



CITY OF JONESBORO
Work Session
170 SOUTH MAIN STREET
October 1, 2018 – 6:00 PM

NOTE: As set forth in the Americans with Disabilities Act of 1990, the City of Jonesboro will assist citizens with special needs given proper notice to participate in any open meetings of the City of Jonesboro. Please contact the City Clerk's Office via telephone (770-478-3800) or email at rclark@jonesboroqa.com should you need assistance.

Agenda

- I. CALL TO ORDER - MAYOR JOY B. DAY**
- II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**
- III. INVOCATION**
- IV. ADOPTION OF AGENDA**
 1. Discussion regarding appointment of Tammy Stanley to the Jonesboro Housing Authority.
 2. Discussion regarding Subrecipient Agreement (B-18-UC-13-0005) for use of Community Development Block Grant Funds between Clayton County & the City of Jonesboro for Public Infrastructure Improvements at the Broad Street Plaza & to authorize the Mayor to execute the agreement in the amount of \$664,458.67.
 3. Discussion regarding approval of a text amendment to Chapter 74 – Traffic and Vehicles of the City of Jonesboro Code of Ordinances; to amend Article VI of Chapter 74, in order to expand and clarify certain standards and processes for motorized cart usage within the City limits; to provide for codification; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and for other purposes allowed by law.
 4. Discussion regarding approval of a text amendment to Chapter 18 – Businesses of the City of Jonesboro Code of Ordinances; to introduce a new Article XIII to Chapter 18, in order to provide for standards and restrictions for short-term rental lodging; to provide for codification; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and for other purposes allowed by law.
 5. Discussion regarding the adoption of the Official Zoning Map, as required by Section 86-74 of the Jonesboro Code of Ordinances.
- V. WORK SESSION**

VI. OTHER BUSINESS

A. Executive Session for the purpose of discussing real estate.

VII. ADJOURNMENT



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

4.2

NEW BUSINESS – 2

COUNCIL MEETING DATE

October 1, 2018

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion regarding Subrecipient Agreement (B-18-UC-13-0005) for use of Community Development Block Grant Funds between Clayton County & the City of Jonesboro for Public Infrastructure Improvements at the Broad Street Plaza & to authorize the Mayor to execute the agreement in the amount of \$664,458.67.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes **Economic Development**

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Earlier this year, Council approved an application be submitted for the Broad Street Streetscape Project.

Principal Tasks/Program Delivery

As part of an overall effort to revitalize the Jonesboro downtown district, the Broad Street project is intended to service the needs of those low to moderate income residents living nearby providing them accessibility to public amenities, improved walkability & opportunities for food and leisure activity. The principal task being undertaken by the subrecipient includes the addition of sidewalks, paseos, and streetscaping along Broad Street (i.e. lighting, landscaping, parallel parking, restriping). In addition to the sidewalk/streetscape infrastructure project, curbing and catch basins will also be added to prevent flooding from the Main Street area. Lastly, the final task will be the construction of a City Green (hardscape/landscape/lighting improvements) with restrooms. The vision for the green is to reinforce downtown Jonesboro with the addition of a purposeful outdoor civic space that will serve as an “in-town” destination” for those low to moderate income residents to enjoy. All the construction activities will be managed by 4PM a local firm dedicated to ensuring that the project remains within budget and is administered accordingly within the aforementioned scope.

We have been informed that we in fact have been granted \$664,458.67 to be utilized for Public Infrastructure Improvements at the Broad Street Plaza. To effectuate the agreement, staff is requesting that Mayor & Council officially ratify action to approve the Subrecipient Agreement for use of Community Development Block Grant Funds between Clayton County and the City of Jonesboro.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- CDBG Application 2018 - BROAD STREET (JONESBORO)

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 1, 2018

Signature

City Clerk's Office

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval



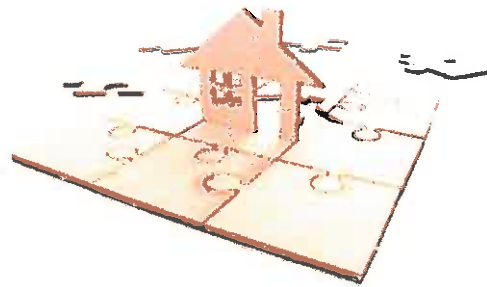
Clayton County Community Development
HUD Programs Division
2018 Consolidated Application



Clayton County Community Development HUD Programs Division

2018 CONSOLIDATED APPLICATION

**Community Development Block Grant (CDBG)
Emergency Solutions Grant (ESG)
HOME Investment Partnership (HOME)**



**Community Development Department
Patrick Ejike, Director**

**Application Deadline:
December 15, 2017 at 4:00 P.M.**



Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



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APPLICANT INFORMATION

APPLICANT NAME: City of Jonesboro	
ADDRESS OF ORGANIZATION: 124 North Avenue	CITY/STATE/ZIP Jonesboro, Georgia 30236
PROJECT ADMINSTRATOR: Joy B. Day	TITLE: Mayor
TELEPHONE NUMBER: (770) 478-3800	EMAIL ADDRESS: jday@jonesboroga.com
<u>DUNS NUMBER:</u> 026591794	FEDERAL TAX ID: 586000600
DATE OF INCORPORATION: 1859	NUMBER OF PAID STAFF: FULL-TIME 48 PART-TIME 1

PROJECT INFORMATION

APPLYING FOR? <input checked="" type="checkbox"/> CDBG <input type="checkbox"/> ESG <input type="checkbox"/> HOME		IS THE PROJECT A PART OF A COUNTY SPONSORED INITIATIVE? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
PROJECT TITLE: Broad Street Plaza	START DATE: 12/2017	END DATE: 02/2018	HOURS OF OPERATION (FOR PUBLIC SERVICE APPLICANTS): 8:00 a.m.-5:00 p.m.	
PROJECT LOCATION: (Include a physical address or street boundaries, if applicable). Broad Street Plaza will be located behind 103 West Mill Street, (Firehouse Museum), between West Mill Street and Church Street in downtown Jonesboro, Georgia				
Is the project NEW <input checked="" type="checkbox"/> or EXISTING <input type="checkbox"/> ? (New is defined as a project that has not previously received funding)		If existing, has the project received funding from the HUD Programs Division previously? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
IF YES, PLEASE LIST FUNDING PREVIOUSLY AWARDED FROM HUD.				
YEAR AWARDED	HUD SOURCE	AMOUNT AWARDED	ACTIVITY FUNDED	REMAINING BALANCE
2017	CDBG	165,000	Demolition	165,000
Organization <u>Commission District</u> 4	Project <u>Commission District</u> 4	Project <u>Census Tract</u> (Mark N/A if Countywide) 406.121	Project <u>Congressional District</u> 13	

Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



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FUNDING REQUESTED FROM HUD: 680,000	TOTAL PROJECT BUDGET: \$ 2.5 M
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PROJECT ELIGIBILITY

A project must qualify as an eligible activity. Check the category that best applies to your project.

- ☒ **Public Facility Improvements**
Upgrades to community centers, parks and recreational facilities, centers for special populations, street and/or sidewalk upgrades, flood and drainage improvements, specialized public safety equipment, etc.
- ☐ **Development**
Affordable Housing, land acquisition and disposition, relocation assistance
- ☐ **Rehabilitation and Preservation**
Rehabilitation of homes, public housing modernization, code enforcement, historic preservation and the removal of architectural barriers
- ☐ **Economic Development**
Commercial and industrial facilities development, commercial and industrial property improvements, job retention, job creation, and micro lending
- ☐ **Public Services**
Employment services, crime prevention, emergency solutions and shelter, child care, health, drug abuse, education, recreation, senior services, youth programs, etc.
- ☐ **Slum and Blight Clearance**
The removal of blight through the demolition of vacant properties and disposal of hazardous materials.
- ☐ **Other (Please Specify) _____**

PROJECT BENEFIT

Eligible projects must meet a National Objective of the US Department of Housing and Urban Development. From the categories below, check one category under which the project qualifies.

A. Benefit to Low/Moderate-Income Persons

- ☒ **AREA BENEFIT** serving a predominately low-income communities
- ☐ **LIMITED CLIENTELE** including seniors, disabled, veterans, homeless, etc.
- ☐ **PUBLIC SERVICES** to low/moderate-income individuals or households
- ☐ **AFFORDABLE HOUSING** for low/moderate-income persons
- ☐ **JOBS** to low/moderate-income persons

B. Prevention or Elimination of Slums and Blight

- ☐ Spot Basis ☒ Area Basis



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COUNTY GOALS AND OBJECTIVES

Clayton County has established the following goals and objectives, which fulfill areas identify under HUD's National Objectives. Select ONE category below, in which the project qualifies.

- ☐ **Decent Housing (DH)**
To ensure the provision of decent, safe and sanitary housing options for low- and moderate-income households (e.g. senior home repair programs).
- ☐ **Affordable Housing (AH)**
Increase access to affordable housing for low- and moderate-income households (e.g. affordable housing rehabilitation or development, tenant-based rental assistance, or down payment assistance).
- ☒ **Suitable Living Environment (SL)**
To improve the safety and livability of neighborhoods for low- and moderate-income persons (e.g. sidewalk, community center or park).
- ☐ **Community Development (CD)**
To acquire, construct, or rehabilitate public facilities, provide equipment purchased for public service activities, or provide overall program administration and management, resulting in improvements in the social, economic, and physical environment for low and moderate-income individuals.
- ☐ **Homeless Prevention (HP)**
Increase shelter and housing options for homeless or near homeless individuals and families. Prevent homelessness through case management and rent/utility assistance.
- ☐ **Economic Development (ED)**
Promote economic development opportunities for the benefit of low-and moderate-income communities and households. Provide opportunities for job creation and retention. Support job opportunities for Section 3 residents on projects utilizing federal funding.



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ENVIRONMENTAL PRESCREEN

HUD requires that each project receiving funding must be compliant with certain environmental standards. An assessment is conducted for each proposed project to analyze its effect on the people, the natural environment as well as what effect the material and social environment may

I. Pre-Screen Questions	
What is the project's distance from the nearest commercial airport or military airfield?	15 mi.
What is the project's distance from the nearest railroad and interstate?	0.1 mi.(R) 5.0 mi. (I)
What is the project's proximity to the nearest landfill?	9 miles
Is the project located in a documented flood zone? (https://msc.fema.gov/portal)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the project located in a documented wetland? (http://www.fws.gov/wetlands/data/mapper.HTML)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Will the project impact a historic district or building?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any known or suspected contaminants or toxic substances on or in close proximity to the site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please describe:

have on a project.

ADA ACCESSIBILITY

Federal regulations require that all facilities and/or services assisted with HUD funds be accessible to the disabled, whenever feasible.

A. For Physical Improvement/Development Projects

Will completed project meet ADA standards for accessibility for persons with disabilities?

Please provide photos of the existing conditions (if applicable). ☒ Yes ☐ No

B. For Service Programs (Direct Services):

Is facility in which program occurs ADA accessible? ☒ Yes ☐ No

If no, describe accessibility problems at program/activity site and methods to address them, including funding and timetable:

EMPLOYMENT AND CLIENT PARTICIPATION

Non-Discrimination: Do you notify the public that you do not discriminate on the basis of race, color, religion, gender, sexual orientation, national origin, age or disabilities in hiring practices or the provision of services (if yes, provide your agency's statement in the space below)? ☒ Yes

☐ No

Included in application



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SCOPE OF WORK

I. Project Need

Describe the need or problem that the project will address, including relevant data specific to the population or geographic location to be served.

A portion of the center of our downtown area is blighted and deteriorated. There are no adjacent amenities for the low and moderate income citizens living nearby. The Broad Street Plaza is conceived to provide an "oasis" in the downtown center for low to moderate income residents, as well as a welcoming spot for visitors and customers entering there. Sidewalks and additional pathways will enhance the walkability of the area. Engineering in the plan will address curbing, gutters, and catch basins to improve the drainage issues. Four blighted buildings, just south of the Firehouse Museum at 103 West Mill Street will be demolished to improve the aesthetics in the area and provide a City Green. The adjacent parking lot, which also is in marginal condition will be removed, redesigned, and replaced. New underground utilities on Broad Street and surrounding structures will add to the enhancement of the area. In addition to the City Green, a small stage area will be constructed with public restrooms in the back. Adding to the beauty of the project will be an extensive landscaping plan as well as the addition of pavers, pervious and impervious surfaces, and other features such as raised wall seating and a porch on the south of the Firehouse Museum, facing the City Green.

II. Project Activities

Describe the activities to be supported by the grant and how the project meets the identified need.

The Broad Street Plaza as a meeting area, as well as a leisure destination, will enhance the lives of those low and moderate income citizens residing nearby. Initial to the project is the demolition of four dilapidated buildings and reclamation of the area under the buildings in the project center. By addressing the tangle of wires in the area and by building additional sidewalks and pathways, the site will be an inviting locale for citizens to meet or spend leisure time. Addressing the water runoff from Main Street will enhance the total experience for residents and visitors. The Broad Street Plaza project will provide a City Green in the midst of relatively total concrete and invite citizens to stop by and linger for a while. Demolition of as well as redesign of the adjacent parking lot is an integral part of the design. Plans are underway to build a covered porch on the south side of the Firehouse Museum facing the City Green, which will provide another zone for citizens and visitors to enjoy. Through the use of pavers, raised seating areas, and extensive landscaping, the Broad Street Plaza will form an oasis in the center of downtown Jonesboro. The 2018 CDBG grant request will be utilized for the placement of underground utilities and for the building of sidewalks/pathways in the area. A portion will assist with curbing and catch basins. Because Jonesboro is the County Seat, over 270,000 people will have access to this area, a great portion of which are low to moderate families. The City of Jonesboro serves all of Clayton County as a meeting place.

Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



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SCOPE OF WORK

III. Target Population					
Project the number of individuals served by the proposed activity.					
a. Total Beneficiaries:		4752 +		b. Total of low/moderate income beneficiaries:	
				4500+	
c. Number of the following groups of persons who will benefit – Based on the number of LMI provided above, please indicate those within the target population that meet a special population. <i>(This section is not applicable to Area Benefit Projects)</i>					
Seniors (62+ years)		Disabled Persons		Victims of Domestic Violence	
Homeless Persons		Illiterate Adults		Abused/Neglected Children	
Persons Living with AIDS		Other:		Other:	

IV. Project Outcomes	
Specify desired outcomes, strategies and performance measures to be used in determining project success.	
Objective #1	Provide additional walking areas and increased foot traffic in the central downtown area by attracting local residents living in low and moderate housing nearby.
Strategy #1	Bury overhead utilities to provide for pleasing walkability; build sidewalks; add curbing and catch basins to prevent flooding from Main Street area. Add City Green to provide a softening of the area that residents can enjoy at their leisure.
Performance Measure #1	Visibility of planned improvements in the area. Increased foot traffic in the area; feedback from nearby residents.
Objective #2	
Strategy #2	
Performance Measure #2	
Objective #3	

Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



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Strategy #3	
Performance Measure #3	

Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



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BACKGROUND

I. Capacity

Provide a brief narrative detailing the types of activities undertaken by the organization, for how long along with the organization's success in carrying out the activity for which funding is requested. How you will continue this project if funding from the HUD Programs Division is no longer available?

The City of Jonesboro has consistently proven to be a good steward of Community Development Block Grant funding. The Fayetteville sidewalk/curbing/catch basin projects were completed in a timely manner, as was a similar project running from Fayetteville Road at North Avenue to Tara Boulevard. The Irvin Street Storm Drainage and Street Improvement project addressed a dangerous runoff problem and was completed within guidelines and budget in a timely manner. Carriage Lane Project, funded and completed in an appropriate manner, enhanced walkability and drainage issues in a portion of our historic area near Stately Oaks. A small portion of our StreetScape II, South Main Street Project (2014), was funded by CDBG. Again, we proved to be efficient in completing the project on time and on budget. Presently, we are completing our final phase of Fayetteville Road sidewalk (2015-2016 awards), curbing, gutter, and catch basins on the south end of the street to Tara Boulevard, again setting our goals for finishing on time and on budget. The increased walkability for low and moderate income citizens will be greatly enhanced with this project. The 2017 funding awarded by CDBG is being put to good use in the initial phase of our Broad Street Plaza. Bid has been awarded for demolition of blighted buildings, and, due to this funding, reclamation of this area will enable the city to provide a place of beauty and serenity for nearby residents. (Low and Moderate income). Demolition will begin in December 2017. If CDBG funding were no longer available, our project would be delayed as we seek to accumulate more SPLOST funding and seek other grant paths. It would greatly hinder our efforts on behalf of our low and moderate income citizens who deserve a green oasis in the downtown area.

Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



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CONFLICT OF INTEREST QUESTIONNAIRE

Federal, State and Local law prohibits employees and public officials of the Clayton County Government from participating on behalf of the County in any transaction in which they have a financial interest. This questionnaire must be completed and submitted by each applicant for funding from the HUD Programs Division (CDBG, ESG or HOME). The purpose of this questionnaire is to determine if the applicant, its staff or any of the applicant's Board of Directors would create a conflict of interest.

1. Is there any member(s) of the applicant's staff or any member(s) of the applicant's Board of Directors or governing body who currently is or has/have been within one year of the date of this application a County employee, consultant or a member of the Board of Commissioners? ☐ Yes ☒ No

If yes, please list the names(s) below:

2. Will funding requested from the HUD Programs Division by the applicant be used to award a subcontract to any individual(s) or business affiliate(s) who currently is or has/have been within one year of the date of this application a County employee, consultant, or a member of the Board of Commissioners? ☐ Yes ☒ No

If yes, please list the names(s) below:

3. Is there any member(s) of the applicant's staff or member(s) of the applicant's Board of Directors or other governing body who are business partners or family members of a County employee, consultant, or a member of the Board of Commissioners? ☐ Yes ☒ No

If yes, please list the name(s) below:

If you have answered "YES" to any of the above, a disclosure notice must be submitted to the HUD Programs Division to determine whether a real or apparent conflict of interest exists.



Clayton County Community Development
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2016 Consolidated Application

EXHIBIT A - FY 2018 BUDGET (Use this form ONLY)

Form A: CDBG Public Infrastructure/Facility Improvement Projects

I. Personnel	Project Hrs /Wk	Hourly/Salary Rate	Total Request HUD Programs Division	Other Funds	Name Source of Other Funds
	/	\$	\$	\$	
	/	\$	\$	\$	
	/	\$	\$	\$	
	/	\$	\$	\$	
TOTAL SALARIES			\$	\$	

II. CONSULTANTS (IF ANY)	AREA OF EXPERTISE	HOURLY RATE	HUD PROGRAMS DIVISION	OTHER FUNDS	NAME SOURCE OF OTHER FUNDS
TSW	Planning, Architects	\$	\$	\$30,000	SPLOST, General Fund
Moore Bass Consulting	Surveying/Engineering	\$	\$	\$8,000	SPLOST
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
TOTAL CONSULTANTS			\$	\$38,000	SPLOST, General Fund

III. PRE-DEVELOPMENT	HUD PROGRAMS DIVISION	OTHER FUNDS	NAME SOURCE OF OTHER FUNDS
Architect	\$	\$	
Survey	\$	\$	
Civil Engineering	\$	\$	
Market Study	\$	\$	
Environmental Report	\$	\$	
Appraisals	\$	\$	
TOTAL DEVELOPMENT	\$	\$	

Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



**Clayton County Community Development
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2016 Consolidated Application**

IV. DEVELOPMENT/ CONSTRUCTION/ REHABILITATION	HUD PROGRAMS DIVISION	OTHER FUNDS	NAME SOURCE OF OTHER FUNDS
Land Acquisition	\$	\$65,000	General Fund Balance
Construction Costs	\$680,000 (2018)	\$1,820,000	2015 SPLOST
General Requirements	\$	\$	
Builder Profits	\$	\$	
Demolition	\$165,000	\$	2017 SPLOST
Asbestos Abatement	\$	\$	
Lead-Based Paint Abatement	\$	\$	
TOTAL DEVELOPMENT	\$845,000	\$1,885,000	SPLOST, Fund Balance

V. INFRASTRUCTURE IMPROVEMENTS (IF APPLICABLE)	HUD PROGRAMS DIVISION	OTHER FUNDS	NAME SOURCE OF OTHER FUNDS
Improvements	\$	\$	
Milling, Paving, Curbs, Gutters, Driveway Aprons	\$	\$	
Lighting	\$	\$	
Other:	\$	\$	
Other:	\$	\$	
TOTAL DEVELOPMENT	\$	\$	

GRAND TOTAL	\$	\$	\$
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BUDGET NARRATIVE

(Please provide justification for the items included on this worksheet)

City of Jonesboro

CDBG 2018 Application
Broad Street Plaza Project
December 2017

BUDGET NARRATIVE

Designed to meet the needs of low to moderate citizens living near our central downtown, the City of Jonesboro has shown good faith in the initiation of the Broad Street Plaza. The Broad Street Plaza project began with the acquisition of properties just east of Broad Street and south of the Firehouse Museum at 103 West Mill Street. The City of Jonesboro purchased one property from a private owner, using General Fund Balance for \$65,000. Through a property exchange the City obtained a second property. Clayton County donated a large burned-out two part building and a parking lot to the City for development of the project. Using SPLOST and General Funds, the City has engaged the services of both a surveyor and architects to provide the initial parameters and sketches of the project. With the awarding of a \$165,000 2017 CDBG grant, the City is moving forward with demolition of the four dilapidated buildings and reclamation of the central area. Bid has been awarded for demolition and the work will begin in December 2017.

Prior to the final design, a public meeting is being held to obtain public input on the project. After public feedback, the City will move to award design services that will result in forward movement of the Broad Street Plaza project. The City has already met with the utility companies regarding the placement of underground utilities in the area and has received an estimate from Georgia Power. The City is in the process now of coordinating the placement of all utilities in the area. By January 2018, the City should have firm figures on the total cost of the project. The estimate of \$2.5 million is a conservative one. The City requests that CDBG provide \$680,000 that will moved the project forward and help to provide a much needed portion of initial construction costs.

STATE OF GEORGIA

CITY OF JONESBORO

RESOLUTION NO. 2017-10

**A RESOLUTION OF THE CITY OF JONESBORO, GEORGIA, AUTHORIZING
SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT
APPLICATION**

- WHEREAS,** the City of Jonesboro, Georgia, (hereinafter referred to as the "City") is a Municipal Corporation duly organized and existing under the laws of the State of Georgia; and
- WHEREAS,** federal monies are available under the Clayton County Community Development Block Grant program for the purpose of the provision or improvement of public facilities; and
- WHEREAS,** after due consideration, the Mayor & City Council of the City of Jonesboro has recommended that an application be submitted for the following project: Broad Street Plaza; and
- WHEREAS,** the Council has reviewed the need for the proposed project(s) and the benefit(s) to be gained there from and believe this project to be in the best interest of the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Jonesboro does hereby approve and authorize the preparation and filing of an application for the above-name project(s); and that the Mayor is hereby authorized to sign all necessary documents on behalf of the City Council: and that authority is hereby granted to the Mayor to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.

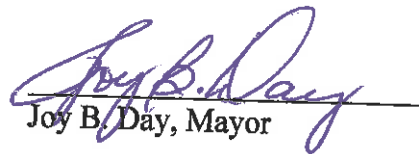
SO RESOLVED AND EFFECTIVE, this 11th day of December, 2017.

APPROVED:

ATTEST:



Ricky L. Clark, Jr., City Manager



Joy B. Day, Mayor



**CITY OF JONESBORO
CDBG 2018 APPLICATION**

CHAPTER III

EMPLOYMENT POLICY AND GENERAL PERSONNEL RULES

SECTION A: EMPLOYMENT AT WILL

Employment with the City of Jonesboro is “at will,” and may be terminated for any reason, with or without cause or notice, at any time by the employee or the City of Jonesboro. Nothing in this Handbook or in any oral or written statement shall limit the right to terminate employment with the City at the pleasure of the appropriate City authority. No supervisor or employee of the City of Jonesboro shall have any authority to enter into an employment agreement-express or implied-with any employee providing for employment other than “at-will.”

This policy of “at-will” employment is the sole and entire agreement between you and the City of Jonesboro as to the duration of employment and the circumstances under which employment may be terminated.

With the exception of employment “at will,” terms and conditions of employment with the City of Jonesboro may be modified at the sole discretion of the Mayor and Council of Jonesboro with or without cause or notice, at any time. No implied contract concerning any employment-related decision or term or condition of employment can be established by any other statement, conduct, policy, or practice.

Examples of the types of terms and conditions of employment that are within the sole discretion of the City of Jonesboro include, but are not limited to, the following: promotion; demotion; transfers; hiring decisions; compensation; benefits; qualifications; discipline; layoff or recall; rules; hours and schedules; work assignments; job duties and responsibilities; production standards; subcontracting; reduction, cessation, or expansion of operations; determinations concerning the use of equipment, methods, or facilities; or any other terms and conditions that the City of Jonesboro may determine to be necessary for the safe, efficient, and economic operation of City business.

SECTION B: EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the City of Jonesboro that all employees and applicants for employment shall receive equal opportunity in all employment matters. City of Jonesboro policy prohibits unlawful discrimination based on race, age, color, religion, national origin, sex, political belief or affiliation, veteran status or disability, as well as any other category protected by applicable federal, state, and local laws. The City of Jonesboro’s commitment to equal employment opportunity applies to all persons employed by the City of Jonesboro and prohibits unlawful discrimination by any employee of the City of Jonesboro including supervisors and co-workers.

You should report every instance of unlawful discrimination to your supervisor or the Mayor, regardless of whether you or someone else is the subject of discrimination. Detailed reports—including names, descriptions, and actual events or statements made—will greatly enhance the City's ability to investigate. Any documents supporting the allegations should also be submitted. Based on your report, the City of Jonesboro will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If the investigation determines that prohibited discrimination or other conduct in violation of City of Jonesboro policy has occurred, the City of Jonesboro may take disciplinary action, up to and including termination of employment, against those who engaged in the misconduct. The City of Jonesboro will also evaluate whether other employment practices should be added or modified in order to deter and prevent discriminatory conduct in the future. You will be informed of whatever action(s) the City of Jonesboro takes to resolve and remedy the situation. The City of Jonesboro will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management, employees, or your co-workers.

SECTION C: OBJECTIVE

These policies provide for the recruitment of qualified applicants, the development of employees and the establishment of orderly procedures for administering the personnel system in accordance with the following principles:

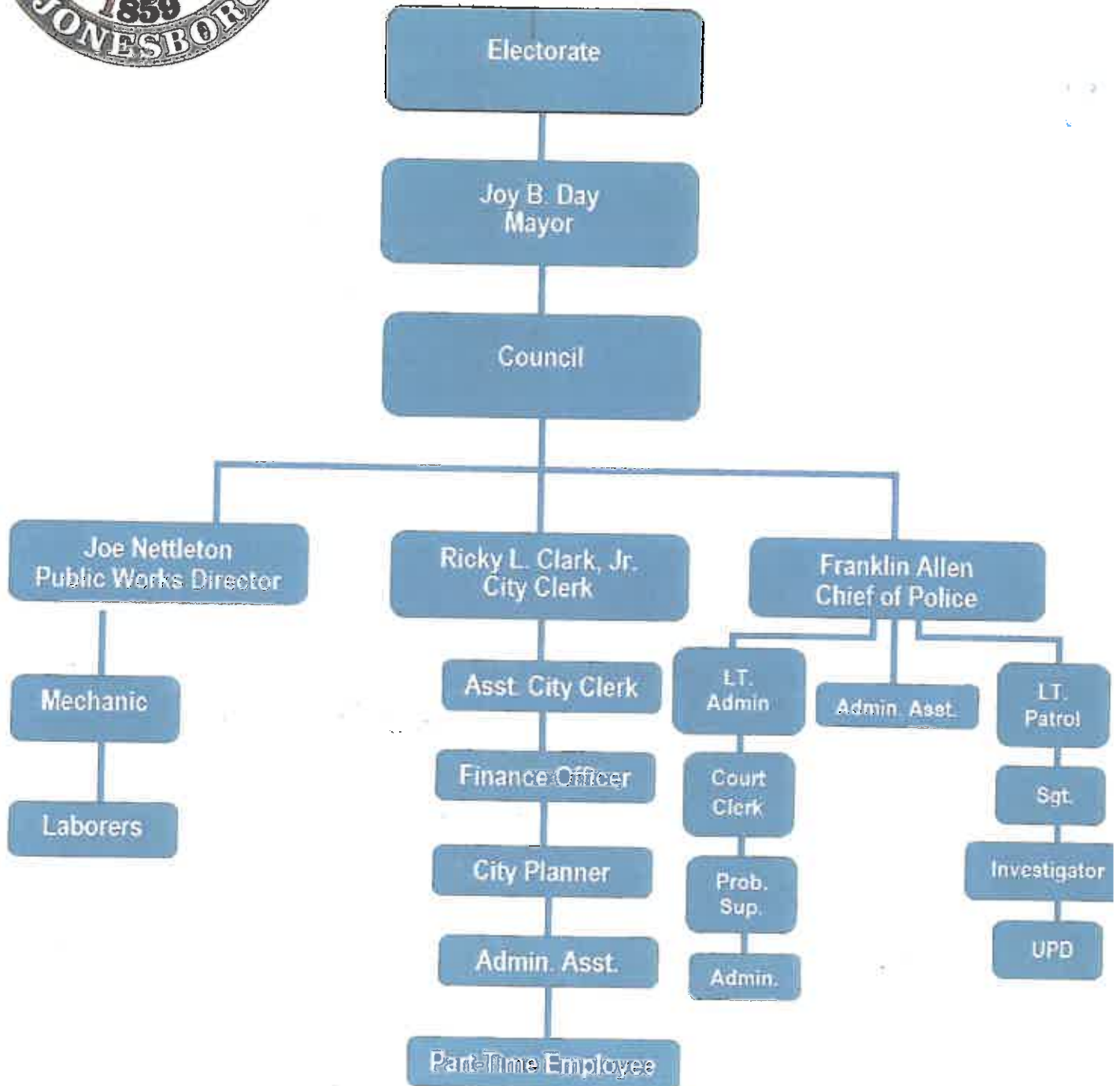
1. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skill, including open competition of qualified applicants for initial appointment;
2. Providing equitable and adequate compensation to employees, within the budgetary means of the City;
3. Training employees, as needed, to assure high quality performance;
4. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
5. Assuring fair treatment of applicants and employees in matters of personnel administration without regard to race, age, color, religion, national origin, sex, political belief or affiliation, veteran status or disability;
6. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using official authority for the purpose of interfering with or affecting the results of an election;

SECTION D: ANTI-RETALIATION POLICY

In accordance with applicable law, the City of Jonesboro prohibits retaliation against any employee because of the employee's opposition to a practice the employee reasonably believes to constitute employment discrimination or because of the employee's participation in an employment discrimination investigation, proceeding or hearing. Any retaliatory adverse action because of such opposition or participation is unlawful and will not be tolerated.



CITY OF JONESBORO ORGANIZATIONAL CHART





124 NORTH AVE. JONESBORO, GA 30236
(770) 478-3800 • FAX (770)-478-3775

The City of Jonesboro Mayor and Council hold a Work Session on the first Monday of every month at 6:00 p.m., and a Regular Council meeting on the second Monday of each month at 6:00 p.m. Both meetings are held at the Jonesboro Police Department - 170 South Main Street. The public is invited to attend.

2018 Mayor and Council Members Address, Phone and email:

Mayor

Joy Day
129 North Avenue
Jonesboro, GA 30236 770-871-1533 email: jday@jonesboroga.com

Councilmember

Larry Boak
110 Stockbridge Rd.
Jonesboro, GA 30236 770-471-7680 email: lboak@jonesboroga.com

Councilmember

Alfred Dixon
154 Huie St.
Jonesboro, Ga 30236 678-622-6503 email: adixon@jonesboroga.com

Councilmember

Bobby Lester
146 Burnside St.
Jonesboro, GA 30236 404-310-8400 email: blester@jonesboroga.com

Councilmember

Billy Powell
123 Pine Circle
Jonesboro, GA 30236 770-471-2199 email: bpowell@jonesboroga.com

Councilmember

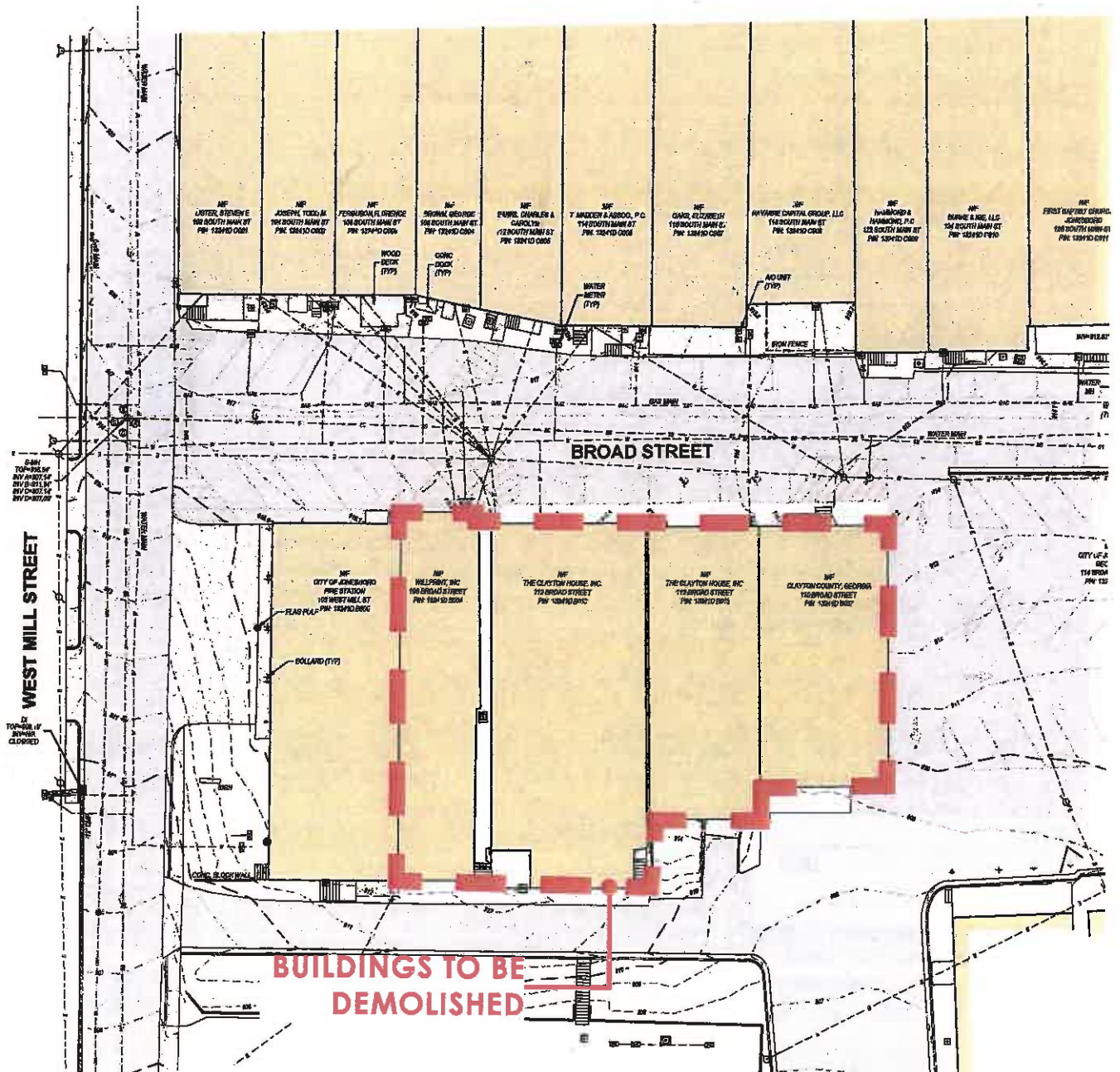
Pat Sebo
175 Church Street
Jonesboro, GA 30236 770-471-8386 email: psebo@jonesboroga.com

Councilmember

Ed Wise
208 Lee St.
Jonesboro, GA 30236 404-925-7397 email: ewise@jonesboroga.com

DEMOLITION PLAN

The four buildings within the red dashed line below are to be demolished



Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)

BROAD STREET -- CURRENT



BROAD STREET – CURRENT



BROAD STREET – CURRENT

Proximity to Low to Moderate Income Families







View of Firehouse Museum from Street

Broad Street entrance

Ground Elev: 912.17

FFE Elev: 915.92

blueprint JONESBORO

A Community Reimagined

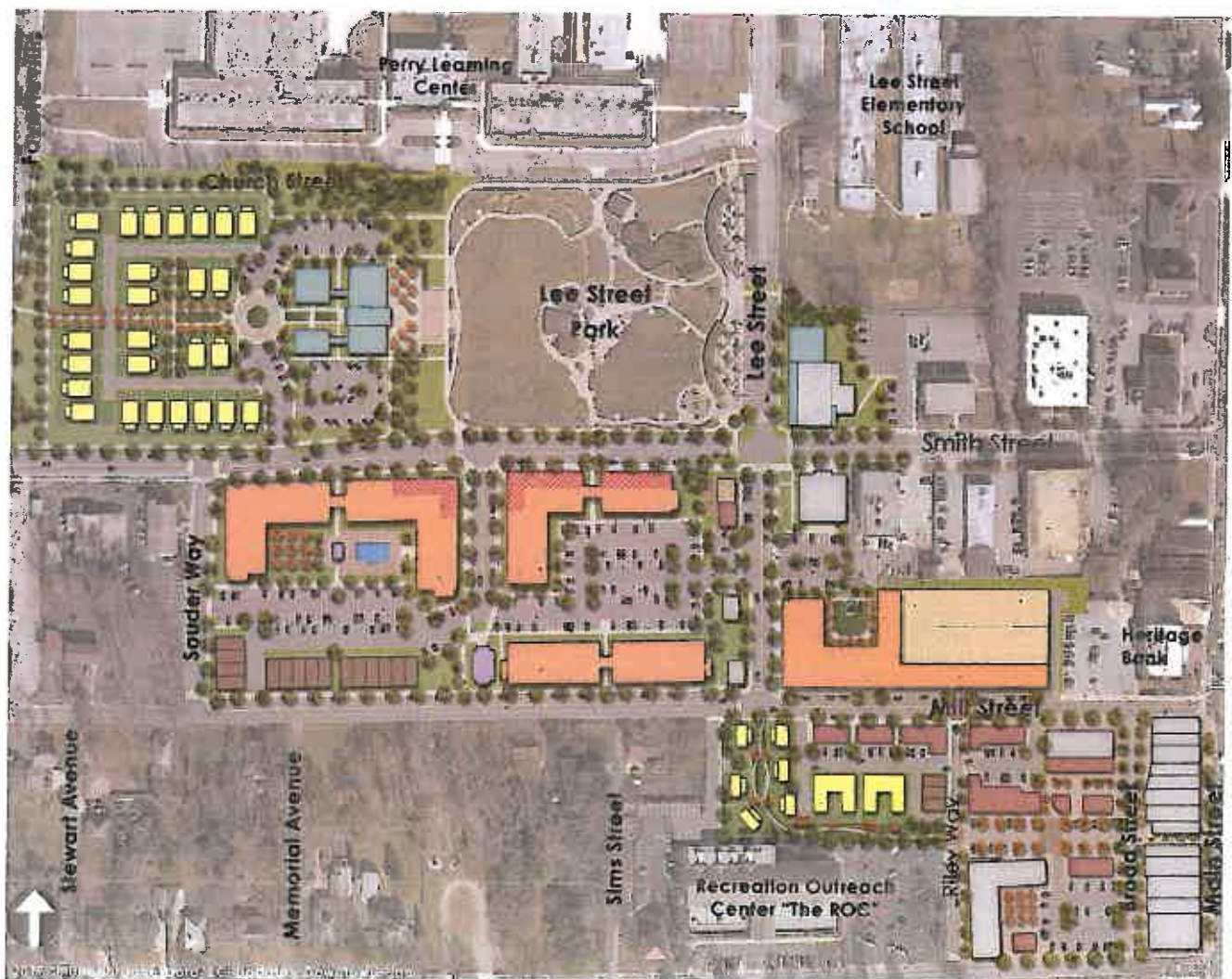
BROAD STREET PROJECT SUMMARY

BY: TSW 11.13.2017

Input from the Community Workshop was used to draft this concept plan. In addition to providing diverse housing options, a new Municipal Complex, and activating Broad Street, this plan incorporates entertainment and dining options, improved pedestrian safety, and a more defined connection between historic Main Street and Lee Street Park.

LEGEND

-  Existing Building
-  Multifamily Housing
-  Townhouses
-  Single-Family Housing
-  Commercial/Retail
-  Civic
-  Amenity Building
-  Ground Floor Commercial

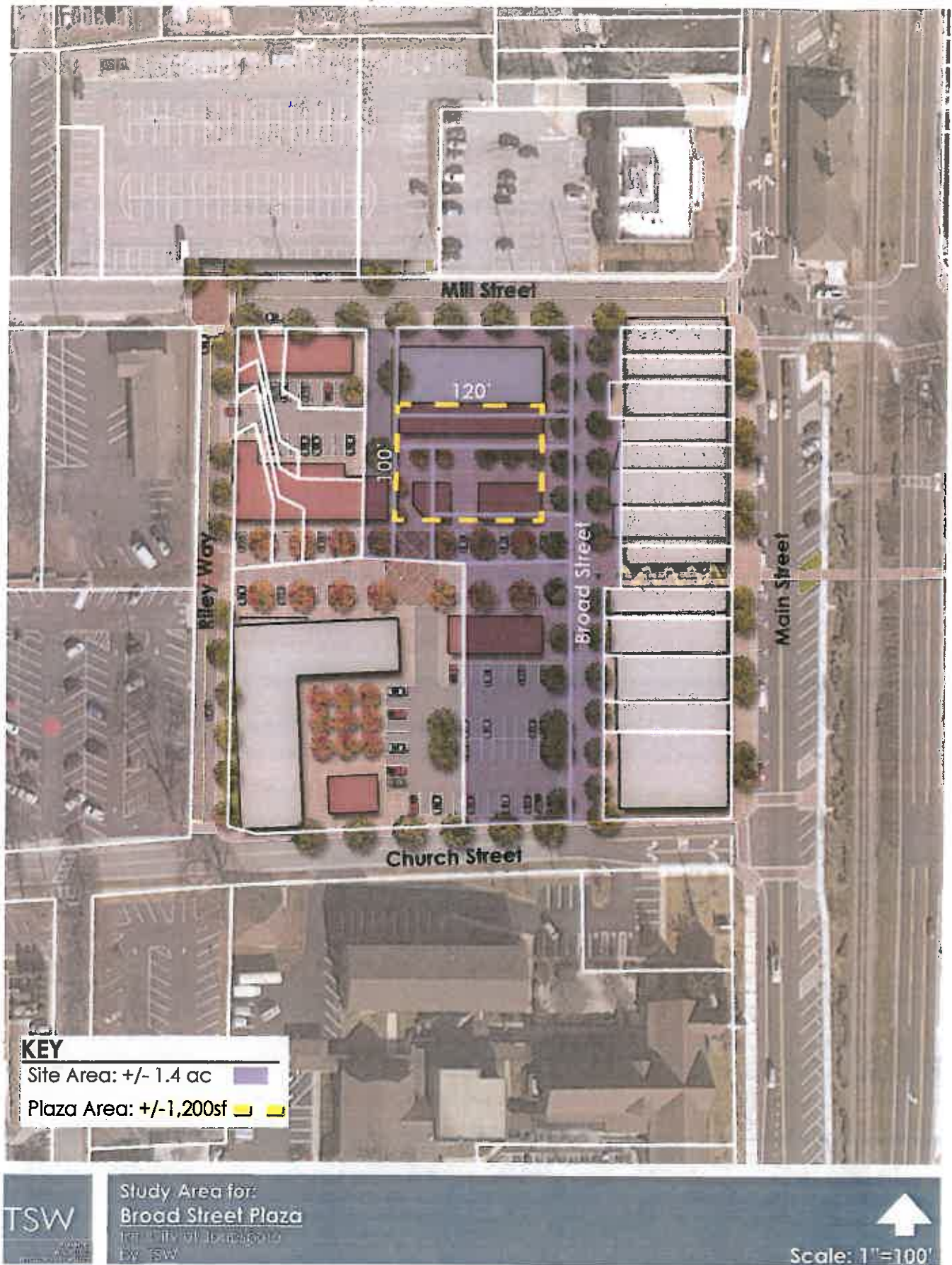


Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)

SITE PLAN



Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)



Attachment: CDBG Application 2018 - BROAD STREET (JONESBORO) (1298 : CDBG - Broad Street Plaza)

BROAD STREET REDEVELOPMENT – PROJECT SUMMARY

As the first piece of the connection between Jonesboro's Main Street and Lee Street Park, as described on the preceding pages, the Broad Street project will stimulate new activity in the downtown core and serve as a linchpin in the revitalization of the entire block between Broad Street and Riley Way. Primary objectives include:

1. Re-establish Broad Street's original identity as a day- and night-time destination offering dining and entertainment at the rear of the commercial buildings along Main Street.
2. Create the first phase of a "greenway" walking route connecting the downtown core to Lee Street Park. This mid-block route includes re-opening the narrow "paseo" walkway between Main Street and Broad Street.
3. Reconfigure the Mill Street and Church Street frontages of the block with enhanced sidewalks, lighting, and on-street parking. This work will include the addition of a sidewalk between Broad and Main along the south side of Mill Street.
4. Re-purpose the existing Fire Station building on Mill Street to attract a restaurant and/or brewery operation as a new food and beverage anchor for downtown.
5. Provide a multi-purpose event venue, associated with the Fire Station re-use described above, to activate the development. It will highlight a new, intimately-scaled green space/garden setting and include a performance stage and public restrooms.

The vision for this project is to reinforce downtown Jonesboro with the addition of a purposeful outdoor civic space that can serve as a "destination", similar to those created in recent years for other revitalized cities in the Atlanta region. Two examples in particular (see photos) – one in downtown Douglasville, the other in Duluth – are indicative of the scale and transformational potential of such a space.

The initial task will be to demolish the marginal buildings acquired by the City behind the Fire Station (see pg. 7), in order to free up space for the proposed development program. An RFP to solicit bids for this demolition work is currently being prepared by the City.



BROAD STREET PLAZA (Proposed)





CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

4.3

- 3

COUNCIL MEETING DATE
October 1, 2018

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion regarding approval of a text amendment to Chapter 74 – Traffic and Vehicles of the City of Jonesboro Code of Ordinances; to amend Article VI of Chapter 74, in order to expand and clarify certain standards and processes for motorized cart usage within the City limits; to provide for codification; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and for other purposes allowed by law.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Chapter 74, Traffic and Vehicles, Article VI, Golf Carts

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Transportation Infrastructure

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Approval

At the August 17th City Council retreat, it was requested that the City's Golf Cart Ordinance be revised to provide for annual, rather than one-time, registration fees, and to provide for a way for non-City residents to be able to legally operate carts within the City limits.

The revised Cart Ordinance that is before you seeks to accomplish these goals, provide for a system of annual registration and decal procurement (City and non-City residents), and to clarify driving routes and parking areas for carts.

As one of the only golf cart communities within Clayton County and a combined effort to increase golf cart usage, the proposed ordinance attempts to accomplish the following:

- **Section 74-176. Registration/Inspection/Certification**

1. In order to obtain a permit, the licensee must be 18 years of age or older
2. The application for a permit shall include the following: Name and current address, Model, make and name of cart, evidence of current motor vehicle insurance.
3. Fee – there shall be an annual registration fee in the amount of \$25 for City Residents and \$30 for non-city residents. Registration fees shall be due by January 31st of each year.
4. Decals – must be affixed to the sides of the carts at all times. Decals will be color coded for in-city and those out of the city registrations. Colors will change with the year.

- **Section 74-177. Operation Regulations**

1. Golf carts shall not be driven on sidewalks and recreational paths.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 1, 2018

Signature

City Clerk's Office

2. Designated Parking Areas – Motorized carts shall not be parked on streets, street shoulders or within rights-of-way. Motorized carts at residences shall only be parked in driveways or in carports / garages and shall be provided adequate off-street parking space as other types of vehicles. The City shall reserve the right to create motorized cart parking areas in certain districts.

- **Section 74-178. Authorized Street**

1. Motorized carts may be operated on any street with a speed limit of 35 mph or less.

Sec. 74-180. - Penalties.

- (a) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the streets and those areas accessible by the public. Violations shall be punished as provided herein.
- (b) In addition to any fine as may be imposed by operation of subsection (a) above, the registered owner of the cart, shall, upon any violation of this Article by any operator of the registered vehicle, be charged a civil penalty as follows:
 - (1) For the first offense, a civil penalty of not less than \$100.00.
 - (2) For the second offense, a civil penalty of not less than \$250.00.
 - (3) For a third offense committed within one year of the imposition of a civil penalty for a second offense, the minimum fine shall be \$500.00, and the registered owner's motorized cart registration shall be revoked. The registered owner may not thereafter operate a motorized cart in the City for a period of two years after imposition of the civil penalty.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

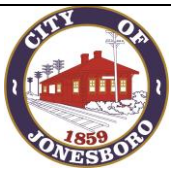
No cost associated.

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Agenda Cover Sheet - Revised Cart Ordinance
- Motorized Cart ordinance - FINAL

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval



Agenda Item Summary

COUNCIL MEETING DATE
October 8, 2018

Requesting Agency

Community Development Director

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Mayor and Council to consider approval for a text amendment to Chapter 74 – Traffic and Vehicles, Article VI, Golf Carts

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Text amendment Adoption

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes



No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

At the August 17th City Council retreat, it was requested that the City's Golf Cart Ordinance be revised to provide for annual, rather than one-time, registration fees, and to provide for a way for non-City residents to be able to legally operate carts within the City limits.

The revised Cart Ordinance that is before you seeks to accomplish these goals, provide for a system of annual registration and decal procurement (City and non-City residents), and to clarify driving routes and parking areas for carts.

The Council may have other revisions or additions to make to the proposed amendment.

Fiscal Impact / Funding Source

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

No cost associated

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Formal Text Amendment

Staff Recommendation:

Approval (Pending Completion of
City Attorney Review)

FOLLOW-UP APPROVAL ACTION (City Clerk)

City Clerk's
Office

Typed Name and Title

Phone

Signature

Date

STATE OF GEORGIA
CITY OF JONESBORO

ORDINANCE NO. _____

1 AN ORDINANCE TO AMEND CHAPTER 74, TRAFFIC AND VEHICLES,
2 ARTICLE VI (GOLF CARTS), OF THE CITY CODE OF ORDINANCES, TO REVISE
3 REGULATIONS FOR USE OF MOTORIZED CARTS ON CITY STREETS; TO
4 PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO
5 PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO
6 PROVIDE FOR OTHER LAWFUL PURPOSES.

7 **WHEREAS**, the City of Jonesboro, Georgia (the “City”) is a municipal corporation
8 created under the laws of the State of Georgia; and

9 **WHEREAS**, the duly elected legislative authority of the City is the Mayor and Council
10 thereof (“City Council”); and

11 **WHEREAS**, the City Council is authorized by the City Charter, and other applicable
12 laws, to regulate the use of streets and rights of way of the City; and

13 **WHEREAS**, the City Council desires to revise the currently existing regulations for
14 operation of motorized carts in the City in order to provide for better operation on City streets and
15 preserve the health, safety and welfare of its citizens.

16 **NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR**
17 **AND COUNCIL OF THE CITY OF JONESBORO, GEORGIA and by the authority**
18 **thereof:**

19 **Section 1.** The Code of Ordinances, City of Jonesboro, Georgia is hereby amended by
20 revising Article VI (Golf Carts) to Chapter 74 (Traffic and Vehicles), to be read and codified as
21 follows:

[0387-0028/293242/1]

ARTICLE VI. MOTORIZED CARTS

Deleted: GOLF

Sec. 74-175. Findings, Purpose and Definitions.

(a) The Mayor and City Council find that all public streets and paved recreational paths located within the geographic boundaries of the City are designed and constructed as to safely permit their use.

(b) It shall be the intent of this Article to regulate the use of motorized carts by residents within the City of Jonesboro and provide for the regulated use of motorized carts by non-City residents within the City limits.

(c) The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning:

City is the City of Jonesboro.

City resident is a citizen living within the incorporated limits of the City of Jonesboro.

Driver is defined as the person driving and having physical control over the motorized cart and being the licensee.

Motorized carts are defined as those electric and gasoline-powered pleasure carts, commonly referred as to “golf carts”, and further defined by reference to O.C.G.A. 40-1-1(17.3). These are the only Personal Transportation Vehicles, as that term is defined by O.C.G.A. 40-1-1(43.1), authorized for use under this Article.

Deleted: 32

Deleted: motorized vehicles

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Non-city resident is a citizen living outside of the incorporated limits of the City of Jonesboro with personal business within the incorporated limits of the City of Jonesboro.

Recreational paths are defined as areas designated for multi-use and having widths in greater than seven feet.

Sec. 74-176. Registration/Inspection/Certification.

- (a)
- (1) General. Before any motorized cart is operated over any recreational paths, authorized streets or any other public property pursuant to this Article, it shall be the duty of the owner thereof to register the cart with and obtain a permit from the City. Only those persons 18 years of age or older may register a motorized cart. Motorized cart

Deleted: within ten business days of the date of purchase of the motorized cart.

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registration may be in one person's name only, and the registration form must be signed by that person. A record of each motorized cart number with corresponding owner information shall be maintained by the City.

- (2) Application. Every application for a permit shall be made on a form supplied by the City and shall contain the following minimum information:

- a. Name and current address (street and mailing) of applicant.
- b. Model, make, name and cart identification number.
- c. Copy of current Georgia driver's license number.
- d. Evidence of current motor vehicle insurance as required by law.
- e. For gasoline powered motorized carts, a current dealer certification that the vehicle meets the emission standards required herein.
- f. Such other information which the City may require in order to effectuate the purpose and intent of this Article.

- (3) Fee. An annual registration fee for each motorized cart shall be \$25.00 for City residents and \$30.00 for non-City residents. The registration shall be effective until the ownership of the motorized cart is transferred to another person or entity. The registration fees shall be due by January 31st each year and shall be paid annually until such time as the cart is transferred or otherwise disposed of.
- (4) Transfer. Upon any transfer of ownership of a previously registered motorized cart, the new owner shall, before he or she shall operate the motorized cart in a manner regulated hereunder, apply for a new permit and registration. The new owner shall pay the registration and permit fee as required herein.

- (5) Decals. Two numerical decals shall be issued upon completion of registration. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. Decals for City residents and non-City residents shall be different, distinct colors. Decals for City residents and non-City residents shall change color annually, in a revolving schedule determined by the City.

- (6) Revocation of permit. Permits may be revoked if it is found that:

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- 125
- 126 a. The permit holder no longer holds a valid Georgia driver's
- 127 license;
- 128
- 129 b. The permit holder, or any operator of the registered vehicle,
- 130 shall repeatedly fail to abide by the rules and regulations of
- 131 this Article, including, but not limited to, failing to have a
- 132 current registration and properly displaying current decals.
- 133
- 134 c. The permit holder shall fail to abide by traffic laws in the use
- 135 of a motorized cart on authorized streets;
- 136
- 137 d. The permit holder shall fail to grant right-of-way to
- 138 pedestrians and bicyclists; or
- 139
- 140 e. The permit holder cannot safely operate the motorized cart
- 141 on a designated roadway or pose a threat to the safety of
- 142 others.
- 143

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144 (7) Homeowner relocation. In the event that a registered motorized

145 cart owner changes his/her address or contact information after the

146 motorized cart is registered, that owner shall have 60 days to

147 provide their new contact information to the City. If the ownership

148 information is not updated within 60 days of relocation, a \$20.00

149 penalty will be applied and the cart shall be considered an

150 unregistered cart after the 60-day period.

151

152 (b) Gasoline carts.

153

- 154 (1) Every motorized cart powered by gasoline shall at all times be
- 155 equipped with an exhaust system in good working order and in
- 156 constant operation, meeting the following specifications:
- 157
- 158 a. The exhaust system shall include the piping leading from the
- 159 flange of the exhaust manifold to and including the muffler
- 160 and exhaust pipes or include any and all parts specified by
- 161 the manufacturer;
- 162
- 163 b. The exhaust system and its elements shall be securely
- 164 fastened, with brackets or hangers which are designed for the
- 165 particular purpose of fastening the motorized cart exhaust
- 166 systems; and
- 167
- 168 c. The engine and powered mechanism of every motorized cart
- 169 shall be so equipped, adjusted and tuned so that the exhaust
- 170 is in good working order.

(2) It shall be unlawful for the owner of any motorized cart to operate or permit the operation of such motorized cart on which any device controlling or abating atmospheric emissions, which is placed on a cart by the manufacturer, is rendered unserviceable by removal, alteration or other acts which interfere with its operation.

(3) Every two years, running with the time of registration, every gasoline motorized cart must be inspected by a dealer holding a valid business license for the inspection and repair of motorized carts, and the dealer must certify that the exhaust system meets the standards required by this Article. This certification must be presented to the City in order to obtain a renewal permit.

- (c) Rental carts. Motorized cart dealers and distributors, as well as other commercial establishments, may rent carts to the public for use on authorized streets and those areas accessible by the public of the City. Each such establishment renting carts shall be required to register each such rental cart in accordance with subsection (a) of this section and shall maintain a written record of each person who rents each cart. Operators of rental vehicles shall be required to furnish positive identification, shall be provided a copy of this Article, shall carry a copy of the current registration in the vehicle, and must be at least 18 years of age. The registration fee and transfer fees and regulations shall be the same as those in subsections (a)(4) and (5) of this section. Motorized carts for temporary use by the City during special events are exempt from the requirement of this section.

Deleted: 16

Sec. 74-177. Operation regulations.

- (a) Only those persons who hold a valid Georgia driver's license may drive a motorized cart on authorized streets and those areas accessible by the public of the City.
- (b) Motorized carts shall only be operated over those authorized streets and those areas accessible by the public during daylight hours, unless such motorized carts are equipped with functional headlights and taillights. All carts must have functional brake lights and turn signals.
- (c) Children (passengers) under the age of 12 must wear a certified bicycle helmet.
- (d) It shall be unlawful for the owner of any motorized cart or any other person operating, employing, permitting the use of or otherwise directing the use of such cart to operate or permit the operator of any such cart to drive over the authorized streets or those areas accessible by the public in the City in violation of this Article.

Deleted: motor vehicle

- (e) All laws and ordinances relative to alcohol and its use, including open container laws, which apply to traffic on streets of the City of Jonesboro, shall also apply to motorized carts.
- (f) Sidewalks and recreational paths. Except where specifically authorized, motorized carts shall not be driven on sidewalks or recreational paths.
- (g) Designated parking areas. Except where specifically authorized, motorized carts shall not be parked on streets, street shoulders, or within rights-of-way. Motorized carts at residences shall only be parked in driveways or in carports / garages and shall be provided adequate off-street parking space as other types of vehicles. The City shall reserve the right to create motorized cart parking areas in certain districts.
- (h) All motorized cart operators shall abide by all traffic regulations applicable to vehicular traffic when using the streets and those areas accessible by the public in the city. Where cart paths exist, they must be used in preference to parallel city streets with the exclusion of those cart paths privately owned and maintained and not used by the general public.
- (i) All operators and passengers must remain seated at all times during the operation of the motorized cart. No person may sit on the operator's lap during the operation of the motorized cart.

Sec. 74-178. Authorized streets and other areas.

- (a) Motorized carts may be operated on the following streets and areas:
- (i) Except as may otherwise be provided below, all City of Jonesboro streets with 35 M.P.H. speed limits or less.
- (ii) Fayetteville Road from North Avenue to North Main Street.
- (iii) North Avenue from 223 North Main Street rear entrance to West Avenue.
- (iv) North Main from north City Limit to 223 North Main Street.
- (v) Main Street from Spring Street to Church Street.
- (vi) McDonough Street from Mill Street/Courthouse Way to Keystone Apartment entrance.
- (vii) South Main Street from Burnside to all driveways of the police department.

[0387-0028/293242/1]

- (b) Motorized carts may cross the following streets only at the indicated locations:
- (i) Fayetteville Road at West Mill Street, Smith Street, Spring Street, and Dixon Road.
 - (ii) North Main Street at Spring Street to Watterson Street.
 - (iii) Main Street at West Mill Street/Courthouse Way.
 - (iv) Jonesboro Road at Fifth Avenue.
 - (v) College Street at Stewart Avenue and Cloud Street.
- (c) Motorized carts may not be operated under any circumstances in the following locations:
- (i) Lake Jodeco Road.
 - (ii) Turner Road.
 - (iii) Stockbridge Road.
 - (iv) Tara Blvd.
 - (v) Fayetteville Road from Tara Blvd. to North Avenue.
 - (vi) The intersection of North Avenue at Main Street and at Jonesboro Road.
 - (vii) Main Street from North Avenue to Spring Street.
 - (viii) Except as otherwise provided above, South Main Street South of College Street.
 - (ix) Except as otherwise provided above, any street with a speed limit of above 35 M.P.H.
 - (x) Recreational paths, ~~except where specifically authorized by the City of Jonesboro.~~

Deleted: none,

Sec. 74-179. - Liability.

[0387-0028/293242/1]

Nothing in this Article shall be construed as an assumption of liability by the City for any injuries to persons or property which may result from the operation of a motorized cart by a license holder or the failure by the City to revoke said license.

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Sec. 74-180. - Penalties.

(a) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the streets and those areas accessible by the public. Violations shall be punished as provided herein.

Deleted: by Chapter 74

(b) In addition to any fine as may be imposed by operation of subsection (a) above, the registered owner of the cart, shall, upon any violation of this Article by any operator of the registered vehicle, be charged a civil penalty as follows:

(1) For the first offense, a civil penalty of not less than \$100.00.

Deleted: \$50.00

(2) For the second offense, a civil penalty of not less than \$250.00.

Deleted: \$100.00

(3) For a third offense committed within one year of the imposition of a civil penalty for a second offense, the minimum fine shall be \$500.00, and the registered owner's motorized cart registration shall be revoked. The registered owner may not thereafter operate a motorized cart in the City for a period of two years after imposition of the civil penalty.

Deleted: \$250.00

Sec. 74-181. - Signs.

The City shall post signs in conjunction with all existing City speed limit signs (on relevant streets) currently erected by the City, informing drivers of which City streets are authorized for motorized cart.

Deleted: S

Deleted: shall be posted

Deleted: advising

Deleted: of the potential presence of motorized carts on streets

Section 2. The preamble of this Ordinance shall be considered to be and is hereby

incorporated by reference as if fully set out herein.

Section 3.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance.

It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. The effective date of this Ordinance shall be the date of its adoption by the Mayor and Council unless otherwise stated herein.

Section 6. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Jonesboro.

[0387-0028/293242/1]

386 **Section 7.** It is the intention of the governing body, and it is hereby ordained that the
387 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
388 Jonesboro, Georgia and the sections of this Ordinance may be renumbered to accomplish such
389 intention.

SO ORDAINED this ____ day of _____, 2018.

CITY OF JONESBORO, GEORGIA

JOY DAY, Mayor

ATTEST:

RICKY L. CLARK, JR., City Clerk

APPROVED AS TO FORM:

STEVE M. FINCHER, City Attorney

390



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

4.4

- 4

COUNCIL MEETING DATE
October 1, 2018

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion regarding approval of a text amendment to Chapter 18 – Businesses of the City of Jonesboro Code of Ordinances; to introduce a new Article XIII to Chapter 18, in order to provide for standards and restrictions for short-term rental lodging; to provide for codification; to provide for severability; to repeal conflicting ordinances; to provide an adoption date; to provide an effective date; and for other purposes allowed by law.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Chapter 18 - Businesses, New Article XIII, Short Term Rentals

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Economic Development

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Approval.

The City Manager and the Community Development Department desire to distinguish between conventional bed-and-breakfast inns and "Air BnBs" (short-term rentals) in the City Code. Typically, an Air BnB does not have the staff or meal preparation associated with conventional bed-and-breakfasts, and this simpler form of lodging should be specifically reflected in the Code.

Short-term rental shall be defined as:

Short-Term Rental means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for no more than 30 days. A residential dwelling includes all housing types with the exception that the use excludes group or congregate living or lodging uses. No meals are provided to guests.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

No cost associated.

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Agenda Cover Sheet - Short Term Rentals
- Air BnB codified - FINAL

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

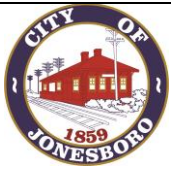
Ricky L. Clark, City Manager

Date

October, 1, 2018

Signature

City Clerk's Office



Agenda Item Summary

COUNCIL MEETING DATE
October 8, 2018

Requesting Agency

Community Development Director

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Mayor and Council to consider approval for a text amendment to Chapter 18 – Businesses (New Article XIII)

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Text amendment Adoption

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes



No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The City Manager and the Community Development Department desire to distinguish between conventional bed-and-breakfast inns and “Air BnBs” (short-term rentals) in the City Code. Typically, an Air BnB does not have the staff or meal preparation associated with conventional bed-and-breakfasts, and this simpler form of lodging should be specifically reflected in the Code.

Short-term rental shall be defined as:

Short-Term Rental means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for no more than 30 days. A residential dwelling includes all housing types with the exception that the use excludes group or congregate living or lodging uses. No meals are provided to guests. Also known as an “Air BnB.”

The Council needs to clarify whether or not the hotel / motel tax will apply to these lodging types.

Fiscal Impact / Funding Source

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

No cost associated

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Formal Text Amendment

Staff Recommendation:

Approval (Pending Completion of
City Attorney Review)

FOLLOW-UP APPROVAL ACTION (City Clerk)

City Clerk's
Office

Typed Name and Title

Phone

Signature

Date

STATE OF GEORGIA
CITY OF JONESBORO

ORDINANCE NO. _____

1 **AN ORDINANCE TO AMEND CHAPTER 18, BUSINESSES, OF THE CITY**
2 **CODE OF ORDINANCES, TO ESTABLISH REGULATIONS FOR SHORT-TERM**
3 **RESIDENTIAL RENTALS; TO PROVIDE FOR SEVERABILITY; TO REPEAL**
4 **CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE**
5 **AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

6 **WHEREAS**, the City of Jonesboro, Georgia (the “City”) is a municipal corporation
7 created under the laws of the State of Georgia;

8 **WHEREAS**, the duly elected legislative authority of the City is the Mayor and Council
9 thereof (“City Council”);

10 **WHEREAS**, the City Council is authorized by Section 1.13 of the City Charter, and
11 other applicable laws, to adopt regulations governing licenses for businesses being conducted in
12 the City;

13 **WHEREAS**, with the rise of the sharing economy, the City Council finds evident the
14 growth in popularity of short-term rentals, which are rentals of residential dwellings for less than
15 thirty consecutive days; and

16 **WHEREAS**, the City Council desires to establish a framework within the City to
17 regulate short-term rental listings in the City, and assess and collect applicable taxes; and

18 **WHEREAS**, the City Council finds that such regulation balances the protection of
19 neighborhoods with the interests of individuals who want to rent their property on a short-term
20 basis; and

21 **WHEREAS**, the regulations herein will help preserve the health, safety and welfare of
 22 the public.

23 **NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR**
 24 **AND COUNCIL OF THE CITY OF JONESBORO, GEORGIA** and by the authority
 25 **thereof:**

26 **Section 1.** The Code of Ordinances, City of Jonesboro, Georgia is hereby amended
 27 by adding a new Article XIII entitled “Short-Term Rentals” to Chapter 18 (Businesses), to be
 28 read and codified as follows:

29 **ARTICLE XIII. – SHORT-TERM RENTALS**

30 **Sec. 18-476. Purpose.**

31
 32 It is the purpose of this Article to protect the public health, safety and general
 33 welfare of individuals and the City at-large; to monitor and provide reasonable
 34 means for citizens to mitigate impacts created by occupancy of short-term rental
 35 units; and to implement regulations to protect the integrity of the city's
 36 neighborhoods.

37 **Sec. 18-477. - Definitions.**

38 The following words, terms and phrases, when used in this Article, shall have the
 39 meanings ascribed to them in this section, except where the context clearly
 40 indicates a different meaning:

41
 42 *Short-Term Rental* means an accommodation for transient guests where, in
 43 exchange for compensation, a residential dwelling unit is provided for lodging for
 44 no more than 30 days. Such use may or may not include an on-site manager. A
 45 residential dwelling includes all housing types with the exception that the use
 46 excludes group or congregate living or lodging uses. No meals are provided to
 47 guests.

48 *City* means the City of Jonesboro.

49 *Short Term Rental Occupants* means guests, tourists, lessees, vacationers or any
 50 other person who, in exchange for compensation, occupy a dwelling unit for
 51 lodging for a period of time not to exceed 30 consecutive days.

52 **Sec. 18-478. - Exceptions.**

58
59 This Article shall not apply to hotels, inns, motels, motor lodges, boardinghouses,
60 rooming houses, bed and breakfast inns, or other establishments providing rooms
61 to guests for compensation. None of these establishments shall be permitted in the
62 City except as otherwise allowed by ordinances of the City. No short-term rental
63 establishment shall be operated except as allowed in this Article.
64

65 **Sec. 18-479. - Non-Profit Entity Exception.**
66

67 This article shall not apply to short-term rental establishments being operated on a
68 temporary basis for any registered non-profit entity, for no more than four
69 consecutive days and for no more than eight days per calendar year.
70

71 **Sec. 18-480. - License required and regulatory fee.**
72

73 It shall be unlawful for any person to operate a short-term rental establishment
74 without having first obtained an Occupation Tax Certificate and a City business
75 license. The annual regulatory fee for operation of a short-term rental
76 establishment in the City shall be set forth in the schedule of fees and charges for
77 the whole or any part of one year, and shall be paid at City hall not later than
78 December 15 of the preceding year or upon the filing of an application for the
79 license. No license issued under this Article may be transferred or assigned or
80 used by any person other than the one to whom it is issued, or at any location
81 other than the one for which it is issued. Licensee shall publish a short-term
82 rental license number in every print, digital, or internet advertisement and any
83 property listing in which the short-term rental is advertised.
84

85 **Sec. 18-481. - Guest register.**
86

87 The owner shall keep a register of all guests of the short-term rental
88 establishment. Such list shall be available for inspection by the City and/or its
89 designee at all reasonable times and upon reasonable notice.
90

91 **Sec. 18-482. - Financial records.**
92

93 All license holders shall maintain separate records which show all activities of
94 their short-term rental establishment. All such documents and related papers shall
95 be available to the City's designated agent at all reasonable times.
96

97 **Sec. 18-483. - Stipulations.**
98

- 99 (1) Advertisements promoting a property as a residential short-term rental shall
100 constitute prima facie evidence of the operation of a residential short-term
101 rental dwelling unit.
102
103

- (2) The property owner must designate an individual to serve as a rental agent to respond to issues associated with short-term rentals. The agent may be the property owner.
- (3) Within the Historic Districts and Historic Residential Overlay District, no more than 20% of homes within each district shall be used as short-term rentals, on a first-come, first-serve basis.
- (4) Tenants must be at least 25 years of age to enter into a contractual arrangement with the owner/operator of a short-term rental dwelling.
- (5) Properties containing both a principal residential dwelling and accessory residential dwelling, shall only use one residential structure as a short-term rental, not both.

Sec. 18-484. – Procedure.

Applicants for a short-term rental license shall submit, on an annual basis, an application for a short-term rental license to the City. The application shall be furnished under oath on a form specified by the City Manager or designee, accompanied by a non-refundable application fee as set by the Mayor and City Council. Such application must include:

- (a) A report from a certified Home Inspector verifying that the rental unit is in compliance with life safety and habitability codes, including an evaluation of the floor plan for the unit, verifying that all rooms meet applicable Code requirements.
- (b) The name, address, telephone and email address of the owner(s) of record of the dwelling unit for which a license is sought, and the address of the short term rental dwelling unit. If such owner is not a natural person, the application shall identify all partners, officers and/or directors of any such entity, including personal contact information.
- (c) Name and phone number of the rental agent who is available 24 hours a day, seven days a week, to respond to complaints regarding the operation or occupancy of the short-term rental unit/property.
- (d) A notarized statement signed by the owner or operator that the short-term rental will be in compliance with these regulations.
- (e) Proof of ownership.
- (f) Proof of insurance.

- (g) Evidence that short-term rental properties are enrolled with City of Jonesboro's sanitation service.
- (h) Copy of a sample Short-Term Rental Agreement used by the owner/operator, which shall include at least the following provisions:
- (1) The occupant(s)' agreement to abide by all of the requirements of this Article, any other applicable City of Jonesboro ordinances, state and federal law and acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else;
 - (2) The occupant(s)' acknowledgement that it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in the City's noise ordinance; and
 - (3) The occupant(s)' acknowledgement and agreement that violation of the agreement or this Article may result in immediate termination of the agreement and eviction from the short-term rental unit by the owner or agent, as well as the potential liability for payments of fines levied by the City.
 - (4) All trash will be promptly and properly disposed of within 12 hours of the departure of a guest.
 - (5) No on-street parking for guests will be allowed.
 - (6) 24-hour contact name and phone number.
 - (7) A statement from the tenant stating that he/she will use their best efforts to assure that the use of the premises by short-term rental occupants will not disrupt the neighborhood, and they will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.
- (i) Affidavit of Adjacent Property Owner Notification. The applicant of a short-term rental shall provide, in writing, notice to adjacent property owners within 250 feet of a local telephone number, name and address of a rental agent/property manager who will accept and handle complaints immediately relating to tenant activities.

- (j) The owner's sworn acknowledgement that he or she has received a copy of this Article, has reviewed it and understands its requirements.
- (k) The number and location of parking spaces allotted to the premises.
- (l) Any other information that this Article requires the owner to provide to the City as part of an application for a short-term rental license. The City Manager or designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this Article.
- (m) A written certification from the short-term rental agent that he or she agrees to perform the duties specified in this Article.

Sec. 18-485. - Rental Unit Conditions.

- (1) Each short-term rental must provide sufficient off-street parking for residents and/or guests.
- (2) Maximum occupancy is limited to 4 persons per dwelling unit with up to two bedrooms. For dwelling units with three or more bedrooms, the number shall not exceed 2 persons per bedroom. At least one person over the age of 25 must be a guest of a short term rental unit at all times during its occupancy.
- (3) A legible copy of the short-term rental unit license shall be posted within the unit and include all of the following information:
 - (i) The name, address, telephone number and email address of the short-term rental agent;
 - (ii) The occupation tax certificate number;
 - (iii) The maximum occupancy of the unit;
 - (iv) The maximum number of vehicles that may be parked at the unit; and
- (4) Short-term rental units must be properly maintained and regularly inspected by the owner to ensure continued compliance with applicable zoning, building, health and life safety code provisions.

Sec. 18-486. - Complaints.

All complaints shall proceed as follows:

- (1) The complaining party shall first attempt to communicate with the designated contact person/rental agent on the affidavit of adjacent property owner's notification.
- (2) The designated contact person/rental agent shall respond promptly to the complaint, regardless of the time of day and make reasonable efforts to remedy any situation that is out of compliance with the conditions of the short-term rental uses.
- (3) If the response is not satisfactory to the complaining party and/or the source of the complaint continues unabated, the complaining party must provide a written complaint to the City's designee responsible for approving short term rentals. The complaint shall include a description of the informal and formal attempts that have been made to resolve the complaint. A copy of the written complaint will be provided to the rental agent and contact person by the City.
- (4) The City shall attempt to resolve the complaint. The rental agent shall provide a written response to the City with the anticipated corrective action within 10 days from the date of notification by the City.
- (5) Three violations of this article within a 12-month period are grounds for review by the City to determine if the short-term rental license should be revoked.
- (6) A license for a short-term rental may also be revoked if the property is engaged in any prohibited activities listed herein.

Sec. 18-487. - Prohibitions.

- (1) No on-street parking is permitted.
- (2) The short-term rental property may not be utilized as an event center. Existence of advertisement or promotional materials regarding same shall be prima facie evidence of the short-term rental property owner's violation of this provision.
- (3) No exterior or interior alterations shall be made for the express purpose of adding guest rooms to the short-term rental facility. All significant exterior or interior alterations shall require a permit from the City.

Sec. 18-488. - Discrimination prohibited.

No owner/operator of a short-term rental establishment shall discriminate regarding his or her guests on the basis of race, color, sex, religion, creed or natural origin.

Sec. 18-489. Short Term Rental Agent.

- (a) The property owner may serve as the short-term rental agent. Alternatively, the owner may designate a natural person as his or her agent who is over age 18.
- (b) The duties of the short-term rental agent are to:
 - (1) Be reasonably available to handle any problems arising from use of the short-term rental unit;
 - (2) Appear on the premises of any short-term rental unit within two hours following notification from the City of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of the City of Jonesboro Code of Ordinances or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol or use of illegal drugs. Failure of the agent to timely appear to two or more complaints regarding violations may be grounds for penalties as set forth in this Article. This is not intended to impose a duty to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation;
 - (3) Receive and accept service of any notice of violation related to the use or occupancy of the premises; and
 - (4) Monitor the short-term rental unit for compliance with this Article.
- (c) An owner may change his or her designation of a short-term rental agent temporarily or permanently; however there shall only be one such agent for a property at any given time. To change the designated agent, the owner shall notify the City in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of this Article.

Sec. 18-490. Grant or Denial of Application.

All complete applications shall be reviewed within thirty (30) days of filing and shall be granted unless the applicant fails to meet the conditions and requirements

of this Article, or otherwise fails to demonstrate the ability to comply with local, state or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications.

Sec. 18-491. Short Term Rental Regulation Procedure.

- (a) To ensure the continued application of the intent and purpose of this Article, the City Manager or designee shall notify the owner of a short-term rental unit of all instances in which nuisance behavior of the rental guest or the conduct of his or her short-term rental unit agent results in a citation for a code violation or other legal infraction.
- (b) The City Manager or designee shall maintain in each short-term rental location file a record of all code violation charges, founded accusations and convictions occurring at or relating to a short-term rental unit. When a property owner has accumulated three code violations for a particular property within a period of 12 consecutive months, the City may revoke any pending licenses and, subsequently, reject all applications for the subject premises for a period of 12 consecutive months.
- (c) If a short-term rental unit owner has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term rental license.
- (d) Violations of this Article are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:
 - (1) First violation: \$500.00.
 - (2) Second violation within the preceding 12 months: \$750.00.
 - (3) Third or subsequent violation within the preceding 12 months: \$1,000.00.
- (e) A person aggrieved by the City's decision to revoke, suspend or deny a short-term rental license may appeal the decision to the City Manager or designated hearing officer. The appeal must be filed with the City Manager's office in writing, within 30 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal. Timely filing of an appeal shall stay the revocation, suspension or denial pending a decision by the City Manager.

(g) The City Manager or appointed hearing officer shall consider the appeal within 30 days after receipt by the City Manager of a request unless otherwise agreed in writing by the City and aggrieved party. All interested parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The City Manager or designated hearing officer shall render a determination in writing within five (5) days of the hearing, which will constitute a final ruling on the application. A party aggrieved by the City Manager or designated hearing officer's decision may appeal same by Petition for Writ of Certiorari with the Clayton County Superior Court in accordance with State Law.

(h) Nothing in this section shall limit the City from enforcement of its code, state or federal law by any other legal remedy available to the City. Nothing in this section shall be construed to limit or supplant the power of any city inspector or other duly empowered officer under the city's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

Sec. 18-492. - Taxes.

Short-term rental unit owners are subject to state sales tax and all applicable city taxes, including, but not limited to, the hotel/motel tax, and are liable for payment thereof as established by state law and the city code. The City may seek to enforce payment of all applicable taxes to the extent provided by law, including injunctive relief.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this

Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. The effective date of this Ordinance shall be the date of its adoption by the Mayor and Council unless otherwise stated herein.

Section 6. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Jonesboro.

Section 7. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of

436 Jonesboro, Georgia and the sections of this Ordinance may be renumbered to accomplish such
437 intention.

SO ORDAINED this ____ day of _____, 2018.

CITY OF JONESBORO, GEORGIA

JOY DAY, Mayor

ATTEST:

RICKY L. CLARK, JR., City Clerk

APPROVED AS TO FORM:

438 _____
STEVE M. FINCHER, City Attorney



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

4.5

- 5

COUNCIL MEETING DATE
October 1, 2018

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion regarding the adoption of the Official Zoning Map, as required by Section 86-74 of the Jonesboro Code of Ordinances.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Sec. 86-74. - Amendments to the Official Zoning Map.

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Approval.

On September 10, 2018, the Council approved Ordinance 2018-011, which identified, rezoned to City zonings, and annexed into the City five specific parcels which became "islands" as a result of the City annexation of multiple Clayton County parcels in the spring of 2018. The five parcels were as follows:

Section 2. The following properties are hereby rezoned to the zoning designation of MX, Mixed Use District as said designation is described in Chapter 86 ("Zoning") of the Code of Ordinances, City of Jonesboro, Georgia:

A parcel of real property containing approximately 0.40 acres, identified as Parcel Number 13210D B003 in the records of the Clayton County, Georgia Tax Assessor and having an address of 0 Tara Blvd, Jonesboro, Georgia 30236; and

Section 3. The following properties are hereby rezoned to the zoning designation of C-2, Highway Commercial District as said designation is described in Chapter 86 ("Zoning") of the Code of Ordinances, City of Jonesboro, Georgia:

A parcel of real property containing approximately 0.55 acres, identified as Parcel Number 13239B B005 in the records of the Clayton County, Georgia Tax Assessor and having an address of 188 North Avenue, Jonesboro, Georgia 30236; and

A parcel of real property containing approximately 0.25 acres, identified as Parcel Number 05242B A001 in the records of the Clayton County, Georgia Tax Assessor and having an address of Highway 54, Jonesboro, Georgia 30236; and

A parcel of real property containing approximately 0.41 acres, identified as Parcel Number 13242D A013 in the records of the Clayton County, Georgia Tax Assessor and having an address of 809 Flint River Road, Jonesboro, Georgia 30236; and

A parcel of real property containing approximately 0.51 acres, identified as Parcel Number 13242D A014 in the records of the Clayton County, Georgia Tax Assessor and having an address of 797 Flint River Road, Jonesboro, Georgia 30236; and

Section 4. The annexation indicated in Section 1 and the re-zonings indicated in Sections 2 and 3 hereof will be effective on September 10, 2018.

The updated Zoning Map before you reflects the re-zonings and annexations of these five specified parcels.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

No cost associated.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 1, 2018

Signature

City Clerk's Office

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Meeting Packet Scan - October 1, 2018
- Zoning October 8 2018

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval



Agenda Item Summary

COUNCIL MEETING DATE
October 8, 2018

Requesting Agency

Community Development Director

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Mayor and Council to consider approval to City Zoning Map update, based on adoption of Ordinance 2018-011, in September 2018, concerning the five "island" parcels within the City.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Zoning Map Adoption

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*☐

Yes

☒

No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

On September 10, 2018, the Council approved Ordinance 2018-011, which identified, rezoned to City zonings, and annexed into the City five specific parcels which became "islands" as a result of the City annexation of multiple Clayton County parcels in the spring of 2018. The five parcels were as follows:

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A parcel of real property containing approximately 0.51 acres, identified as Parcel Number 13242D A014 in the records of the Clayton County, Georgia Tax Assessor and having an address of 797 Flint River Road, Jonesboro, Georgia 30236; and

FOLLOW-UP APPROVAL ACTION (City Clerk)

City Clerk's
Office

Typed Name and Title

Phone

Signature

Date

Section 4. *The annexation indicated in Section 1 and the re-zonings indicated in Sections 2 and 3 hereof will be effective on September 10, 2018.*

The updated Zoning Map before you reflects the re-zonings and annexations of these five specified parcels.

Fiscal Impact / Funding Source

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

No cost associated

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Updated Zoning Map

Staff Recommendation

Approval

City of Jonesboro Georgia



This is to certify that this is the Official Zoning Map referred to in this Section of Ordinance 2015-01 of the City of Jonesboro, Georgia

October 8, 2018

Zoning Classifications

- A Assembly Rights
- H Historic Residential
- AH Historic Residential and Assembly Rights
- T Tara Boulevard
- County Parcels
- C-1 Neighborhood Commercial District
- C-2 Highway Commercial District
- H-1 Historic District
- H-2 Historic District
- M-1 Light Industrial District
- MX Mixed Use District
- O-1 Office and Institutional District
- R-2 Single Family Residential District
- R-4 Single Family Residential District
- R-C Cluster Residential District
- RM Multifamily Residential District

Jonesboro City Limit

Official Adoption Date: October 8, 2018

Joy B. Day, Mayor _____

Ricky L. Clark, Jr., City Manager _____

Steve Fincher, City Attorney _____

I, Ricky L. Clark, Jr., City Clerk/Manager of the City of Jonesboro, Georgia, do hereby certify that this is the Official Zoning Map of the City of Jonesboro, Clayton County, Georgia, contemporaneously present in chambers at the time it was adopted by the Mayor and Council of Jonesboro, Georgia on the 8th day of October, 2018.

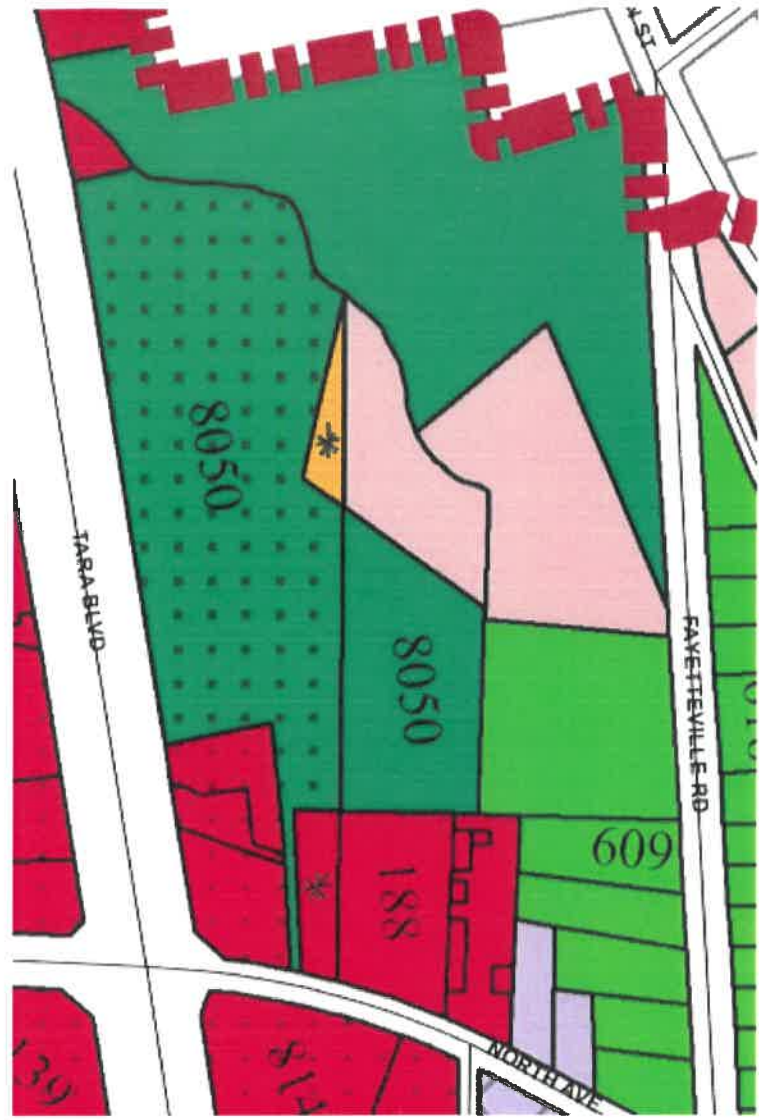
Ricky L. Clark, Jr., City Clerk/Manager

Addresses and parcel boundaries are based on data provided by the Clayton County Tax Assessor's Office and are not guaranteed by the City of Jonesboro to be accurate.



0 500 1,000 2,000 3,000 4,000

Feet







This is to certify that this is the Official Zoning referred to in this Section of Ordinance 201 of the City of Jonesboro, Georgia

October 8, 2018

Zoning Classifications

- A Assembly Rights
- H Historic Residential
- AH Historic Residential and Assembl
- T Tara Boulevard
- County Parcels
- C-1 Neighborhood Commercial Distr
- C-2 Highway Commercial District
- H-1 Historic District
- H-2 Historic District
- M-1 Light Industrial District
- MX Mixed Use District
- O-1 Office and Institutional District
- R-2 Single Family Residential Distric
- R-4 Single Family Residential Distric
- R-C Cluster Residential District
- RM Multifamily Residential District
- Jonesboro City Limit

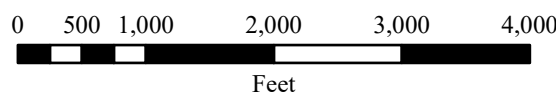
Official Adoption Date: October 8, 20

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Attachment: Zoning October 8 2018 (1292 : Zoning Map Adoption)