contain a noncommercial message in lieu of a commercial message, provided that such sign complies with the size, height, area, and other requirements applicable to such sign.

Section 66-21. Maximum size and height of signs.

(a) No sign shall be permitted within the City which exceeds the size of sixteen (16) square feet in residential zoning districts and fifty (50) square feet in commercial and industrial zoning districts.

(b) No sign shall be permitted within the City which exceeds five (5) feet in height from finish grade to the top of the sign.

DIVISION 4. NON-CONFORMING SIGNS.

Section 66-22. Non-conforming signs.

(a) Signs that, on the effective date of this ordinance, were approved and legally erected under previous sign restrictions, and became or have become non-conforming with respect to the requirements of this ordinance, may continue in existence subject to the following provisions:

(1) No increase in size of the non-conforming sign shall be permitted.
(2) Existing signs which were legally erected and which have become non-conforming and do not meet the setback requirements of this ordinance due to road widening may be moved to meet the setback requirement of this ordinance but shall not be increased in size, shape or changed in any manner except as to become conforming.

(b) In all zoning districts, signs which were:

(1) Illegally erected or maintained with respect to prior ordinances,
(2) Made of paper, cloth or non-durable materials (except standard informational signs); or
(3) Located in the public right-of-way (except as permitted by this ordinance) shall be prohibited and shall be removed by the owner.

(c) Upon failure to comply with any requirement of this section, the City Planner may cause the removal of such sign at the expense of the owner.

(d) A non-conforming sign shall not be replaced by another non-conforming sign, except that the substitution or interchange of poster panels, painted boards or de-mountable material on non-conforming signs shall be permitted.

(e) Minor repairs and maintenance of non-conforming signs such as electrical repairs or lettering repair shall be allowed. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this ordinance; provided that signs damaged by fire or act of God may be restored to their original condition.

(f) The **Code Enforcement Officer** shall be responsible for enforcement of the provisions of this Section. Notices of violation shall be provided to the sign owner in accordance with the requirements herein.

DIVISION 5. ENFORCEMENT AND SIGN REMOVAL PROCEDURES.

Section 66-23. Inspection

The City Planner or Code Enforcement Officer or other designated city officials shall periodically inspect each permanent and temporary conforming and non-conforming sign for the purpose of ascertaining whether the same is secure or insecure, whether it is in compliance with the requirements of this ordinance and whether it is in need of repair.

In addition to these inspections, the City Planner **or Code Enforcement Officer** shall cause to be removed any sign that falls under the following classifications:

(a) *Traffic hazards*. Any sign constituting a traffic hazard or a menace to the motoring public or pedestrians, as determined by the City Planner **or Code Enforcement Officer** in consultation with the Chief of Police, shall be removed as provided herein.

(b) *General maintenance*. Every sign, including those signs for which permits are required and those for which no permits or permit fees are required shall be maintained in a safe, presentable and good structural condition at all times. The sign owner shall be responsible for repair or replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of the sign. If the sign is not made to comply with adequate safety and maintenance standards, the City Planner or Code Enforcement Officer shall require its removal in accordance herein.

(c) *Abandoned signs*. Except as otherwise provided in this ordinance, any sign that is located on property that becomes vacant and unoccupied for a period of one (1) month or longer, including any tenant in a multi-tenant commercial, office, or industrial structure, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. Sign panels from abandoned signs shall be removed by the owner of the premises on which the sign is located within the time frame specified in this Subsection. The supporting structure of an abandoned sign shall be subject to the non-conforming use provisions herein.

(d) *Dangerous or defective signs*. No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign that is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the premises or owner of the sign. Upon failure of the owner to remove or repair a dangerous or defective sign, the City Planner **or Code Enforcement Officer** shall proceed as described herein.

(e) *Unlawful signs.* No person shall erect or permit to be erected any sign that does not comply with the provisions of this ordinance.

The City Planner **or Code Enforcement Officer** shall prepare a written notice that shall describe the sign and specify the violation involved. The notice shall state that if the sign is not removed or the violation is not corrected within ten (10) business days, the sign shall be removed in accordance with the provisions of this Section.

All notices by the City Planner **or Code Enforcement Officer** shall be personally served or sent by certified mail, return receipt requested. Any time periods provided in this Section shall be deemed to commence on the date received if hand delivered or otherwise on the date delivered as shown upon the return receipt of the U.S. Postal Service.

The notice shall be mailed to the owner of the property on which the sign is located, the owner of the sign, and the occupant of the property. If any such person is unknown or cannot be found, notice shall be mailed to such person's last known address, if any, and posted on the sign or on the premises.

Any person having an interest in the sign or the property may appeal the determination of the City Planner **or Code Enforcement Officer** ordering removal or compliance by filing a written notice of appeal with the City Council within ten (10) business days after receipt of the notice. Appeals will be handled as provided in Section 66-7.

If the person to whom notice is directed fails to take corrective action within the time period prescribed, or if on appeal the City Council affirms the decision of the City Planner **or Code Enforcement Officer** and the person fails to take corrective action or remove the offending sign within the time period prescribed, then the City Planner **or Code Enforcement Officer** shall proceed to have the sign removed or corrected to bring such sign into compliance with this ordinance or to remove any unsafe condition.

When it is determined by the City Planner **or Code Enforcement Officer** that the sign would cause imminent danger to the public safety and contact cannot be made with the sign order or building owner, no written notice shall have to be served prior to removal. In such emergency situation, the City Planner **or Code Enforcement Officer** shall document the unsafe condition and may correct the danger, with all costs being charged to the sign owner or the property owner.

If it shall be necessary for the City Planner **or Code Enforcement Officer** to remove the sign pursuant to the provisions of this Section, and it should be practicable to sell or salvage any material derived in the removal, the City Planner **or Code Enforcement Officer** may sell or salvage any material derived in the removal. He may sell the same at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds, if any, shall be use to offset the cost of removal to be charged to the sign owner or property owner. Any proceeds in excess of the cost of removal shall be returned to the sign owner, if known or if unknown, shall be deposited in the City Treasury and maintained for benefit of the owner for a period of three years. At the end of three years, all unclaimed proceeds shall become the property the City. Where the proceeds derived from such sale are less than the costs of removal, such deficiency shall constitute a lien against the property on which the sign is located. Such lien shall be collectable in the same manner as City property taxes.

Any sign removed by the City Planner **or Code Enforcement Officer** pursuant to the provisions of this Section shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. The cost of removal of the sign by the City shall constitute a lien against the property and shall be recoverable in the same manner as City property taxes. The cost of removable shall include any and all incidental expenses incurred by the City in connection with the sign removal.

Section 66-24. Violations

Any of the following shall be a violation of this ordinance and shall be subject to the enforcement remedies and penalties provided **within Section 1-11 of the Peachtree City Municipal Code**:

(a) To install, create, or erect any sign requiring a permit without such a permit being obtained;

(b) To install, create, or erect any sign in a way that is inconsistent with any plan or permit governing such sign or the zoned lot on which sign is located;

(c) To **install, cause to be installed, or** fail to remove any sign that is installed, created, or erected in violation of this ordinance, or for which the building permit for such sign has lapsed; or,

(d) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this ordinance.

Section 66-25. Notice of violation.

Illegal signs erected in the public right-of-way shall be removed without notice. If any sign is erected or maintained in violation of any of the provisions of this article, the City Planner shall have the duty to give the owner thereof written notice of such violation, such notice to include a brief statement of the particulars in which this article is violated and the manner in which such violation is to be remedied. If a sign **permit** has not been **obtained** and the owner is not known, affixing a copy of the notice to the sign, sign structure or building for a period of ten (10) days shall be sufficient.

Section 2. Chapter 66 of the Code of Ordinance of the City of Peachtree City, Georgia, is hereby repealed in its entirety.

Section 3. Any ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council hereby declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases maybe declared illegal, invalid or unconstitutional.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

Done, Ratified, and Passed this _______ day of ________________________ 2006.

____
Harold Logsdon, Mayor

____

____

____

____

Attest: ______________________________
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM: **City Manager** Bernard J McMullen

DATE: **February 10, 2006**

SUBJECT: **Request to Address Council - Alcohol Handling Permit**
February 16, 2006, City Council Meeting

Recommendation:

That Council hear citizen concerns regarding the Alcohol Handling Permit

Discussion:

Mr. Robert Stieber of Valentino's Restaurant has submitted a letter to address the Mayor and Council regarding the Alcoholic Beverage Handling Permit required. The applicable section of the Ordinance is attached, and Chief Murray has forwarded information relating to the history of the program.

Budget Impact:

This item has no budgetary impact.

January 19, 2006

Dear Ms. Miller,

I would appreciate the opportunity to speak before the new City Council in February regarding the Liquor Pouring Permit.

Thank you for your attention in this matter.

Sincerely,

Robert V. Stieber

VALENTINO's
Italians of the Caribbean
The Best Italian on the Island
460 Crosstown Dr
Peachtree City, Ga 30269
770/631-7779

POLICE DEPARTMENT
350 South Highway 74 | Peachtree City, GA 30269 | 770-487-8866 | Fax: 770-631-2512
www.ptcpolice.org

James V. Murray
Chief of Police

TO: MAYOR AND CITY COUNCIL

FROM: CHIEF JAMES V. MURRAY JVM

DATE: FEBRUARY 8, 2006

SUBJECT: ALCOHOL DISPENSING PERMIT UPDATE

This memo is an update on the city ordinance requiring an alcohol-dispensing permit for individuals in Peachtree City. The permit process has been in place for a little over a year and this process has provided both citizens and visitors a level of safety when dealing with individuals serving alcohol. Reports of credit card theft, drug sales, underage sales, and identity theft resulting out of contacts with servers have decreased. In addition, internal theft reports have been significantly reduced.

As of this date, 2061 permits have been issued and 56 applications have been denied for criminal records. One permit was revoked after a criminal conviction. Prior to this ordinance, the police department could walk into almost any establishment in the city and see convicted criminals, sex offenders, and drug dealers working as servers. That is not the case since the establishment of the permit process.

The continuation of this process is a major public safety concern for this community. It is my recommendation that we continue the permit process as established, to protect our community from the criminal element in our society.

POLICE DEPARTMENT

350 South Highway 74 | Peachtree City, GA 30269 | 770-487-8866 | Fax: 770-631-2512
www.ptcpolice.org

James V. Murray
Chief of Police

TO: STEVEN BROWN, MAYOR

FROM: JAMES V. MURRAY, CHIEF OF POLICE

DATE: SEPTEMBER 21, 2004

SUBJECT: REQUEST TO EXTEND THE COMPLIANCE DATE FOR ALCOHOL HANDLING PERMITS

This memo is a request for you to extend the compliance date for City Ordinance 826 Section 6-51, Alcoholic Beverage Handling Permits, from August 30, 2004 to December 1, 2004. This request is made because of the extended period of time it took to receive the necessary equipment required to produce the permits and collect the information and fingerprints of the applicants. The equipment was received and installed at the police department on September 22, 2004.

The police department has notified in person all of the alcohol establishments to advise them of the extension of the deadline for compliance. No enforcement of this ordinance will take place until after the extended deadline of December 1, 2004. If you have any questions, please feel free to contact me.

CC: City Manager

POLICE DEPARTMENT
350 South Highway 74 | Peachtree City, GA 30269 | 770-487-8866 | Fax: 770-631-2512
www.ptcpolice.org

James V. Murray
Chief of Police

TO: MAYOR AND CITY COUNCIL

FROM: CHIEF JAMES V. MURRAY

DATE: MARCH 16, 2004

SUBJECT: ALCOHOL DISPENSING PERMITS

RECOMMENDATION:

Request that city council approve implementation of an alcohol-dispensing permit as outlined in the attached draft ordinance. In addition, to approve the necessary budget adjustments for the purchase of equipment and supplies necessary to manufacture a photo identification card.

Attached to this memo is a draft copy for a city ordinance requiring any person that sells, serves, delivers, dispenses or takes orders for alcohol beverages within the city to have a valid permit issued from the city. This draft ordinance has been reviewed and approved by the city attorney. This permit will be a photo identification card that will be worn by that person whenever they perform any of the above listed jobs. This request is being made for the below listed reasons:

1. Currently, many cities have a permit process that insures people who serve alcohol have passed a background check and have met certain standards set by the city. Fayetteville, Atlanta, College Park, Canton, Alpharetta, Decatur and others have this permit process.

2. Our failure to have a permit process has allowed individuals with criminal backgrounds that could not get a permit card in another city to come here to work.

3. We are arresting numerous individuals who are serving alcohol and are also committing crimes while employed in the city. These crimes include: fraud, credit card theft, identity theft, drug possession, drug sales, embezzlement, burglary, alcohol offenses and other related crimes. In most cases, the offender is not a resident of Peachtree City and only comes here to work. Many have extensive criminal backgrounds and drift from job to job and place our citizens in a precarious position to become their next crime victim.

4. In many cases, the owner of the business becomes the victim because most owners do not conduct criminal background checks on employees that serve alcohol. This process will allow owners to have backgrounds done by the police department.

5. The permit will be good for one year from the date of issue and they will be valid for any establishment in Peachtree City. It will contain both the photo and fingerprint of the permitted individual. The cost will be $25.00 per permit issued. Each renewal will also require a $25.00 fee.

BUDGET IMPACT:

We anticipate the total cost to purchase the equipment necessary to process the identification cards to be $20,000.00. We also estimate the total permits to be issued in the neighborhood of 1,500. The total cost to start up the program will be offset by the permit fee.

enforcement check containing the details of the check, to include sales procedures, identification card checks, test results, etc. Based on the report, the city clerk will either:

(1) Meet with the licensee and/or license representative to discuss the report and necessary corrective actions. A copy of the report shall be provided the licensee and also a copy retained in the licensee's official city file.

(2) Forward a congratulatory letter to the licensee advising that there appears to be an effective alcoholic beverage sales program in place based on the police enforcement check report. A copy of the letter shall be retained in the licensee's official city file.

(Code 1980, § 3-47)

Sec. 6-127. Alcoholic beverage handling permits.

(a) Any person, manager, or employee, who is responsible to sell, serve, deliver, dispense, or take orders for alcoholic beverages in restaurants, hotels, conference centers, lounges, stores, or any other business entity, or who handles alcoholic beverages in package stores, or who works as a security employee in any on premise consumption or package store, whether or not such person is contracted or an employee of such package store or on premise consumption location, shall apply to the police department for an alcoholic beverage handling permit.

(b) It shall be unlawful for any licensed establishment to hire any person, or to permit any person to work or assist in any capacity to sell, serve, deliver, dispense or take orders for alcoholic beverages until such person has procured a city alcoholic beverage handling permit.

(c) Alcoholic beverage handling permits shall not be issued to any person who has pled guilty to, or has been convicted of a violation of the provisions of this chapter, or any similar provisions from any other jurisdiction, or convicted of a violation of any offense relating to the manufacture or sale of alcoholic beverages within the preceding two years. For the purpose of this section an indictment, plea of guilty, or a plea of nolo contendere shall constitute a violation.

(d) Alcoholic beverage handling permits shall not be issued to any person who has pled guilty to or been convicted of, or entered a plea of nolo contendere to any misdemeanor or felony relating to illegal gambling, soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, illegal drugs/narcotics, theft, crimes of violence, sexual offenses, or any other crime opposed to the decency, morality, or public welfare (including identity and credit card fraud) within the preceding five years from the date of their application for a handling permit. Additionally, alcoholic beverage handling permits will not be issued to any person who is serving probation for a felony sentence involving any felony described above.

(e) City alcoholic beverage handling permits will be issued from the chief of police of the city police department.

(f) It shall be unlawful for any licensed establishment employee to sell, serve, deliver, dispense or take orders for alcoholic beverages within the city limits without having been issued a valid alcoholic beverage handling permit from the chief of police of the city police department.

(1) Prior to selling, serving, delivering, dispensing or taking orders for alcoholic beverages, employees who work for a licensed establishment shall be fingerprinted, photographed and cleared through a background investigation by the police department. The employees shall make themselves available for photographing, fingerprinting and such other investigation as may be required by the police department in accordance with state law and local ordinance.

(2) Once cleared, a permit shall be issued to the employee indicating that such person is eligible to sell, serve, deliver, dispense or take orders for alcoholic beverages for the purpose of on premises or off premises consumption.

(3) The alcoholic beverage handling permit may be used at multiple locations if requested by the applicant; however, when applying for a handling permit the applicant must list all applicable city locations for which the employee works. Proof of employment will be required for each location.

(4) All alcoholic beverage handling permits are the sole and exclusive property of the city. Destruction, theft, defacement, or detriment of identification shall be punishable as a felony under state law.

(5) It shall be unlawful for a person to alter, deface, or fraudulently produce a city alcoholic beverage handling permit.

(6) The permit issued under this section shall be issued only to eligible persons who are at least 18 years of age.

(g) No permit shall be issued until such time as a signed application has been filed with the chief of police and a background check has been completed. The applicant will submit an annual administrative processing fee of $25.00 to be included upon receipt of their application. In the event the applicant does not meet the eligibility requirements, the fee is non-refundable. Such application shall include but not be limited to the name, social security number, date of birth and prior arrest record (if any) of the applicant. The fact of an arrest record shall be used for investigative purposes only and shall give rise to no presumption or inference of guilt. Due to the inclusion of arrest information, these applications shall be regarded as confidential and shall not be produced for public inspection without a court order.

(1) If there is no record of a violation of this article and the employee is determined eligible, the chief of police shall issue an alcoholic beverage handling permit. If it is found that the employee cannot be cleared, the chief of police shall notify the employee that they do not meet the eligibility requirements.

(2) Permits will be renewed annually prior to the expiration date indicated on the handling permit.

(3) For those applicants who, within the past five-year period, have resided or currently reside in a state other than Georgia, the applicant must furnish to the chief of police a certified copy of a driver's history and criminal background history from the state or states in which he or she has resided or resides.

(4) All permits issued through administrative error or through an error in the completion of a background investigation may be terminated by the chief of police.

(5) An employee excluded from being granted or maintaining a permit under these terms shall have the right to appeal such exclusion to the chief of police.

(h) It shall be the duty of all individuals holding alcoholic beverage licenses or their license representatives to file with the chief of police the names of all employees authorized to handle, sell, serve, deliver, dispense or take orders for alcoholic beverages, to include security personnel. The information will consist of the name of the establishment, the permit number, the employee's name, home address and home telephone number. Such list shall be filed upon obtaining the initial alcoholic beverage license or, for those businesses that are not open on the date the license is issued, upon the date the licensee's premises opened to the public. An updated list of employees shall be filed with the chief of police on an annual basis, before January 31.

(i) It shall be the responsibility of the licensee or license representative to acquaint all employees engaged in the sale or service of alcoholic beverages with the requirements of this chapter and state law regulating the handling, selling, serving, delivering, dispensing or taking orders for alcoholic beverages.

(j) This section shall not be construed to require a permit of those employees whose duties are limited solely to those of busboy, stock clerk (see exception regarding package stores in paragraph (a), cook or dishwasher, or any other employee whose duties do not include handling alcoholic beverage.

(k) While on duty in any licensed establishment, every person required to possess an alcoholic beverage handling permit shall have their handling permit on their person at all times. All permits issued under this section shall be made available for inspection upon the demand of any law enforcement officer employed by the city police department.

(l) All licensed establishments will be in compliance within 90 days from the approval of this section by city council.

(m) The penalty for violating any of the provisions of this section are established in section 6-169.

(Ord. No. 829, 5-20-04)

Sec. 6-128. Alcoholic beverage handling permit revocation proceedings.

(a) The omission or falsification of any material information in an application for a permit shall be a violation of this section and grounds for the denial, suspension or revocation of any such permit

(b) The service or selling of alcoholic beverage to any person that the employee or agent knew or should have known to be in a state of intoxication is grounds for suspension or revocation of any such permit.

(c) The service or selling of alcoholic beverage to any person without requiring proof of age identification as required in this chapter is grounds for suspension or revocation of any such permit.

(d) The violation of any law, ordinance or regulation governing the operation of an establishment licensed to sell alcoholic beverages or which is reasonably related to the operation of such establishments is grounds for suspension or revocation of any such permit.

(e) An employee excluded from being granted or maintaining a permit under these terms, or whose permit is revoked or suspended, shall have the right to appeal such decision as provided in section 6-73.

(Ord. No. 829, 5-20-04)

Secs. 6-129--6-160. Reserved.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager** Bernard McMullen
Interim Developmental Services Director DWK

FROM: **City Planner/ City Landscape Architect** David

DATE: **February 9, 2006**

SUBJECT: **Request to install landscaping within city-owned right-of-way and greenbelt**
February 13, 2006 City Council agenda

Recommendation:
Staff recommends that Council approve the request from the Lake Kedron Homeowners Association (Attachment "A") and allow them to install landscaping within the city-owned right-of-way and greenbelt adjacent to Georgian Park.

Discussion:
During litigation proceedings for the expansion of the Kedron Village retail center, the Lake Kedron Homeowners Association entered into an agreement with the developer of this complex (Faison) to provide funding for additional vegetation between the Albemarle and Cottage Grove subdivisions and Georgian Park. The purpose of this vegetation was to provide additional buffering within the existing right-of-way and greenbelt of Georgian Park and to buffer the traffic noise and lighting that might be generated by the expansion of the Kedron Village retail center.

Staff has been working with the Homeowners Association for some time trying to develop a plan for this area. Because there is a substantial amount of vegetation within the right-of-way, Staff did not feel it would be prudent to remove vegetation in order to plant additional vegetation. Our suggestion was to relocate the proposed plantings to the edge of the right-of-way and install the material within the existing vegetation to augment the existing buffer.

Staff staked the edge of the right-of-way and representatives from the Homeowners Association have flagged the location of the evergreen plant material that will be installed in this area. It is anticipated that minimal clearing will be required to plant this vegetation and that the majority of the existing vegetation within the right-of-way will remain intact.

Prior to presenting this proposal to Council, Staff requested that the Homeowners Association provide a letter to the city indicating they will fund all costs involved with acquiring, installing and maintaining this plant material.

Budget impact:
There are no budget impacts associated with this request.

Attachments

Lake Kedron Community Association
120 Terrane Ridge, Peachtree City, GA 30269

January 8, 2006

Bernard McMullen
City Manager
Peachtree City, GA

Dear Mr. McMullen:

On behalf of the Lake Kedron Community Association, I would like to thank you for your willingness to work with us to establish a visual and noise buffer between the homes within our neighborhood and the anticipated increase in traffic on Georgian Park due to the expansion of the Kedron Village retail center. As you are aware, we have been working diligently with our Landscape Committee and with City Staff over the past several weeks to identify a potential location for this vegetation, and have determined that the best location would be within the existing natural area along the right-of-way of Georgian Park separating the road from the city-owned greenbelt behind the Albemarle and Cottage Grove subdivisions.

Our plan is to install a single row of Cryptomeria and possibly some Leyland cypress at ten feet on center on the right-of-way. We anticipate installing a total of 110 trees, spanning 700' behind Albemarle and 400' behind Cottage Grove. We have worked David Rast to stake what we believe to be the right-of-way line and our contractor will clear only enough vegetation within this area to properly install the trees. Our Association will fund the installation of these trees and will assume all maintenance responsibilities for this vegetation. We understand this vegetation will be located on city-owned property, and that the city will assume no responsibility for the installation, watering, maintenance or replacement of this material.

Thank you,

Marc J. Norris
President
Lake Kedron Community Association

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

FROM: **City Manager** Bernard J McMullen

DATE: **February 8, 2006**

SUBJECT: **REQUEST FOR SEWER CONNECTION APPROVAL**
Scarbrough & Rolander Development, LLC
February 16, 2006, Council Agenda

Recommendation:
That Council consider the attached request.

Discussion:
Mr. Robert Rolander of Scarbrough and Rolander Development, LLC, is requesting permission to tie into the City's sewer system (see attached). His development is a 218-acre tract on Redwine Road just south of Peachtree City (see attached drawing). Mayor and City Council approval is required pursuant to the Sewer System Agreement between the Water and Sewerage Authority and the City, dated May 1, 1997, before WASA can extend sewer service outside the City limits (see attached). A letter from WASA is attached concerning available capacity and connection requirements.

Budget Impact
None.

BJM:gr

Attachment

cc: WASA General Manager Larry Turner

RECEIVED
FEB 8 2006
PEACHTREE CITY
CITY HALL

Scarbrough and Rolader Development
270 North Jeff Davis Drive
Fayetteville, GA 30214
(770) 461-0478 • (770) 461-3491 fax

February 6, 2006

Bernard McMullen
City Manager
City of Peachtree City, Georgia
153 Willowbend Road
Peachtree City, Georgia 30269

Re: Request for Sewer Connection Approval
Owner: Nesmith Partnership, LP
Agent: Scarbrough & Rolader Development, LLC
Property: 218 acres in LL 161, 4th District & LL 6 & 18, 6th District

Dear Mr. McMullen:

Scarbrough & Rolader Development, LLC, as agents of Nesmith Partnership, LP, owner of a 218-acre tract on Redwine Road just outside of Peachtree City's municipal limits, requests the Mayor and Council approve a resolution authorizing the Peachtree City Water and Sewerage Authority to allow connection of this property to the public sewer in order to permit development of a single-family residential neighborhood. Our attorney, in consultation with the City Attorney, has determined that the Mayor and Council's approval is required pursuant to the Sewer System Agreement, between the Authority and Peachtree City, dated May 1, 1997. The Authority has given me assurance that sufficient capacity is available on its system.

Peachtree City previously extended its system to serve the Fayette County School System's Starrs Mill Complex, as well as The Chimneys subdivision. The subject tract adjoins the school property to the east and has a sewer line running parallel and within just a few feet of the common property boundary. It is our position that development of the subject tract on individual on-site septic systems is legally impossible, as well as environmentally unfeasible, since a public sewer system is accessible in close proximity to the property boundary. See Regs. St. of Ga., §290-5-26-.03. The Board of Education will grant necessary easements to connect onto the present system and the developer will bear all expense of the extension. In addition to the accessibility to public sewer, representatives of the Authority believe that with the additional flow, reoccurring problems with obnoxious odors at the lift station on the school's property will be ameliorated.

Conservation zoning has been approved for this parcel with 60 lots on 218 acres - a density of .275 units per acre. Only 87 acres will be developed for homes; the remaining 131 acres will be set aside for conservation purposes. The environmental value of this land is especially high because is comprises an area between and including Camp Creek and Whitewater Creek. This is an important drinking water watershed for Fayette County and its cities that will now be protected with 31 acres of green space. It should be noted that connection to sewer will not increase the density of the development. 60 lots are anticipated with or without sewer. However, the environmental benefit of utilizing sanitary sewer instead of 60 septic systems in this watershed is a compelling reason to allow the connection.

The preliminary plat for development of this property is currently pending before Fayette County. Timely action by the City in granting this approval is necessary to allow this project to move forward. I will be more than glad to meet with you to review our proposal and respond to any questions you or the Mayor and Council may have.

The City's prompt action on this request will be most appreciated.

Sincerely,

Scarbrough & Rolader Development, LLC

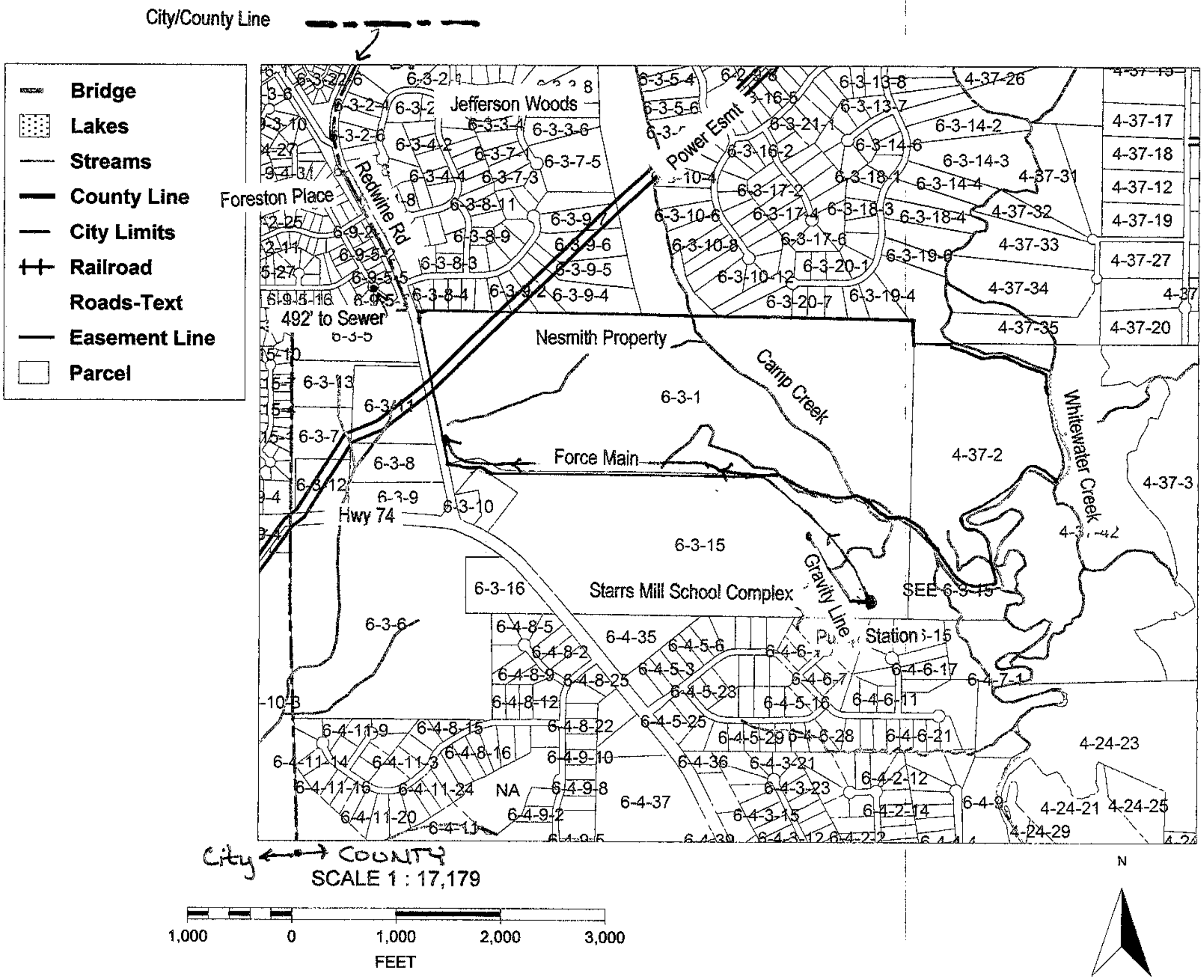
By:________________________
Robert F. Rolader

Cc: Theodore P. Meeker, III, Esq.
City Attorney

Nesmith Partnership, LP

Mr. Larry Turner
Peachtree City Water & Sewer Authority

Nesmith Property - Redwine Rd



http://www.fayettecountymaps.com/maps/mainmap.mwf

Wednesday, February 08, 2006 9:20 AM

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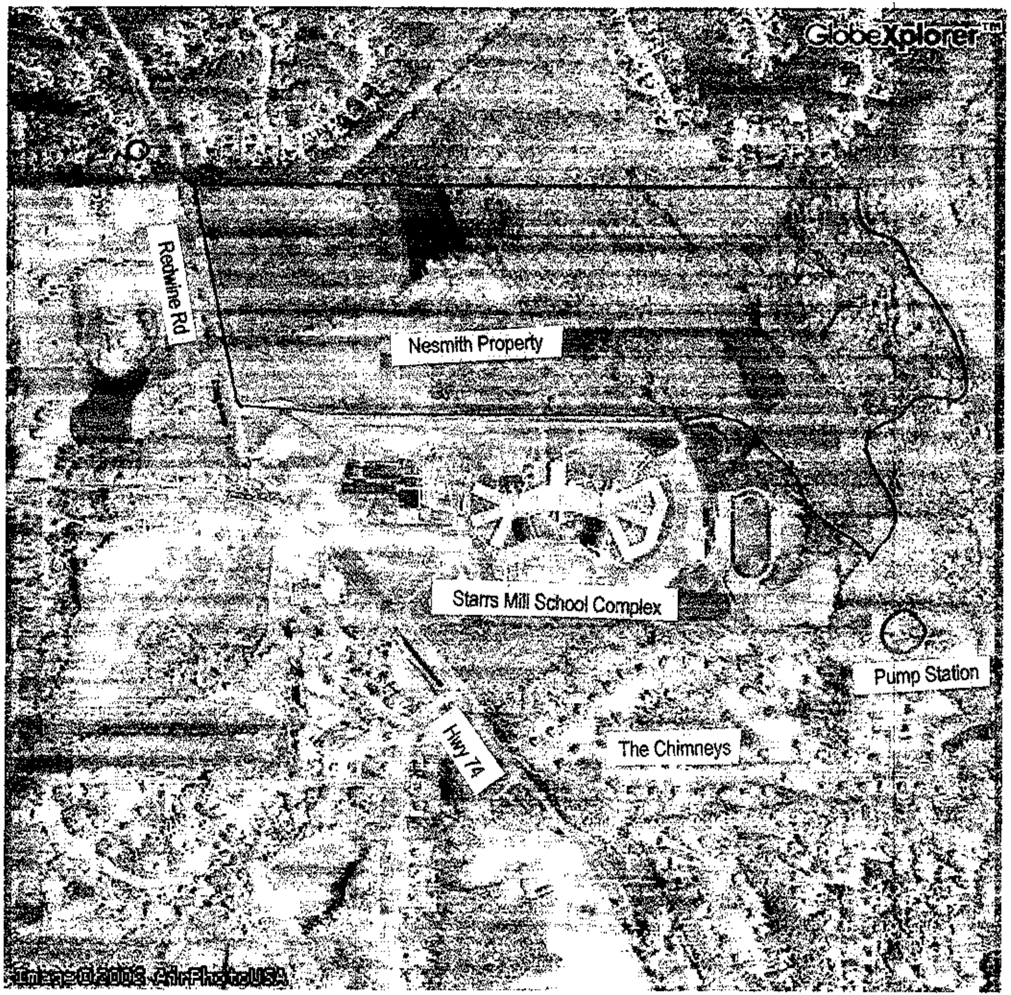

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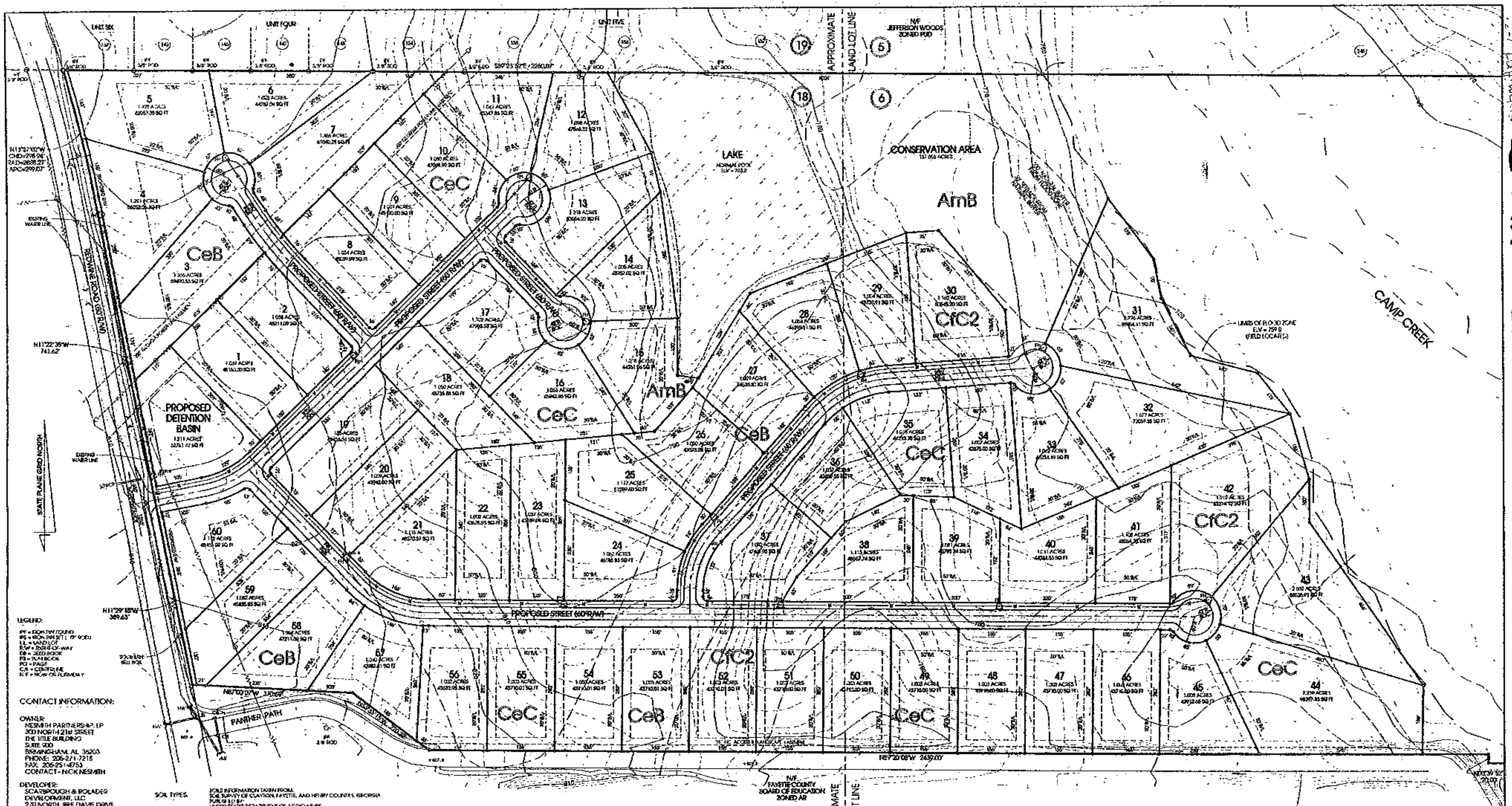
STARRS MILL PP submitted 1-2-



LEGEND:

IPF = IRON PIN FOUND
IPS = IRON PIN SET (1/2" ROD)
LL = LAND LOT
R/W = RIGHT-OF-WAY
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
C/L = CENTERLINE
N/F = NOW OR FORMERLY

CONTACT INFORMATION:

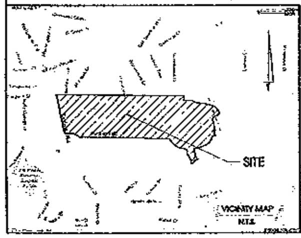
OWNER:
NESMITH PARTNERSHIP, LP
300 NORTH 21st STREET
THE TITLE BUILDING
SUITE 900
BIRMINGHAM, AL 35203
PHONE: 205-271-7218
FAX: 205-251-4753
CONTACT - NICK NESMITH

DEVELOPER:
SCARBROUGH & ROLADER
DEVELOPMENT, LLC
270 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
PHONE: 770-461-0478
CONTACTS - ROBERT ROLADER
& DONNA BLACK

SOIL TYPES

AmB - APPLING
CeB - CECIL
CeC - CECIL
CfC2 - CECIL

SOILS INFORMATION TAKEN FROM:
SOIL SURVEY OF CLAYTON, FAYETTE, AND HENRY COUNTIES, GEORGIA
PUBLISHED BY
UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
IN COOPERATION WITH
UNIVERSITY OF GEORGIA, COLLEGE OF AGRICULTURE
AGRICULTURAL EXPERIMENT STATIONS
ISSUED SEPTEMBER 1979



PROPERTY ZONED C-S CONDITIONAL

RESOLUTION NO. 1157-05
ON DECEMBER 15, 2005

CONDITIONS:

1. THE OWNER/DEVELOPER SHALL DEDICATE, AT NO COST TO FAYETTE COUNTY, TEN (10) FEET OF RIGHT-OF-WAY TO CREATE A TOTAL OF 50 FEET OF RIGHT-OF-WAY, AS MEASURED FROM THE CENTERLINE OF REDWINE ROAD.
2. NO LOT SHALL HAVE IMMEDIATE VEHICULAR ACCESS TO REDWINE ROAD.
3. NO PORTION OF PANTHER PATH SHALL BE ON ANY PROPOSED BUILDING LOTS.
4. NO LOT SHALL HAVE IMMEDIATE VEHICULAR ACCESS TO PANTHER PATH THROUGH A FIFTEEN (15) FOOT NO-ACCESS EASEMENT.
5. A VEGETATIVE SCREEN CONSISTING OF NON-DECIDUOUS (EVERGREEN) TREES BE WITHIN THE AFOREMENTIONED EASEMENT WITH THE OWNERSHIP AND AND MAINTENANCE RESPONSIBILITY (WITH NECESSARY ACCESS FOR MAINTENANCE) FOR THE TREES GIVEN TO THE HOMEOWNER'S ASSOCIATION. A LANDSCAPE PLAN MUST BE SUBMITTED TO THE ENGINEERING DEPARTMENT FOR APPROVAL PRIOR TO THE INSTALLATION OF THE TREES. SAID TREES MUST BE IN PLACE PRIOR TO THE APPROVAL OF THE FINAL PLAT UNLESS THE RECORDING OF THE FINAL PLAT COINCIDES WITH AN INAPPROPRIATE PLANTING SEASON. IN THIS CASE, A PERFORMANCE BOND WILL BE PROVIDED TO THE COUNTY FOR 110% OF THE VALUE OF THE INSTALLED TREES TO GUARANTEE THEIR INSTALLATION. THIS EASEMENT MUST BE APPROVED BY THE COUNTY ATTORNEY PRIOR TO THE APPROVAL OF THE FINAL PLAT.

APPROVAL OF THIS PRELIMINARY PLAT SHALL EXPIRE EIGHTEEN (18) MONTHS FROM THE DATE OF APPROVAL BY THE PLANNING COMMISSION UNLESS A FINAL PLAT FOR AT LEAST ONE (1) SECTION HAS BEEN APPROVED OR STREET BASE CONSTRUCTION ON AT LEAST ONE (1) SECTION HAS BEEN COMPLETED AND INSPECTED.

THIS PRELIMINARY PLAT HAS BEEN REVIEWED AND APPROVED BY THE PLANNING COMMISSION

ON ______________________

BY ______________________

COMPILATION BY STEREOPHOTOGRAMMETRIC METHODS
PREPARED BY JACK W. BERRY AND ASSOCIATES, INC.
PEACHTREE CITY, GEORGIA

DATE OF PHOTOGRAPHY: NOVEMBER 15, 2003
J-6034-01

BENCHMARKS

BM # 100 ELV = 757.00
BENCHMARK MONUMENT ON DOWNSTREAM EDGE, FAR LEFT SIDE LOOKING DOWNSTREAM, OF STATE ROUTE 74 BRIDGE OVER FLAT CREEK.

BM # 102 ELV = 773.51
BRASS DISK STAMPED #1 WHC IN NORTHEAST HEADWALL ON UPSTREAM SIDE OF REDWINE ROAD CULVERT AT SOUTH CAMP CREEK.

NATIONAL GEODETIC VERTICAL DATUM OF 1929

GENERAL NOTES:

1. TOTAL SITE AREA = 218 ± ACRES
   TOTAL NUMBER OF LOTS = 60
   R/W AREA = 8.341 ACRES
   NET AREA = 78.603 ACRES
   NET DENSITY = 0.763 UNITS PER ACRE
   CONSERVATION AREA = 131.056 ACRES
2. LENGTH OF PROPOSED STREETS = 5290'
3. PROPERTY ZONED = C-S (CONDITIONAL)
4. SETBACKS:
   FRONT = 100' (ARTERIAL) 50' (LOCAL)
   REAR = 50'
   SIDE = 20'
5. MINIMUM LOT AREA = 1.00 ACRE (43,560 SQ. FT.)
   MINIMUM HOUSE SIZE = 2100 SQ. FT.
6. MINIMUM LOT WIDTH @ BUILDING LINE = 125 FT. (MINOR)
   = 150 FT. (ARTERIAL)
7. STORMWATER DETENTION TO BE PROVIDED BY EXISTING LAKE AND PROPOSED DETENTION BASIN.
8. NO SIDEWALKS OR CART PATHS ARE PROPOSED.
9. WATER SERVICE TO BE PROVIDED BY THE FAYETTE COUNTY WATER SYSTEM.
10. THE DEVELOPER INTENDS TO DEVELOP THIS PROPERTY IN A SINGLE PHASE

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE DEPT. OF H.U.D. THROUGH THE FEDERAL INSURANCE ADMINISTRATION, IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS OUTSIDE THE FLOOD HAZARD AREA, EXCEPT AS SHOWN.

REFERENCE F.I.R.M. NUMBER 13113 C 0090 D
DATED 08/18/1996

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE IN 10,000± FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED TO CLOSE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000± FEET.

EQUIPMENT USED:
ANGULAR - TOPCON GTS 303
LINEAR - TOPCON GTS 303

GRAPHIC SCALE 1" = 100'
0 100 200 300

PRELIMINARY PLAT
OF

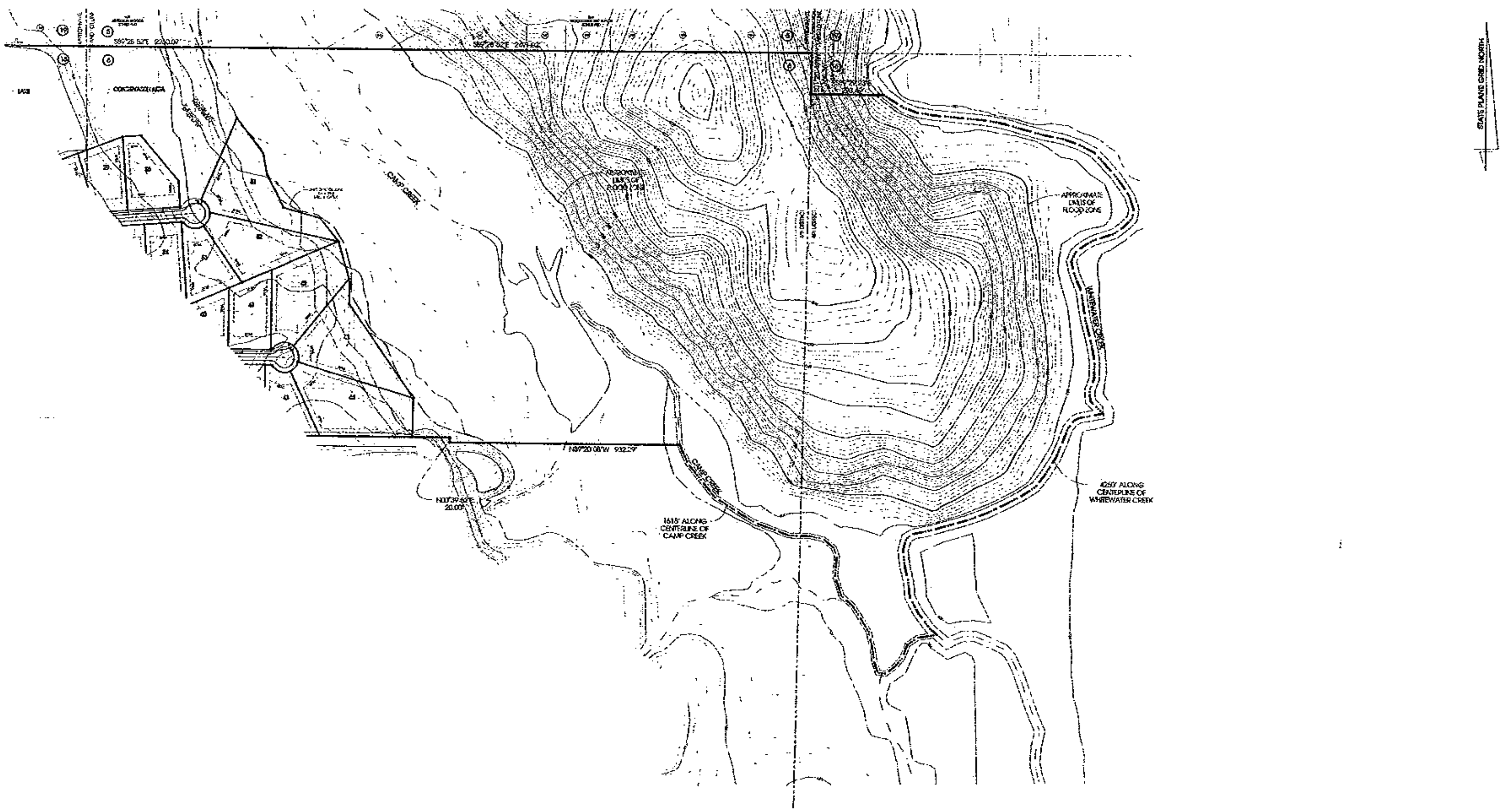
PROPOSED SUBDIVISION

LAND LOTS 6 & 18 - 6th DISTRICT & LAND LOT 161 - 4th DISTRICT - FAYETTE COUNTY, GEORGIA

GEORGIA R. M. BOYD

R. M. Boyd & Associates
Surveying & Engineering, Inc.
325 South Lee St.
Fayetteville, GA 30214
770-461-2417

PROJECT NUMBER	FIELD BOOK NUMBER	DRAWN BY	REVIEWED BY	ISSUE DATE	SHEET NUMBER
04304	229	DSB	RMB	01/31/06	1 of 2



LEGEND:

IPF = IRON PIN FOUND
IPS = IRON PIN SET (1/2" ROD)
LL = LAND LOT
R/W = RIGHT-OF-WAY
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
CL = CENTERLINE
N/F = NOW OR FORMERLY

CONTACT INFORMATION:

OWNER:
NESMITH PARTNERSHIP, LP
300 NORTH 21st STREET
THE TITLE BUILDING
SUITE 900
BIRMINGHAM, AL 35203
PHONE: 205-271-7218
FAX: 205-251-4753
CONTACT - NICK NESMITH

DEVELOPER:
SCARBROUGH & ROLADER
DEVELOPMENT, LLC.
270 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
PHONE: 770-461-0478
CONTACTS - ROBERT ROLADER
& DONNA BLACK

COMPILATION BY STEREOPHOTOGRAMMETRIC METHODS
PREPARED BY JACK W. BERRY AND ASSOCIATES INC.
PEACHTREE CITY, GEORGIA

DATE OF PHOTOGRAPHY: NOVEMBER 11, 2003
6004 01

BENCHMARKS

BM # 100, ELV = 757.00
BENCHMARK MONUMENT ON DOWNSTREAM EDGE,
FAR LEFT SIDE, LOOKING DOWNSTREAM, OF
STATE ROUTE 74 BRIDGE OVER FLAT CREEK

BM # 102, ELV = 775.51
BRASS DISK STAMPED 41 WHC IN NORTHEAST
HEADWALL ON UPSTREAM SIDE OF REDWINE ROAD
CULVERT AT SOUTH CAMP CREEK

NATIONAL GEODETIC VERTICAL DATUM OF 1929

GRAPHIC SCALE 1"=200'
0 200 400 600

PRELIMINARY PLAT
OF

PROPOSED SUBDIVISION

LAND LOTS 6 & 15 – 5th DISTRICT & LAND LOT 161 – 4th DISTRICT – FAYETTE COUNTY, GEORGIA

GEORGIA REGISTERED LAND SURVEYOR R. M. BOYD 2274

R. M. Boyd & Associates
Surveying & Engineering, Inc.
325 South Lee St.
Fayetteville, GA 30214
770-461-2417

PROJECT NUMBER	FIELD BOOK/PAGE	DRAWN BY	REVIEWED BY	ISSUE DATE	SHEET NUMBER
04004	229	DSB	RMB	07/31/06	2 of 2

{}ARTICLE VI

SPECIAL COVENANTS OF THE AUTHORITY

** 7 {}Section 6.1. **Operating Budgets**. The Authority shall prepare and furnish to the City an annual operating budget for each Fiscal Year at least 30 days prior to its adoption by the Authority.

** 8 {}{}Section 6.2. **Financial Statements**. The Authority will have an audit of the financial statements of the System performed at the end of each Fiscal Year and will cause such audit to be completed within one hundred eighty (180) days of the end of each Fiscal Year. The Authority will furnish the City with a copy of its audited financial statements promptly upon completion of the annual audit.

** 9 {}{}Section 6.3. **Financial Information**. If requested by the City, the Authority will furnish to the City unaudited monthly financial statements showing income and expenses of the System in reasonable detail.

** 10 {}{}Section 6.4. **Transfers to City**. The Authority shall, upon the written request of the City and if and to the extent there are available moneys on deposit in the Renewal and Extension Fund, transfer moneys on deposit in the Renewal and Extension Fund to the City; provided, however, the cumulative amount of such mandatory transfers described in this Section 6.4 shall at no time exceed the cumulative amount of Contract Payments then made hereunder plus interest thereon calculated at the rate of 12% per annum.

** 11 {}{}Section 6.5. **Capital Expenditures**. The Authority shall not pay any capital expenditures in any Fiscal Year unless the amount and purpose of such capital expenditures are set forth in a capital improvement plan or budget which has been approved by resolution of the Council of Peachtree City. The obligations of the Authority in this Section 6.5 shall terminate and be of no further force or effect commencing in Fiscal Year 2001.

** 12 {}{}Section 6.6. **Extension of System Outside Corporate Limits of City**. The Authority shall not extend the System or enter into any contract or commitment to extend the System outside the corporate limits of the City, unless such extension, contract, or commitment is approved by resolution of the Council of Peachtree City.

Peachtree City Water and Sewerage Authority

RECEIVED
FEB 9 2006
PEACHTREE CITY
CITY HALL

February 9, 2006

Mr. Bernard J. McMullen
City Manager
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

RE: SEWER SERVICE FOR NESMITH PROPERTY

Dear Mr. McMullin,

In reference to our previous conversations and the letter from Robert F. Rolader, the Authority is willing to provide sewer service to the Nesmith property. Capacity is available in the Starr's Mill pump station and in the Rockaway Wastewater Treatment Facility.

Mr. Rolader refers to a sewer line along the common property line and insinuates that it could be connect to. That particular line is a force main and cannot be connected to. In addition, all of the gravity sewers on the school property are private and were not built to public standards. Based on this the developers would have to obtain the necessary easements and construct a gravity sewer to the Starr's Mill pump station. All costs would be at the expense of the developer.

Sincerely,

Larry B. Turner, PE
General Manager

c: Mr. Robert L. Rolader

1127 Highway 74 South • Peachtree City, GA 30269 • Ph: (770) 487-7993 • Fax: (770) 631-5380

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM: **City Manager**

DATE: **February 9, 2006**

SUBJECT: **Letter to U.S. Senators regarding Telecommunications Legislation**
February 16, 2006, City Council Meeting

Recommendation:

That Council consider authorizing Mayor Logsdon to send the attached letter on behalf of the City.

Discussion:

Federal legislation has been proposed to assist local governments who provide cable television and telecommunications services, as well as the cable industry, to compete in the changing market of telecommunications. One of the side effects of the original proposal would eliminate local franchise agreements, such as the one Peachtree City currently has with Comcast, as we do with all utilities using public rights-of-way for the provision of their service.

The letter expresses concern about the legislation as originally proposed and the negative impact it could have on our citizens and all municipalities, and endorses recently introduced modifications that would address these concerns.

The Georgia Municipal Association, the National League of Cities, and the National Association of Counties, all of whom expressed similar concerns about the original legislation, have expressed support for the revisions.

Budget Impact:

The loss of franchise fees from our cable provider is an estimated $190,000 per year. An inability to regulate their use of our rights-of-way could have additional financial impact for necessary maintenance and repairs we would have to make.

OFFICE OF THE MAYOR
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

February 17, 2006

Via Fax to (202) 224-0103
and Via First Class Mail

Hon. Saxby Chambliss, Senator
United States Senate
120 Russell Senate Office Building
Washington, DC 20510

Via Fax to (202) 228-0724
and Via First Class Mail

Hon. Johnny Isakson, Senator
United States Senate
120 Russell Senate Office Building
Washington, DC 20510

Re: Broadband Investment and Consumer Choice Act

Dear Senators Chambliss and Isakson:

This letter is being sent to you to express our concern regarding S. 1504, the Broadband Investment and Consumer Choice Act (hereinafter "the Act"). We are particularly concerned about the impact that the Act would have on cities, including Peachtree City, Georgia.

At the time the Act was introduced into the United States Senate, the Act's sponsor, Senator John Ensign, provided several reasons for, or purposes of, the proposed legislation. In particular, Senator Ensign referenced "stifling government managed competition" and the need to change the existing laws pertaining to cable companies due to changes in technology. The Act, in its present form, will act as a form of corporate welfare to cable companies who have seen their markets shift due to the changing technologies. If in fact technology has passed cable companies by, they should not be subsidized at the expense of local taxpayers, such as residents of Peachtree City.

The concerns we have with the Act include the limitations placed on local governments to require franchise agreements for cable companies and to collect the franchise fees related to such agreements. As you know, utility operators and telephone companies, like cable companies, currently have franchise agreements with, and pay franchise fees to, local governments. Those agreements are in place, and the resulting franchise fees paid, for the privilege of using municipal rights-of-way and to ensure that said rights-of-way are maintained. The exception contained in the Act would afford cable companies an exception to such requirements, thereby giving them a benefit not enjoyed by other entities that utilize the rights-of-way to distribute their products and services.

The main issue is the ability of a city to manage its streets and rights-of-way, and to ensure that the public is compensated for the use of its rights-of-way. A cable franchise is essentially a lease and land management agreement. Cities allow for the private use of public land in exchange for compensation and service to the public. The Act would abrogate those local lease agreements leaving cities with no authority to manage the use of their rights-of-way. In other words, the Act would mandate that cable companies would be able to use government property with little or no charge. Whether it is public or private property rights, government should not interfere with or mandate the use of such property for little or no compensation for what amounts to a private gain.

The Act would significantly limit the amount of fees local governments could collect, as well as the local government's authority to enforce collections. This may impact the provision of critical governmental services, including police, fire, libraries, and public works due to revenue shortfalls and the allocation of assets to monitor the actions of cable companies using the rights-of-way with no supervision or regulation. To that end, the Act would abrogate local governments' authority to ensure that public safety is maintained. Citizens do not want more video services at the cost of potholes in their street or water main breaks.

The concerns raised in this letter have nothing to do with competition, or preventing competition in the cable marketplace. Options for such services only benefit the consumer. The Act, however, does not reach its stated goal of increasing competition, and that point is no more apparent that in the provisions of the Act pertaining to municipal cable companies.

The Act focuses on the ability of municipalities to provide cable services without certain costs associated with operating a traditional cable franchise. What the Act ignores, however, is that the municipality, as the cable operator, is using its own rights-of-way for distribution, rather than the rights-of-way of another. In those instances where rights-of-way of others (such as electric or phone companies), pole-sharing, or other similar agreements are made for co-location of lines. Another "perceived" benefit concerns the lack of taxes being charged. Tax exemptions for government property have long been utilized by governmental entities. Finally, the use of revenue bond financing or grants by municipal cable companies does not result in a benefit or competitive edge.

In terms of debt service, there is no apparent difference in the amount paid annually. In states like Georgia, cities cannot simply go to the bank to obtain a promissory note like a cable company could, thereby leaving bond financing as the only alternative.

In terms of municipal cable service, the cable companies are presenting the classic "have your cake and eat it too argument." If competition is truly the goal, stifling municipal cable companies will not lead to that goal being realized.

Peachtree City is not unsympathetic to the concerns of the cable industry. In the age of DirectTV and other wireless forms of communication and video transmittal, certain services are being provided which do not require the costs and regulations associated with franchise agreements. The key point, however, is that those other forms of communication or video transmittal are "wireless," thereby not occupying or using rights-of-way for distribution. The end result of the Act will be for cable companies to use government property (rights-of-way) for little or no charge, with little or no regulation or control by the local governments. Passage of the Act will be detrimental to the local taxpayers and consumers. Therefore, we respectfully request that you oppose the passage of S. 1054, the Broadband Investment and Consumer Choice Act.

Peachtree City fully supports the comments made by Senators Burns and Inouye on February 2, 2006. In particular, the comments by Senators Burns and Inouye offer the framework for franchise reform that reaffirms the central role of municipalities in the franchising of cable and video providers. That framework, while re-writing federal law to promote competitive video services, will also alleviate the concerns raised in this letter concerning the Act.

Thank you for your consideration.

Sincerely,

Harold K. Logsdon
Mayor

Cc: Hon. Lynn Westmoreland, Representative
U.S. House of Representatives

GEORGIA MUNICIPAL ASSOCIATION
Advocacy. Service. Innovation.

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Proposed Video Franchising Principles Protect Local Authority

posted February 8, 2006

On February 2, Senators Conrad Burns and Daniel Inouye issued a statement outli
a series of principles for drafting franchising legislation that features protection of
authority as its centerpiece. GMA, along with the National League of Cities (NLC),
National Association of Telecommunication Officers and Advisors (NATOA), Nation
Association of Counties (NACo), and other state and national organizations
representing local governments, have been working with members of Congress fo
over a year to insure that as the federal government considers legislative reforms
video franchising, local government authority over the public rights-of-way is not
compromised.

"GMA applauds the leadership of Senators Burns and Inouye in offering a framewo
for franchise reform that reaffirms the central role of municipalities in franchising
cable and video providers," said Jim Higdon, GMA Executive Director. "GMA and o
member cities will continue our partnership with members of Congress, NLC, and
local government organizations, to develop a process that retains local governmen
involvement in the franchising of cable and video providers while at the same time
promoting competition and a level playing field for all providers."

In last week's press release, Burns and Inouye, who serve on the U.S. Senate
Committee on Commerce, Science, and Transportation, listed six principles center
around three key core standards, including:

- Recognize and reaffirm the role of states and localities in the video franchisi process;
- Promote competition by facilitating speedy entry on fair terms; and
- Promote competitive neutrality and a level playing fields.

GMA has sent a letter to Senators Burns and Inouye thanking them for their ongoi
support of local government. While neither of Georgia's Senators serves on the
Commerce Committee, GMA and several of its member cities have communicated
Senators Chambliss and Isakson on this issue so that they will be aware of local
governments' concerns about this issue.

The GMA staff will update member cities on further developments as Congress
continues to debate the issue of video franchising reform throughout this year. Fo
questions about this issue, please contact Becky Taylor of the GMA staff at (678)
6276 or Lou Comer at (678) 686-6260.

Have a question? Please contact GMA.

NACo National Association of Counties **NEWS RELEASE**

440 First St., NW, Washington, D.C. 20001-2080
www.naco.org

FOR IMMEDIATE RELEASE
February 3, 2006

Contact: Tom Goodman -- 202-942-4222
tgoodman@naco.org

Counties praise Burns, Inouye for action on video franchising

Washington, D.C. – America's counties are praising U.S. Senators Conrad Burns (R-Mont.) and Daniel Inouye (D-Hawaii) for developing a set of principles for the future of video franchising that reflect the need for continued involvement of local governments and fair competition.

"These principles reflect many of the key ingredients we have been advocating during discussions with many members of Congress and their staff," said Bill Hansell, President of the National Association of Counties and Commissioner from Umatilla County, Ore. "While some in the video industry have suggested that local governments are an impediment to the deployment of new, exciting video services, nothing could be further from reality. Local governments are eager for wireline video competition."

Hansell noted in a letter to Senators Burns and Inouye that in a recent study, the Government Accountability Office found that cable companies cut their prices by 15 percent when faced with head-to-head competition. Bank of America also reported this month that where Verizon has entered the market, consumer prices have dropped at least 20 percent.

"These are very good things for our constituents," Hansell said. "We embrace competition and speedy deployment of broadband video services."

The six principles, which were issued February 2, are divided into three sections:

- Recognize and reaffirm the role of states and localities in the video franchising process;
- Promote competition by facilitating speedy entry on fair terms; and
- Promote competitive neutrality and a level playing field.

Senators Burns and Inouye said in a release that the principles are essential for any legislation the Senate Commerce, Science and Transportation Committee might consider on video franchising reform.

#

NACo is a full-service organization that provides legislative, research, technical and public affairs assistance to county governments. Created in 1935, NACo continues to ensure that the nation's 3,066 counties are heard and understood in the White House and Congress. www.naco.org

To strengthen
and promote
cities as centers
of opportunity,
leadership, and
governance.

**National League
of Cities**

1301 Pennsylvania Ave., N.W.
Washington, D.C. 20004-1763
202-626-3000
Fax: 202-626-3043
www.nlc.org

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Immediate Past President
Anthony A. Williams
Mayor
Washington, DC

Executive Director
Donald J. Borut

February 3, 2006

The Honorable Conrad Burns
U.S. Senate Committee on Commerce, Science and Transportation
508 Dirksen Office Building
Washington, DC 20510

The Honorable Daniel Inouye
Co-Chairman
U.S. Senate Committee on Commerce, Science and Transportation
508 Dirksen Office Building
Washington, DC 20510

Dear Senators Burns and Inouye:

I am writing on behalf of the 18,000 cities and towns represented by the National League of Cities to thank you for your February 2 statement affirming the central role of localities in cable and video franchising.

As you recognize, each community is unique, and local elected leaders are in the best position to ensure that each community's needs are met. We are gratified that you recognize the limited federal role in managing streets and sidewalks around the country.

Local government strongly endorses promoting competition for all consumers and treating like services alike. The elected leaders of our nation's cities and towns stand with you, ready and willing to welcome video competition in their communities and committed to treating all competitors fairly.

As your statement acknowledges, cities' management of the rights of way protects public safety. While citizens want better programming at lower prices, they do not want potholes, water main breaks, and traffic jams during rush hour as a consequence. Yet local government's ability to ensure that public safety is maintained would be severely jeopardized without authority over the physical rights of way established through the franchising process. I appreciate your willingness to put this important role at the forefront of your consideration of this issue.

Cities believe that the franchising process is open and quick for those companies that do not seek to abuse the process. However, this does not mean it cannot be streamlined if necessary to address particular issues.

The National League of Cities looks forward to working closely with you to develop legislation that meets our shared goals.

Very truly yours,

Jim Hunt

James C. Hunt
President
Councilmember, Clarksburg, West Virginia

Cc: Senate Commerce Committee
House Energy and Commerce Committee

Past Presidents: **Clarence E. Anthony**, Mayor, South Bay, Florida • **John DeStefano, Jr.**, Mayor, New Haven, Connecticut • **William H. Hudnut, III**, Mayor, Town of Chevy Chase, Maryland • **Sharpe James**, Mayor, Newark, New Jersey • **Brian J. O'Neill**, Councilman, Philadelphia, Pennsylvania ***Directors:*** **R. Michael Amyx**, Executive Director, Virginia Municipal League • **Tommy Baker**, Alderman, Osceola, Arkansas • **Vicki Barnett**, Mayor, Farmington Hills, Michigan • **Thomas Bradeweg**, Executive Director, Iowa League of Cities • **Nora Campos**, Councilmember, San Jose, California • **Thomas Carlson**, Mayor, Springfield, Missouri • **James Condos**, Council Chair, South Burlington, Vermont • **Joseph Donaldson**, Mayor, Flagstaff, Arizona • **Ted Ellis**, Mayor, Bluffton, Indiana • **Makia Epie**, Council Member, Cedar Hill, Texas • **Margaret Finlay**, Mayor, Duarte, California • **Eddy Ford**, Mayor, Farragut, Tennessee • **Danny George**, Executive Director, Oklahoma Municipal League, Inc. • **Gary Graham**, Mayor, O'Fallon, Illinois • **Matthew Greller**, Executive Director, Indiana Association of Cities and Towns • **Jim Higdon**, Executive Director, Georgia Municipal League • **Charles Hughes**, Council President, Gary, Indiana • **Steven Jeffrey**, Executive Director, Vermont League of Cities and Towns • **Martin Jones**, Council Member, Conyers, Georgia • **Ronald Loveridge**, Mayor, Riverside, California • **Cynthia Mangini**, Councilman-At-Large, Enfield, Connecticut • **Marcia Marcoux**, Councilmember, Rochester, Minnesota • **Michael McGlynn**, Mayor, Medford, Massachusetts • **James Mitchell, Jr.**, Council Member, Charlotte, North Carolina • **Darryl Moss**, Mayor, Creedmoor, North Carolina • **Ed Oakley**, Councilmember, Dallas, Texas • **James Perkins, Jr.**, Mayor, Selma, Alabama • **Richard Radcliffe**, Councilman, Greenacres, Florida • **Dottie Reeder**, Mayor, Seminole, Florida • **Julie Aberg Robison**, Council Member At-Large, Cary, North Carolina • **Ron Schmitt**, Council Member, Sparks, Nevada • **Shirley Scott**, Council Member, Tucson, Arizona • **Anne Sinclair**, Council Member, Columbia, South Carolina • **Walter Skowron**, Council Member, Loveland, Colorado • **Connie Sprynczynatyk**, Executive Director, North Dakota League of Cities • **Ken Strobeck**, Executive Director, League of Arizona Cities and Towns • **Charleta Tavares**, Council Member, Columbus, Ohio • **Lynne Whalen**, Council Woman, Casper, Wyoming • **Jacques Wigginton**, Council Member, Lexington, Kentucky • **Evelyn Woodson**, Councilor, Columbus, Georgia

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM: **City Manager** Bernard J McMullen

DATE: **February 8, 2006**

SUBJECT: **Resolution regarding Annexation Legislation**
February 16, 2006, City Council Meeting

Recommendation:

That Council consider the attached resolution.

Discussion:

Mayor Logsdon requested that this item be added to the agenda. Currently, the Georgia Legislature is considering legislation that would require a county's approval before property could be annexed into a municipality, although a process is already in place to address these situations. The concerns that Georgia Municipal Association has expressed about the proposed legislation are also attached.

Budget Impact:

This item has no budgetary impact.

CITY OF PEACHTREE CITY
STATE OF GEORGIA

RESOLUTION NO. ____________

A RESOLUTION TO EXPRESS SUPPORT OF ANNEXATION AS A PRIVATE PROPERTY RIGHT; TO EXPRESS OPPOSITION TO HOUSE BILL 962 AND HOUSE BILL 1101 IN DIRECT CONFLICT WITH THIS RIGHT; AND FOR OTHER PURPOSES.

WHEREAS, annexation is a property rights issue, allowing owners of property adjacent to existing municipal boundaries to petition to be included in a city for more responsive local government; and

WHEREAS, two years ago, significant changes were made to Georgia's annexation laws to provide a process to allow county officials to voice concerns over land use changes and service delivery issues as a result of annexations; and

WHEREAS, House Bill 962 and House Bill 1101, currently before the General Assembly, would severely restrict private property rights and empower county commissioners with veto authority over whether a person's private property can or cannot be annexed into a municipality; and

WHEREAS, the Georgia Municipal Association (GMA) and the Association of County Commissioners of Georgia (ACCG) have endorsed the creation of a "Council of Local Governments" comprised of the officers of the two associations to serve as a public policy bridge on issues upon which the two associations may disagree, such as annexation as a property right; and

WHEREAS, the issue of annexation as a private property right is better served by a thorough and deliberate discussion by city and county elected officials, rather than imposing a statewide mandate on localized situations.

THEREFORE, BE IT RESOLVED that the members of the Peachtree City Council do hereby urge the author of House Bill 962 and House Bill 1101 to withdraw said legislation and direct his concerns to the GMA-ACCG created Council of Local Governments; and

BE IT FURTHER RESOLVED that, should such a withdrawal not occur, members of the Peachtree City Council do hereby encourage and support the members of the General Assembly to oppose any legislation that restricts the rights of property owners seeking annexation into a municipality.

IT IS SO RESOLVED, this _____ day of February, 2006.

ATTEST:

______________________________	______________________________
Jane Miller, City Clerk	Harold Logsdon, Mayor
	______________________________
	______________________________
	______________________________
	______________________________

last updated on 1/31/2006

Talking Points

Annexation Bills

House Bills 962 and 1101 by Representative Doug Holt

GMA is **opposed** to the two pieces of legislation introduced by Representative Doug Holt of Social Circle. **HB 962** would prevent **any city** from annexing property without county approval if the county was providing or planned to provide services such as water, sewer, public safety or garbage either directly or through a contract to the area. The second bill – **HB 1101** – would require cities that have less that 10% of its area in a county from annexing property in that county without first seeking county approval. While this proposal impacts only two dozen cities, it could easily be amended during the session and sets a terrible precedent of denying property owners their right to petition for annexation.

- Two years ago significant changes in Georgia's annexation laws were agreed to by GMA and the Association County Commissioners of Georgia (ACCG).
- This legislation was the result of some two years of negotiation between GMA and ACCG and addressed the major concern raised by county commissioners and the staff of ACCG – provide more time before an annexation and rezoning would take place.
- The statute agreed to by ACCG provides an opportunity for county officials to object to annexations when a rezoning to higher use is also proposed or will be proposed within 12 months of the annexation and outlines a detailed process on how these objections can be addressed. If used to its conclusion, the process could take as long as 150 days.
- In the midst of these negotiations two years ago ACCG staff clearly stated that they thought county commissioner veto power over annexations was inappropriate.
- Now county officials, at the urging of ACCG staff, are passing resolutions urging the General Assembly to change the laws that they have not even given a chance to work.
- Annexation is a **property rights** issue. Property owners petition to come into a city for better services and a more responsive local government. This bill would **severely restrict** private property rights.
- As far as we can tell, Rep. Holt is taking a localized issue in his district, and with the encouragement of ACCG, proposing to address it through legislation that would have statewide impact.
- It is imperative that city officials contact their House members and let them know that these changes to Georgia's annexation laws would unravel the amendments agreed to two years ago by GMA and ACCG and **would restrict the property rights** of landowners to annex into a city.
- Encourage your House member(s) to contact Rep. Holt and ask him to remove these bills from consideration.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **Bernard McMullen, City Manager** Bernard McMullen
Colin Halterman, Assistant City Manager
Paul Salvatore, Financial Services Director P.S.
Janet Camburn, Assistant Financial Services Director
Angela Egan, Purchasing Agent

FROM: **Director of Leisure Services**

DATE: **February 8, 2006**

SUBJECT: **Consider Contract for New HVAC Units at Kedron**
February 16, 2006 City Council Meeting

Recommendation: Staff recommends awarding the contract to Powers Heating and Air for the purchase and installation of two 25-ton high efficiency, Trane 10.4 EER (energy efficiency rating) HVAC units at the Kedron Fieldhouse and Aquatic Center, to replace two older units that are no longer serviceable, for the bid price of $41,000. The units being replaced heat and cool the two gymnasiums in the fieldhouse.

Discussion: Bids were mailed to forty-three (43) Contractors. Eighteen (18) individuals attended the pre-bid meeting held Jan. 19 on site at the Kedron facility. City Facilities Manager David McDaniel has thoroughly researched the two low bidders. Powers Heating and Air meets all our specified requirements and they are low bidder.

Nine bids were received as follows:

Powers Heating and Air	$41,000.00
Shumate Mechanical	$45,536.00
Paul W. Heard	$47,500.00
Peachtree Service Experts	$48,760.00
ProAir Inc.	$49,692.00
Tinity Air	$49,900.00
R.L. Broughton	$51,796.23
Linc	$53,893.00
AirSource	$59,950.00

Budget Impact: $40,000 is budgeted for this item. The additional $1,000 should be absorbed by savings in other areas of the Kedron capital or operating budget.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager**
Assistant City Manager

FROM: **Financial Services Director** P.S.

DATE: **February 8, 2006**

SUBJECT: **FY 2006 Stormwater Utility Budget**

February 16, 2005 City Council Meeting

Recommendation:

Approve the proposed FY 2006 Stormwater Utility Fund budget and associated General Fund budget reallocations. Staff also recommends that Council approve the attached job descriptions for positions needed by the utility as well as the methodology proposed for handling the billing of customer accounts.

Discussion:

At the February 2, 2006 City Council meeting, Council approved the formation of a stormwater utility for Peachtree City. As a result, it is now necessary to establish a budget for the Stormwater Utility enterprise fund and to amend the General Fund budget to establish an appropriation for payment of the city's own stormwater utility bill. Attachment 1 to this memo provides details of the estimated revenue and proposed appropriations for the utility for FY 2006. Estimates for future years are also shown (through FY 2010) but actual budgets for the future years will be adopted as part of the normal budget process for those fiscal years. The budget includes a capital plan that totals $3.575M and will be funded by a proposed 20-year financing, most likely a revenue bond. The FY 2006 budget also includes two new positions needed to perform crucial functions for the utility- a Stormwater Manager and a Customer Service/Billing Assistance Clerk. Attachment 2 to this memo includes job descriptions for these positions. The FY 2006 Stormwater Utility budget, for which staff seeks approval, totals $1,458,224.

As you know, the City will also receive a bill from the utility based on the impact that our infrastructure has on stormwater runoff. At this time the city's invoice is estimated at $353K. <u>This invoice will not create an additional burden for Peachtree City taxpayers</u> since the City's

General Fund budget already includes appropriations for stormwater-related expenditures that total approximately this amount. Therefore, the City's invoice will be paid for through in-kind services already being provided by the General Fund. However, a General Fund budget reallocation is necessary to create an appropriation for payment of the invoice. This new appropriation will be completely offset by reductions of other appropriations for stormwater-related expenses, which will be charged off to the stormwater utility. The Stormwater Utility budget presented allows for this transfer of expenditures from the General Fund. The proposed General Fund reallocation is presented in Attachment 3 to this memo.

Lastly, staff has evaluated numerous ways to handle the invoicing for the utility, including the Fayette County Tax Commissioner and Water System offices, private third-party firms and City staff. The Tax Commissioner declined to provide a proposal, and to-date we have still not received a formal proposal from the Water System. All indications, however, were that they would not be able to meet our time-frame for implementation, but they also would not be able to provide any means for us to access our data remotely, which would be crucial for providing adequate customer service. In addition, our database is set up to bill the property owner, and theirs is set up to bill the resident. Therefore, they informed us that they would need to make thousands of manual adjustments in order to accommodate our database into their billing system. Also, they would only remit payments once per month, at the end of the month, and not forward any interest earned on the monthly deposits. Staff interviewed two private third-party firms that expressed interest and one of them subsequently declined to propose based on cost considerations. The other firm has only ever handled medical billing and did not provide adequate evidence that they could meet all our needs. It was finally determined that most efficient, effective and the ***only*** timely method for handling the billing would be to use in-house staff and software, and outsource certain functions. The Stormwater Utility Administration budget includes adequate funds to handle this billing method. Staff would also have full access to customer account information and therefore be able to provide quality customer service. The billing software would also be integrated with the City's financial software system, creating further efficiencies. We would also receive cash payments daily instead of at month-end, which will allow us to maximize interest earnings and have a better cash flow for meeting obligations of the utility. The only tasks that staff is currently considering for outsourcing are the printing, folding, stuffing and mailing of the utility bills. Staff is evaluating several vendors that perform these functions, including the state contract vendor.

<u>Budgetary Impact:</u>

See attached Stormwater Utility Fund budget and General Fund reallocations.

Attachment 1

Peachtree City Stormwater Management Program
Proposed Budget
FY 2006

ESTIMATED REVENUE			YEAR 1 (FY 06) Mar 06 - Sep 06	YEAR 2 (FY 07) Oct 06 - Sep 07	YEAR 3 (FY 08) Oct 07 - Sep 08	YEAR 4 (FY 09) Oct 08 - Sep 09	YEAR 5 (FY 10) Oct 09 - Sep 10
Description	**Estimated ERU's ***	**Monthly Rate**	**Annual Revenue**				
Single Family Residential Charges (1)							
SFR Tier I (3,371 ERU's @ $2.69)	3,371	2.69	$54,327	$110,814	$112,973	$115,133	$117,292
SFR Tier II (4861 ERU's @ $3.95)	4,861	3.95	$115,206	$233,587	$236,763	$239,939	$243,115
SFR Tier III (2,387 ERU's @ $6.00)	2,387	6.00	$85,989	$171,979	$171,979	$171,979	$171,979
SFR Private Streets (175 ERU's @ $3.95)	175	3.95	$4,148	$8,295	$8,295	$8,295	$8,295
Total Single Family Residential:			**$259,670**	**$524,674**	**$530,010**	**$535,345**	**$540,680**
Non-Single Family Residential (2)							
Commercial/Industrial, etc. (8,797 ERU's @ $3.95)	8,797	3.95	**$208,489**	**$423,232**	**$429,581**	**$436,025**	**$442,565**
Peachtree City Streets & Multi-Use Paths	6,434	3.95	**$152,486**	**$304,972**	**$304,972**	**$304,972**	**$304,972**
Attached Residential (2)							
AR Tier I	114	1.85	$1,264	$2,529	$2,529	$2,529	$2,529
AR Tier II	334	3.95	$7,916	$15,832	$15,832	$15,832	$15,832
Total Attached Industrial:			**$9,180**	**$18,360**	**$18,360**	**$18,360**	**$18,360**
Total Revenue from Customer Accounts Billed:			**$629,824**	**$1,271,239**	**$1,282,923**	**$1,294,702**	**$1,288,217**
Debt Proceeds *							
Bond Proceeds for CIP Projects			$250,000	$887,500	$812,500	$812,500	$812,500
Equipment Loan Proceeds			$650,000	$0	$0	$0	$0
Total Debt Proceeds:			**$900,000**	**$887,500**	**$812,500**	**$812,500**	**$812,500**
Investment Income							
Bond Principal Short-Term Investment Interest			**$0**	**$120,000**	**$80,000**	**$50,000**	**$30,000**
Collections							
One-half of previous year's delinquent accounts				**$23,867**	**$48,313**	**$48,898**	**$49,487**
Revenue Reductions							
Delinquencies (10% on Non-City accounts)			($47,734)	($96,627)	($97,795)	($98,973)	($100,161)
Credits (5% on SFR accounts)			($23,867)	($48,313)	($48,898)	($49,487)	($50,080)
			($71,601)	**($144,940)**	**($146,693)**	**($148,460)**	**($150,241)**
Total Estimated Revenue:			**$1,458,224**	**$2,157,666**	**$2,077,043**	**$2,057,640**	**$2,048,323**

Attachment 1

Peachtree City Stormwater Management Program
Proposed Budget
FY 2006

APPROPRIATIONS			YEAR 1 (FY 06) Mar 06 - Sep 06	YEAR 2 (FY 07) Oct 06 - Sep 07	YEAR 3 (FY 08) Oct 07 - Sep 08	YEAR 4 (FY 09) Oct 08 - Sep 09	YEAR 5 (FY 10) Oct 09 - Sep 10
ENTERPRISE FUND ADMINISTRATION @10%							
Personnel / Overhead	**Salary**	**Benefits**					
Billing Assistance Clerk (1 FTE)	$31,200	1.35	$21,060	$44,542	$47,103	$49,811	$52,676
Temporary Labor for Phone Bank			$5,480				
Operations		**Detail**					
General Administration / Overhead			$36,442	$82,582	$81,189	$79,659	$77,982
One-Time set up for Phone Bank/Software Costs		$21,442					
Charges for Services - Bill Printing & Mailing		$12,000					
Computer, Phone, Supplies for new position		$3,000					
Total Administration:			***$62,982***	***$127,124***	***$128,292***	***$129,470***	***$130,658***
ENGINEERING							
Personnel / Overhead	**Salary**	**Benefits**					
City Engineer (0.25 FTE)	$65,000	1.35	$10,969	$23,199	$24,533	$25,943	$27,435
Stormwater Program Coordinator (1 FTE)	$50,000	1.35	$33,750	$71,381	$75,486	$79,826	$84,416
Programmatic Regulatory Compliance							
Stormwater Technician (1 FTE)	$35,000	1.35	$23,625	$49,967	$52,840	$55,878	$59,091
Stormwater Technician (1 FTE)	$35,000	1.35		$49,967	$52,840	$55,878	$59,091
Outsourced Regulatory Compliance				$15,000	$15,450	$15,914	$16,391
Water Quality Monitoring			$15,000	$15,450	$30,900	$31,827	$32,782
Total Engineering:			***$83,344***	***$224,964***	***$252,048***	***$265,267***	***$279,207***
OPERATIONS & MAINTENANCE							
Personnel / Overhead	**Salary**	**Benefits**					
Drainage Maintenance Crew (3-man Crew)	$110,000	1.35	$74,250	$157,039	$166,068	$175,617	$185,715
Drainage Maintenance Crew (3-man Crew)	$110,000	1.35		$157,039	$166,068	$175,617	$185,715
Operations							
Crew Operations, Materials, Admin / Overhead			$66,000	$135,960	$140,039	$144,240	$148,567
Total Operations & Maintenance:			***$140,250***	***$450,038***	***$472,176***	***$495,475***	***$519,998***
CAPITAL OUTLAY / CIP							
Capital Outlay *							
Capital Improvement Projects	**Bond =**	$3,575,000	$250,000	$887,500	$812,500	$812,500	$812,500
Capital Equipment Purchases (see schedule below)			$650,000				
Total Capital Outlay:			***$900,000***	***$887,500***	***$812,500***	***$812,500***	***$812,500***

Peachtree City Stormwater Management Program
Proposed Budget
FY 2006

Debt Service *							
Programmed CIP ($3.575 Million - Bond Debt Service)	**Budget =**	$285,000		$285,000	$285,000	$285,000	$285,000
Equipment Purchase ($650,000 Loan Debt Service)	**Budget =**	$110,000		$110,000	$110,000	$110,000	$110,000
Total Debt Service:			***$0***	***$395,000***	***$395,000***	***$395,000***	***$395,000***
TOTAL APPROPRIATIONS:			**$1,186,576**	**$2,084,625**	**$2,060,016**	**$2,097,712**	**$2,137,362**
Reserve for UnfundedProjects:			***$271,647***	***$73,040***	***$17,027***	***-$40,072***	***-$89,039***
Total Funds Available:			**$1,458,224**	**$2,157,666**	**$2,077,043**	**$2,057,640**	**$2,048,323**

Personnel Inflation Rate =	5.75%
Inflation Rate =	3.00%

* **Staff proposes to pay for FY 2006 capital expenditures from General Fund cash reserves, and then reimburse the G/F when bond/loan proceeds are received in FY 2007.**

Estimated Year-End Fund Balances:	**$271,647**	**$344,688**	**$361,715**	**$321,643**	**$232,604**

1. **These accounts are billed only once per year**
2. **These accounts are billed monthly.**
3. **This column shows the FY 2006 ERU estimates. Future years estimates for NSFR accounts are based upon an inflation rate of 1.5% per year.**

Capital Equipment Schedule	
Street Sweeper	$210,000
Vacuum Truck	$300,000
Track Hoe	$85,000
Back Hoe	$55,000
Total:	**$650,000**

Attachment 2

STORMWATER MANAGER
JOB DESCRIPTION

Job Code: 372

Position: Stormwater Manager
Division: Developmental Services
Reports to: City Engineer
Overview: This position provides project management and technical support for capital stormwater projects and manages the stormwater utility and overall stormwater management program.

FACTOR 1: Education & Directly Applicable Experience

Two years of college or Associate's Degree and over ten years directly related experience or
A Bachelor's Degree and six to ten years directly related experience or
A Master's Degree and two to five years directly related experience.
Professional Engineer's Certification.
2 – 3 years of relevant stormwater management experience/

FACTOR 2: Supervisory Controls

The work is performed under general direction of the City Engineer II; the supervisor identifies the overall objectives and resources available. The employee and supervisor, in consultation, develop the deadlines, processes and work to be done.

The employee is responsible for planning and carrying out assignments, resolving most of the conflicts that arise, coordinating the work with others as necessary, and interpreting policy in terms of established objectives.

FACTOR 3: Supervision Given

This position supervises the following positions:
Stormwater Technicians
Stormwater Maintenance Crews

FACTOR 4: Guidelines

Guidelines are available, but are not completely applicable to the work or have gaps in their specificity. The employee uses judgment in interpreting and adapting guidelines such as organizational policies, regulations, precedents, and directions for application to specific cases or problems. The employee analyzes results and recommends changes.

FACTOR 5: Complexity

The work includes varied duties requiring many different and unrelated processes and methods applied to a broad range of activities or substantial depth of analysis. Decisions deal with major areas of uncertainty in approach, methodology or interpretation and evaluation processes resulting from such elements as continuing changes in program, technological developments or conflicting requirements. The work requires originating new techniques, establishing criteria or developing new information.

FACTOR 6: Scope and Effect

The work product or service affects the work of other experts, the development of major aspects of programs or missions, or the well-being of substantial numbers of people.

FACTOR 7: Personal Contacts

The majority of personal contacts are with individuals or groups from outside the organization in a moderately unstructured setting or involve attempts to enforce ordinances, regulations, or rules where conflict or diverse interpretations may result.

FACTOR 8: Purpose of Contacts

The purpose is to influence, motivate, interrogate, or control persons or groups. The persons contacted may be fearful, skeptical, uncooperative or dangerous.

FACTOR 9: Physical Demands

The work requires some physical exertion such as long periods of standing; walking over rough or difficult surfaces; recurring stooping, climbing or walking; recurring lifting of moderately heavy items weighing less than 25 pounds and may require occasional lifting of objects weighing in excess of 25 pounds. The work may require specific, but common physical characteristics and abilities such as mobility and dexterity.

FACTOR 10: Work Environment

The work involves moderate risks or discomforts which require special safety precautions. The employee may be required to use protective clothing or equipment such as masks, coats, boots, goggles, gloves, or shield.

PAY GRADE: 84
FLSA STATUS: EXEMPT-PROFESSIONAL

STORMWATER MANAGER – ESSENTIAL DUTIES

- **Provides project management for stormwater capital projects from concept to completion.**
- **Supports internal engineering endeavors.**
- **Responds to drainage complaints, recommends solutions and coordinates the implementation.**
- **Reviews development plans for compliance with Stormwater Management Ordinances.**
- **Provides internal drafting, estimating and budgeting support.**
- **Prepares annual stormwater budget.**
- **Responds to utility bill issues and credit applications and coordinates with Finance Department.**
- **Manages stormwater utility database and coordinates with Finance, I.T. and Building Department to ensure up-to-date database.**
- **Manages City's Stormwater Management Program and Utility.**
- **Manages and coordinates the implementation of the City's NPDES Notice of Intent.**
- **Coordinates stormwater maintenance crew activities.**
- **Updates City's Phase II Municipal Separate Storm Sewer System (MS4) Annual Report**
- **Develops capital project priorities under direction of City Engineer.**
- **Other duties, as required.**
- **Created 02/09/06.**

ACCOUNTING SPECIALIST - STORMWATER
JOB DESCRIPTION

Job Code: 231

Position: Accounting Specialist - Stormwater
Division: Financial Services
Reports to: Assistant Finance Director
Overview: This position maintains accounting and billing records for the City's stormwater utility, reconciles customer accounts and performs customer service and clerical support for the utility.

FACTOR 1: Education & Directly Applicable Experience

High School diploma and seven to ten years directly related experience
or
Two years of college or Associate's Degree in Accounting or related field and at least five years directly related experience
or
A Bachelor's Degree in Accounting or related field and at least two years directly related experience.

FACTOR 2: Supervisory Controls

The work is performed under general supervision; the supervisor provides continuing or individual assignments by indicating generally what is to be done, limitations, quality and quantity expected, deadlines, and priority of assignments. The supervisor provides additional, specific instructions for new, difficult or unusual assignments including suggested work methods or advice on source material available.

The employee uses initiative in carrying out recurring assignments independently but refers deviations, problems and unfamiliar situations not covered by instructions to the supervisor for clarification and direction.

FACTOR 3: Supervision Given

This position does not supervise any other positions.

FACTOR 4: Guidelines

Procedures for doing the work have been established and a number of specific guidelines are available. The employee uses judgment in locating and selecting the most appropriate guidelines, references and procedures for application and may make minor deviations to adapt the guidelines in specific cases or determine which of several established alternatives to use.

FACTOR 5: Complexity

The work typically includes varied duties requiring many different and unrelated processes and methods. Decisions involve the assessment of unusual circumstances, variations in approach, and incomplete or conflicting data.

The work requires many decisions concerning such things as the interpretation of large amounts of data, planning of the work, or refining the methods and techniques to be used.

FACTOR 6: Scope and Effect

The work product or service affects the work of other experts, the development of major aspects of programs or missions, or the well-being of substantial numbers of people.

FACTOR 7: Personal Contacts

The majority of personal contacts are with individuals or groups from outside the organization in a moderately unstructured setting or involve attempts to enforce ordinances, regulations, or rules where conflict or diverse interpretations may result.

FACTOR 8: Purpose of Contacts

The purpose is to plan, coordinate, or advise on work efforts or to resolve operating problems by influencing or motivating individuals or groups who are working toward mutual goals and who have basically cooperative attitudes.

FACTOR 9: Physical Demands

The work is mainly sedentary but may require some walking, standing, stooping, carrying of light items such as papers, books, or small parts, or driving an automobile. No special physical demands are required to perform the work.

FACTOR 10: Work Environment

The work environment involves everyday risks or discomforts which require normal safety precautions. Use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals are minimally required.

PAY GRADE: 74

FLSA STATUS: NON-EXEMPT

ACCOUNTING SPECIALIST – STORMWATER — ESSENTIAL DUTIES

- **Manages utility billing files for annual stormwater residential billing and monthly non-residential billing.**
- **Coordinates printing, stuffing, and mailing of all utility billings and supplemental mailings, including reminder notices and other correspondence with customers.**
- **Maintains all updates and changes in the utility billing software, including but not limited to:**
    - **Coordinating with other City departments as additions are required;**
    - **Tracking stormwater credits after they are approved;**
    - **Adding/Removing/Changing billing information for stormwater customers;**
    - **Verifying postal addressing (ZIP+ 4) via USPS.**
- **Coordinates and collects billings from post office box at Post Office and strong box at City Hall for receipts.**
- **Posts all receipts on a daily basis into billing software and balance daily cash collections.**
- **Prepares daily deposit slip for Finance Department.**
- **Maintains the subsidiary accounts receivable ledger in utility billing system and reconciles to the general ledger in financial software at a minimum on a monthly basis.**
- **Coordinates collection of past due accounts initially through the mailing of a reminder notices and eventually through a collection agency and/or Municipal Court.**
- **Handles all phone calls directly related to the billing and payment process.**

- **Handles all incoming customer calls for service to route to appropriate departments for resolution.**

- **Manage the accounting aspects of all utility business, including:**
    - **Management of the purchase orders.**
    - **Review of all invoices.**
    - **Maintain spreadsheets managing the accounts payable and retainage payable with reconciliation to vendor invoices.**
    - **Maintain the project accounting files and tie to these files to the general ledger on a monthly basis.**

- **Assist the Financial Services Director and Assistant Finance Director with:**
    - **The annual budget process for the Stormwater Utility.**
    - **Interim budget amendments as necessary.**
    - **The annual audit of the Stormwater Utility, including preparation of all adjusting entries (accrual basis) and all workpapers required.**
    - **Preparation of information for bond issues.**

- **Provide clerical assistance for Stormwater Manager. Manage and create appropriate filing systems, Assist staff with correspondence with customers and vendors.**

- **Other duties as assigned.**

- **Created 02/09/06.**

Attachment 3

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER ____________

DATE February 16, 2006

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-4250-53-1290	Stormwater (utility charges)	176,712	
100-4250-52-1300	Technical Services (water quality monitoring)		15,000
100-1575-51-Various	Personnel Services (Engineering)		22,781
100-4100-51-Various	Personnel Services (Public Works)		74,250
100-7210-51-Various	Personnel Services (Buildings)		11,813
100-4100-Various	Materials & Supplies/Drainage (Public Works)		52,868
	TOTAL	$ 176,712	$ 176,712

To amend the fiscal year 2006 General Fund budget to cover the City's six-month cost for stormwater charges and decrease budgeted expenditures in the Engineering, Public Works, and Buildings Departments that will be charged to the newly created Stormwater Utility Fund effective April 1, 2006. The amendment also decreases budget for water quality monitoring that also will be charged to the Stormwater Utility Fund effective April 1, 2006.

ENTERED ____________

APPROVED ____________