



**CITY OF JONESBORO
Regular Meeting
170 SOUTH MAIN STREET
October 8, 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@jonesboroga.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 - LED BY DR. MORCEASE BEASLEY, SUPERINTENDENT OF CLAYTON COUNTY PUBLIC SCHOOLS**
- IV. PLEDGE OF ALLEGIANCE**
- V. ADOPTION OF AGENDA**
- VI. PRESENTATIONS**
 1. Presentation from TSW regarding the proposed Blueprint Jonesboro draft plan document.
 2. Clayton County School District Update - Dr. Morcease Beasley, Superintendent of Schools
- VII. PUBLIC HEARING**
 1. Public Hearing regarding the adoption of the Official Zoning Map of the City of Jonesboro.
 2. Public Hearing regarding 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
 3. Public Hearing regarding 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
 4. Public Hearing regarding adoption of the 2018 Millage Rate.

VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)

IX. MINUTES

1. Consideration of the Minutes of the September 10, 2018 Regular Meeting.
2. Consideration of the Minutes of the October 1, 2018 Work Session.

X. CONSENT AGENDA

1. Council to consider approval of 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.
2. Council to consider appointment of Tammy Stanley to the Jonesboro Housing Authority.

XI. OLD BUSINESS

1. Council to consider adoption of the Official Zoning Map, as required by Section 86-74 of the Jonesboro Code of Ordinances.
2. Council to consider approval of Ordinance #2018-012 to amend Chapter 74, Traffic and Vehicles, Article VI (Golf Carts), of the City Code of Ordinances, to revise regulations for use of Motorized Carts on city streets, 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.
3. Council to consider approval of Ordinance 2018-013, 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.

XII. NEW BUSINESS

1. Council to consider the low bid acceptance in the amount of \$6022.55 for the replacement/repair of the flooring (bottom floor) within the Jonesboro Police Department.
2. Council to consider establishing the millage rate of 4.0 for FY 2018.

XIII. REPORT OF CITY MANAGER

XIV. REPORT OF MAYOR

XV. REPORT OF COUNCILMEMBERS

XVI. OTHER BUSINESS

1. Executive Session for the purpose of discussing the conveyance of real estate.
2. Consider any action(s) if necessary based on decision(s) made in the Executive Session

XVII. ADJOURNMENT



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-1

6.1

COUNCIL MEETING DATE
October 8, 2018

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s)
<p>Requested Action (<i>Identify appropriate Action or Motion, purpose, cost, timeframe, etc.</i>) Presentation from TSW regarding the proposed Blueprint Jonesboro draft plan document.</p>	
<p>Requirement for Board Action (<i>Cite specific Council policy, statute or code requirement</i>)</p>	
Is this Item Goal Related? (<i>If yes, describe how this action meets the specific Board Focus Area or Goal</i>) 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.) In 2016, the City of Jonesboro commissioned a study through the Atlanta Regional Commission's Livable Centers Initiative (LCI) program to examine downtown Jonesboro and create a plan that would grow the economy, leverage Lee Street Park, encourage appropriate development, make walking and biking easier, and revitalize the Main Street corridor.
<p>The plan, adopted in 2017, identified three priorities: development of a Downtown Core Master Plan, a concept for a proposed multi-use trail that connects the Park and Ride lot on Tara Boulevard to Main Street, and schematic designs for a new Municipal Complex. This year, the City has received more funding through the LCI program to hire consultant TSW to create a Supplemental Study to further these priorities and ultimately fulfill the vision of Blueprint Jonesboro.</p>	
<p>How YOU can get involved: Attend meetings. The Draft Plan Open House is to be held at Arts Clayton (136 S. Main St) on Tuesday, October 23, 2018 at 6:00pm. At this meeting, our consultants will present the current draft plan and seek input from our community on design preferences throughout the study area.</p>	
Fiscal Impact	(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)
<p>Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.) •</p>	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date October, 8, 2018	
Signature	City Clerk's Office	

Presentation Only

**CITY OF JONESBORO
REGULAR MEETING
170 SOUTH MAIN STREET
September 10, 2018 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Regular Meeting on Monday, September 10, 2018. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

AGENDA

- I. CALL TO ORDER - MAYOR JOY B. DAY
- II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER

Attendee Name	Title	Status	Arrived
Larry Boak	Councilmember	Present	
Alfred Dixon	Councilmember	Present	
Bobby Lester	Councilmember	Present	
Billy Powell	Councilmember	Present	
Pat Sebo	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
Cliff Kelker	Chief of Police	Present	
Joe Nettleton	Public Works Director	Present	
Cable Glenn-Brooks	Executive Assistant	Present	

- III. INVOCATION - MOMENT OF SILENCE

- IV. PLEDGE OF ALLEGIANCE

- V. ADOPTION OF AGENDA

1. Motion to adopt the agenda with the following amendments:

Under Public Hearing: Item No.1 Council to consider Application #18-ALC-006, a request for a Retail Package Dealer license to sell beer and wine beverages for Kroger Store #373, located at 8059 Boulevard by Dextrel Smith.

1. Motion to adopt the agenda with the following amendments:

RESULT: APPROVED [UNANIMOUS]
MOVER: Ed Wise, Councilmember
SECONDER: Pat Sebo, Councilmember
AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

- Add Public Hearing for Application #18-ALC-006, a request for a Retail Package Dealer license to sell beer and wine beverages for Kroger Store #373, located at 8059 Tara Boulevard by Dextrel Smith.

VI. PRESENTATIONS

1. Presentation from the Clayton County Humane Society.

At this time, members from the Clayton County Human Society, Mary Ann Moore and Carol Boatwright, presented information regarding the services they provide. The presentation is attached to the minutes.

VII. PUBLIC HEARING

1. Public Hearing regarding Application #18-ALC-006, a request for a Retail Package Dealer license to sell beer and wine beverages for Kroger Store #373, located at 8059 Tara Boulevard by Dextrel Smith.

RESULT:	CLOSED
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At this time, Mayor Day opened the floor for Public Comment. As none were present to speak, the Public Hearing was duly adjourned.

VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES) - NONE**IX. MINUTES**

1. Consideration of the Minutes of the August 13, 2018 Regular Meeting.
2. Consideration of the Minutes of the August 17, 2018 Strategic Planning Retreat.

X. CONSENT AGENDA - NONE**XI. OLD BUSINESS - NONE****XII. NEW BUSINESS**

1. Council to consider Application #18-ALC-006, a request for a Retail Package Dealer license to sell beer and wine beverages for Kroger Store #373, located at 8059 Tara Boulevard by Dextrel Smith.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ed Wise, Councilmember

SECONDER: Pat Sebo, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

2. Council to consider low bid in the amount of \$9,114.50 as submitted by Schaefer, for the purchase of 150 - 95 gallon garbage receptacles.

RESULT: APPROVED [UNANIMOUS]

MOVER: Pat Sebo, Councilmember

SECONDER: Ed Wise, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

3. Council to consider the following appointments to the Jonesboro Beautification Commission:

Billy Raymond (127 Brown Drive Jonesboro, Georgia 30236) – to fill the unexpired term of Jawana Scruggs-Taylor. Term to expire October 10, 2020.

Sheila Brooks (Heritage Bank of Jonesboro) – to fill the unexpired term of Bobby Gardner. Term to expire October 10, 2019.

Cameron Dixon (154 Huie Street Jonesboro, Georgia 30236) – to fill the unexpired term of Alfred Dixon, Sr. Term to expire October 10, 2019.

RESULT: APPROVED [UNANIMOUS]

MOVER: Pat Sebo, Councilmember

SECONDER: Billy Powell, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

4. Council to consider submission of Initial Project Assessment for Downtown Development Revolving Loan Fund for the purpose of the Broad Street Project.

RESULT: APPROVED [UNANIMOUS]

MOVER: Pat Sebo, Councilmember

SECONDER: Alfred Dixon, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

5. Council to consider proposal as submitted by Axis Remedial Sciences for the abatements of potential asbestos and lead paint at the Jonesboro Firehouse Museum.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ed Wise, Councilmember

SECONDER: Pat Sebo, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

6. Council to consider approval of Ordinance #2018-011 to annex and rezone certain property into the city of Jonesboro, Georgia and to amend the Official Zoning Map of the City of Jonesboro, Georgia; 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.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ed Wise, Councilmember

SECONDER: Alfred Dixon, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

7. Motion to amend the agenda by adding the appointment of Tracey Messick to the Jonesboro Historic Preservation Commission for a term to expire January 1, 2018 and to ratify such appointment.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ed Wise, Councilmember

SECONDER: Pat Sebo, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

XIII.

OTHER BUSINESS

1. Executive Session for the purpose of discussing the conveyance of real estate.

RESULT: APPROVED [UNANIMOUS]
MOVER: Alfred Dixon, Councilmember
SECONDER: Ed Wise, Councilmember
AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

2. Motion to adjourn Executive Session and reconvene Regular Meeting at 6:39 p.m.

RESULT: APPROVED [UNANIMOUS]
MOVER: Pat Sebo, Councilmember
SECONDER: Ed Wise, Councilmember
AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

3. Consider any action(s) if necessary based on decision(s) made in the Executive Session

RESULT: APPROVED [UNANIMOUS]
MOVER: Pat Sebo, Councilmember
SECONDER: Billy Powell, Ed Wise
AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

4. Motion to authorize Mayor Day to execute the Court's Order and Judgment in Rem for property located at 0 Burnett Street in the amount of \$7,650.00.

RESULT: APPROVED [UNANIMOUS]
MOVER: Billy Powell, Councilmember
SECONDER: Ed Wise, Councilmember
AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

XIV. REPORT OF COUNCILMEMBERS

Councilmember Boak - Reminded everyone of the covered dish supper to be held on Thursday, September 13th at the Alpha & Omega house located at 127 College Street.

Councilmember Lester - Thanked the Police Department for doing such a great job.

Councilmember Wise - Thanked Public Works Director Joe Nettleton for going the extra to assist stranded motorist.

Councilmember Powell - Reminded everyone of the grand opening of the Albatross Restaurant located at the Lake Spivey Country Club. The event will be held this Saturday, September 15th.

Councilmember Dixon - None

Councilmember Sebo - None

XV. REPORT OF MAYOR JOY B. DAY

Mayor Day - Advised everyone that the Fig Tree Cafe will open on Monday, September 17th. Further, Mayor Day encouraged everyone to attend.

XVI. REPORT OF THE CITY MANAGER - RICKY L. CLARK, JR.

Ricky L. Clark Jr., City Manager

- Acknowledged Mr. Well for being in attendance at the Council Meeting tonight. Mr. Wells has been under the weather and we are grateful to have him back with us.
- Mr. Clark reminded everyone that the swearing in for Chief Kelker will be held on Tuesday, September 11th at 7:00 p.m. The ceremony will be held at the Jonesboro Police Department.
- Mr. Clark reminded everyone of the Jonesboro Downtown Street Festival featuring the Swingin' Medallions. The event will be held on Saturday, September 22nd beginning at 2:00 p.m.

XVII. ADJOURNMENT

1. Motion to adjourn

RESULT: APPROVED [UNANIMOUS]

MOVER: Billy Powell, Councilmember

SECONDER: Ed Wise, Councilmember

AYES: Boak, Dixon, Lester, Powell, Sebo, Wise

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER

**CITY OF JONESBORO
WORK SESSION
170 SOUTH MAIN STREET
October 1, 2018 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Work Session on Monday, October 1, 2018. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR PRO TEM PATRICIA SEBO

Attendee Name	Title	Status	Arrived
Larry Boak	Councilmember	Present	
Alfred Dixon	Councilmember	Absent	
Bobby Lester	Councilmember	Present	
Billy Powell	Councilmember	Present	
Pat Sebo	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Absent	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
Clifford Kelker	Chief of Police	Absent	
Joe Nettleton	Public Works Director	Present	
Cable Glenn-Brooks	Executive Assistant	Present	

II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER

III. INVOCATION - LED BY MR. WILLIAM WELLS

IV. ADOPTION OF AGENDA

1. Motion to amend the agenda by removing the Executive Session regarding the discussion of real estate.

RESULT: APPROVED [UNANIMOUS]
MOVER: Ed Wise, Councilmember
SECONDER: Billy Powell, Councilmember
AYES: Boak, Lester, Powell, Sebo, Wise
ABSENT: Dixon

2. Motion to adopt the amended Agenda.

RESULT: APPROVED [UNANIMOUS]
MOVER: Ed Wise, Councilmember
SECONDER: Bobby Lester, Councilmember
AYES: Boak, Lester, Powell, Sebo, Wise
ABSENT: Dixon

V. WORK SESSION

1. Discussion regarding appointment of Tammy Stanley to the Jonesboro Housing Authority.

RESULT: CONSENT AGENDA

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.

RESULT: CONSENT AGENDA ITEM**Next: 10/8/2018 6:00 PM**

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.

RESULT: OLD BUSINESS**Next: 10/8/2018 6:00 PM**

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.

RESULT: OLD BUSINESS**Next: 10/8/2018 6:00 PM**

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

RESULT: OLD BUSINESS**Next: 10/8/2018 6:00 PM****VI. OTHER BUSINESS****VII. ADJOURNMENT**

1. Motion to adjourn

RESULT: APPROVED [UNANIMOUS]**MOVER:** Billy Powell, Councilmember**SECONDER:** Ed Wise, Councilmember**AYES:** Boak, Lester, Powell, Sebo, Wise**ABSENT:** Dixon

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER



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.





APPLICANT INFORMATION

APPLICANT NAME: City of Jonesboro	
ADDRESS OF ORGANIZATION: 124 North Avenue	CITY/STATE/ZIP Jonesboro, Georgia 30236
PROJECT ADMINISTRATOR: Joy B. Day	TITLE: Mayor
TELEPHONE NUMBER: (770) 478-3800	EMAIL ADDRESS: jday@jonesboroga.com
DUNS NUMBER: 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 APART 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"/> ? <i>(New is defined as a project that has not previously received funding)</i>		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 Commission District	Project Commission District	Project Census Tract (Mark N/A if Countywide)	Project Congressional District	
4	4	406.121	13	



**Clayton County Community Development
HUD Programs Division
2018 Consolidated Application**

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**



COUNTY GOALS AND OBJECTIVES

Clayton County has established the following goals and objectives, which fulfill areas identified 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.



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



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 reclamamtion 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 accesss 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.



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					



**Clayton County Community Development
HUD Programs Division
2018 Consolidated Application**

Strategy #3

Performance Measure #3

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



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.



**Clayton County Community Development
HUD Programs Division
2018 Consolidated Application**

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 name(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 name(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
HUD Programs Division
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		\$	



Clayton County Community Development
HUD Programs Division
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	\$	\$	\$
--------------------	-----------	-----------	-----------

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 move 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.

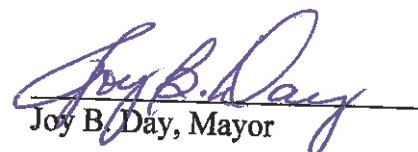
SO RESOLVED AND EFFECTIVE, this 11th day of December, 2017.

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:

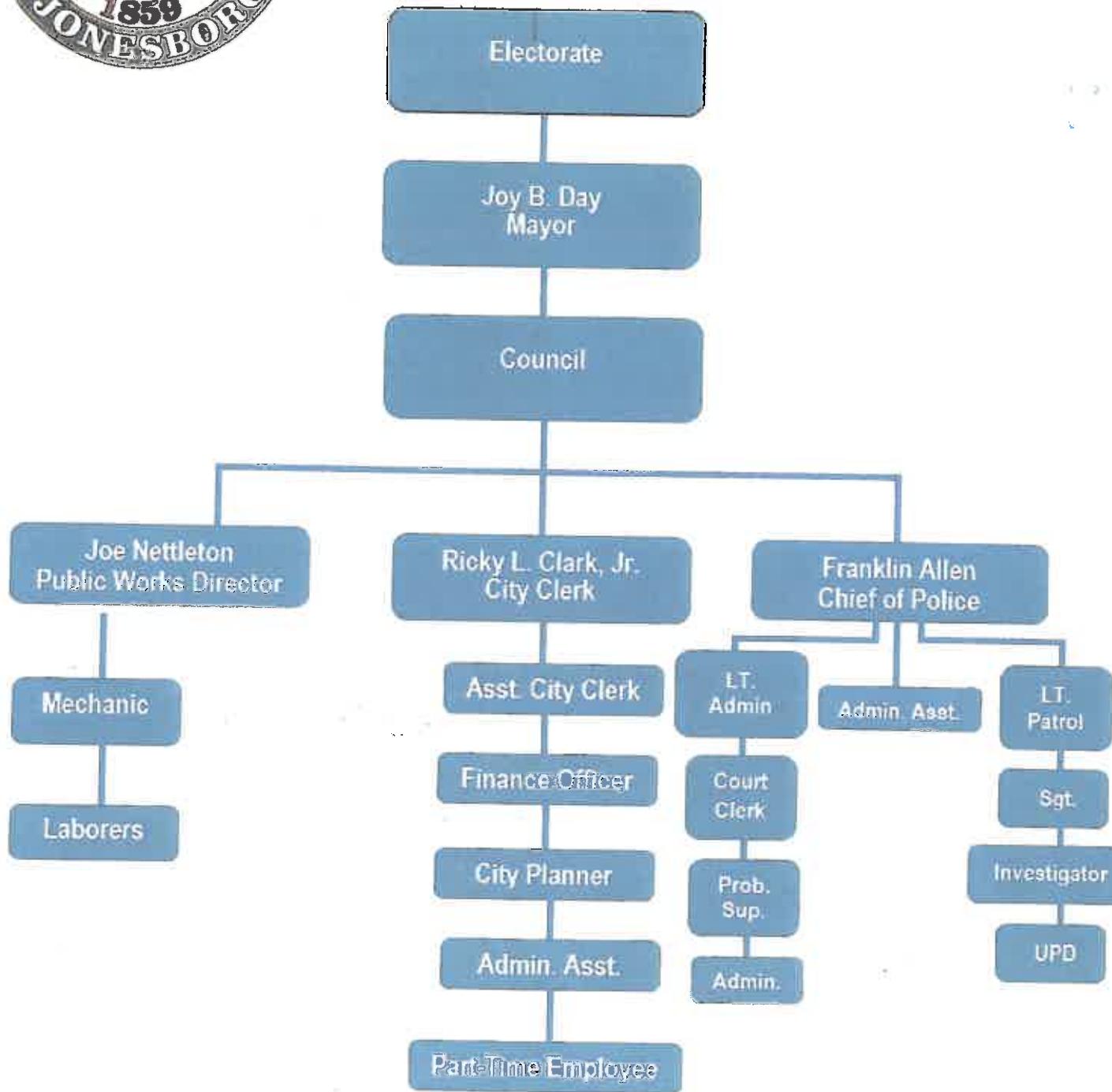
1. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skill, including open competition of qualified applicants for initial appointment;
2. Providing equitable and adequate compensation to employees, within the budgetary means of the City;
3. Training 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

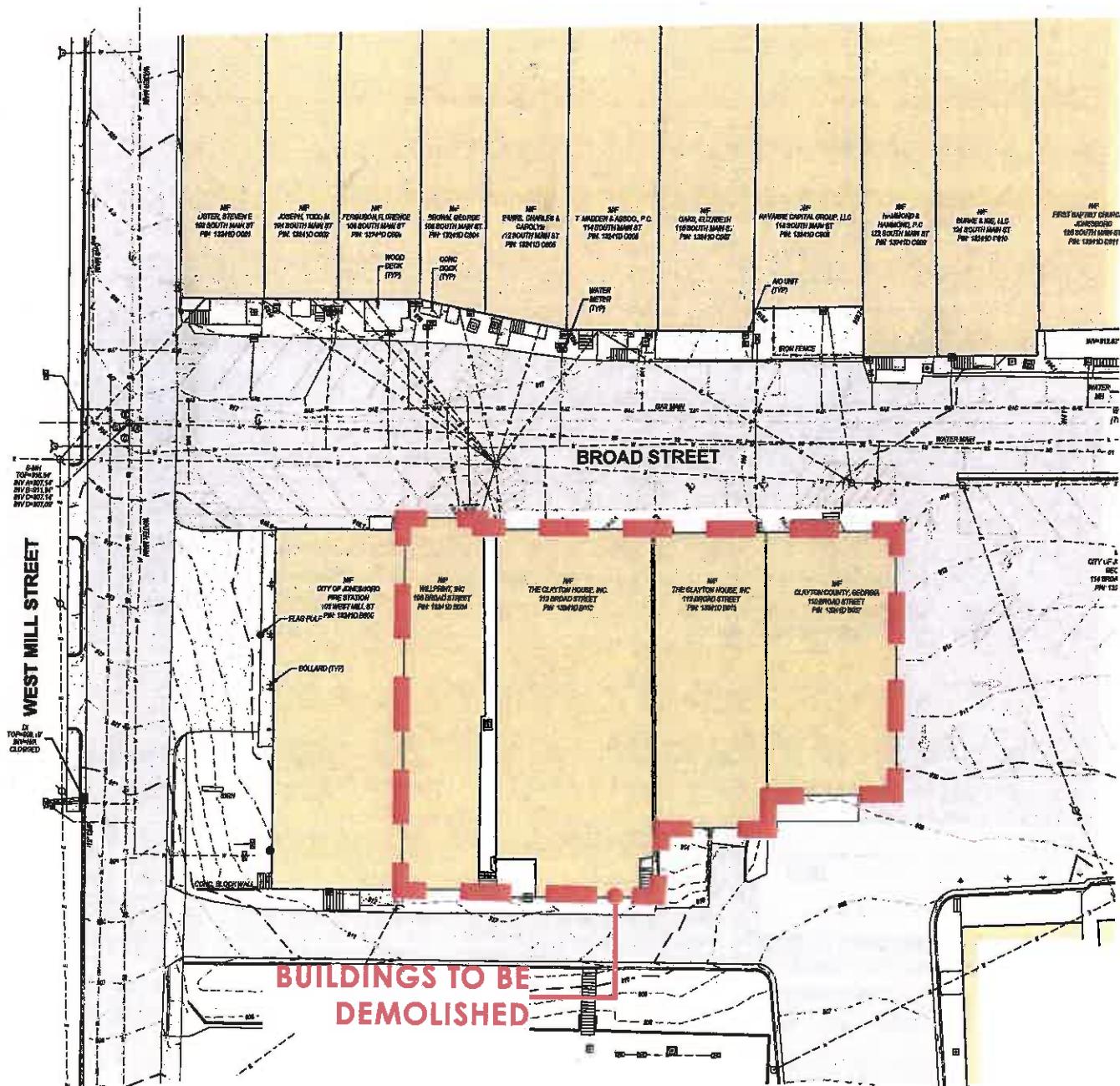
Pat Sebo
175 Church Street
Jonesboro, GA 30236 770-471-8386 email: psebo@jonesboroga.com

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





BROAD STREET – CURRENT

BROAD STREET – CURRENT

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 – CURRENT

Proximity to Low to Moderate Income Families







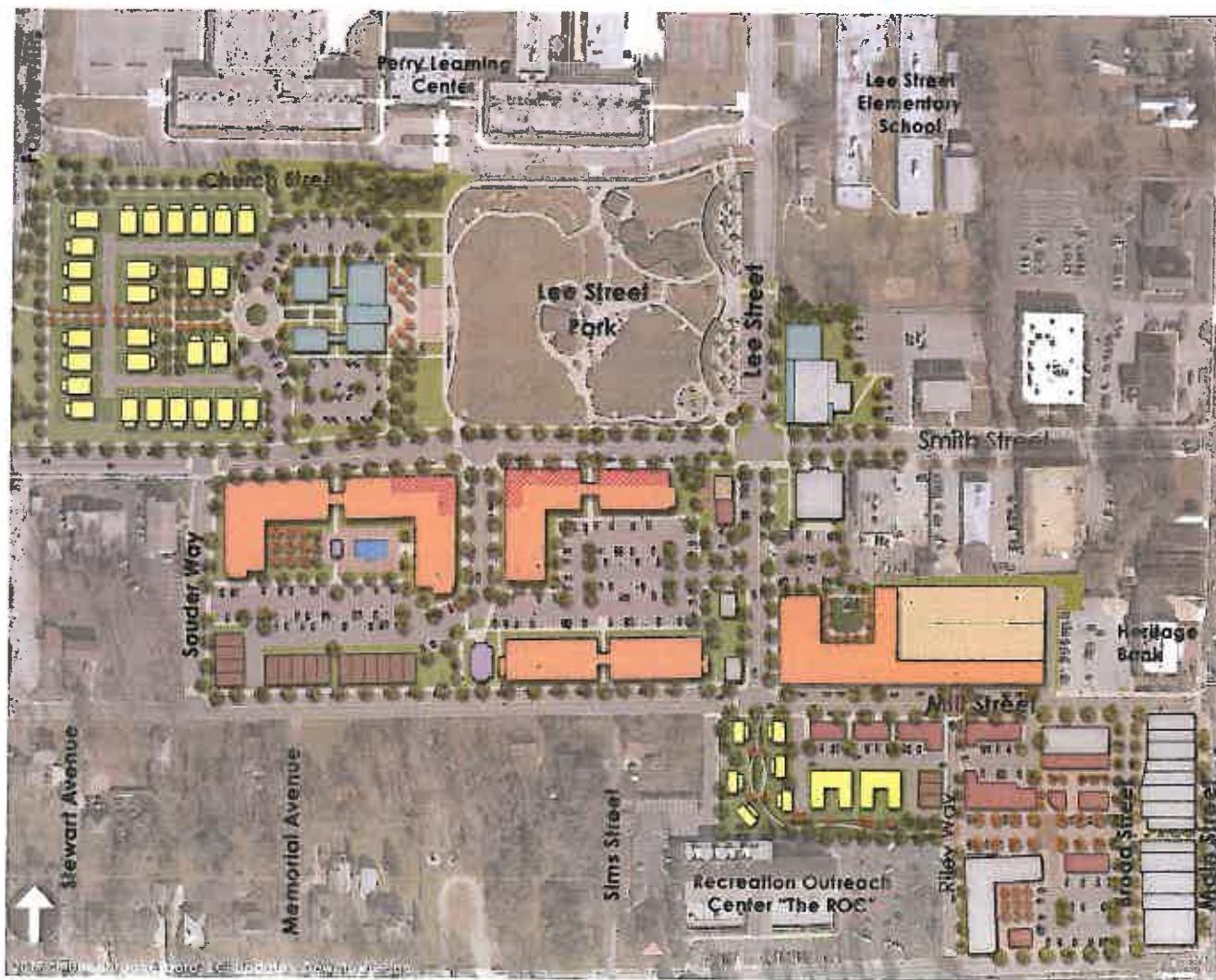
BROAD STREET PROJECT SUMMARY

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.

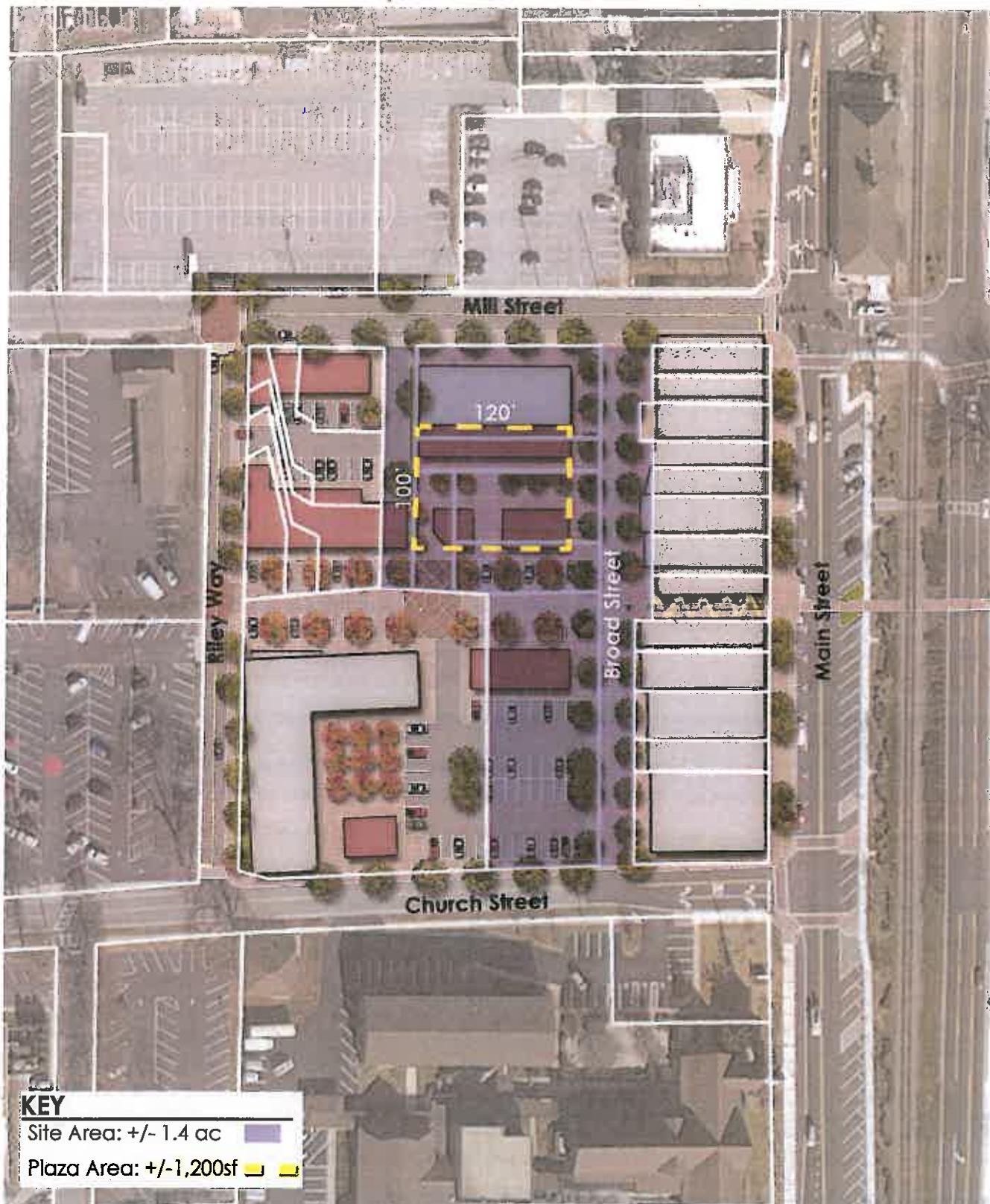
LEGEND

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



SITE PLAN





Study Area for:
Broad Street Plaza
The City of Jonesboro
DW TSW

Scale: 1"=100'



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 #

11.1

-1

COUNCIL MEETING DATE
October 8, 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.)*

Council to consider 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 0.40acres, 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, 8, 2018	10/01/18	City Council	OLD BUSINESS Next: 10/08/18
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



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

11.1.a

Agenda Item

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

Attachment: Meeting Packet Scan - October 1, 2018 (1292 : Zoning Map Adoption)

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

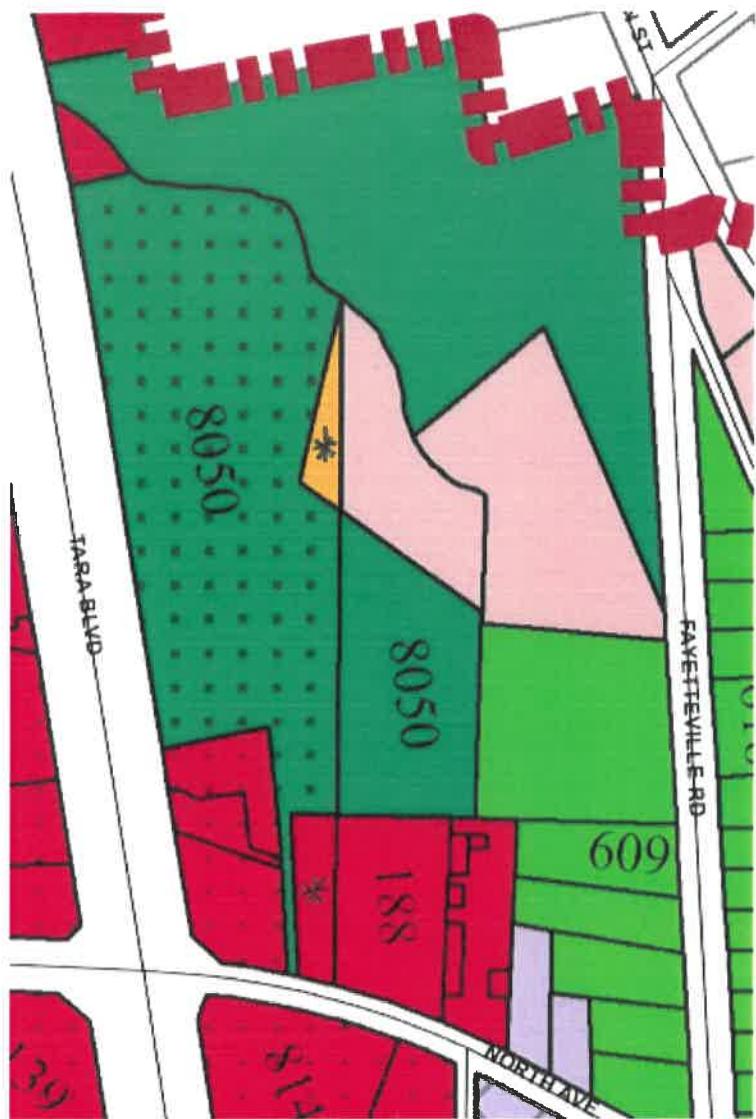
I, Ricky L. Clark, Jr., City Clerk/Manager of the City of Jonesboro, Georgia, do hereby certify that this is the Official Zoning Map of the City of Jonesboro, Clayton County, Georgia, contemporaneously present in chambers at the time it was adopted by the Mayor and Council of Jonesboro, Georgia on the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



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Feet





City of Jonesboro

Georgia



This is to certify that this is the Official Zoning Map 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-I Office and Institutional District
-  R-2 Single Family Residential Distr
-  R-4 Single Family Residential District
-  R-C Cluster Residential District
-  RM Multifamily Residential District
-  Jonesboro City Limit

Official Adoption Date:

Joy B. Day, Mayor

Ricky L. Clark, Jr., City Manager

Steve Fincher, City Attorney

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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.



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CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-2

11.2

COUNCIL MEETING DATE
October 8, 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.)*

Council to consider approval of Ordinance #2018-012 to amend Chapter 74, Traffic and Vehicles, Article VI (Golf Carts), of the City Code of Ordinances, to revise regulations for use of Motorized Carts on city streets, 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, 8, 2018	10/01/18	City Council OLD BUSINESS Next: 10/08/18
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. 11.2

- **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
- Agenda Cover Sheet - Revised Cart Ordinance REV 10.8.18
- Motorized Cart ordinance - FINAL REV 10.8.18

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

Approval



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item

11.2.a

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	

Revised 03/12/09 (Previous versions are obsolete)

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]

22
23
24ARTICLE VI. MOTORIZED CARTS

25

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

26

(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.

27

(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.

28

(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:

29

City is the City of Jonesboro.

30

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

31

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

32

Motorized carts are defined as those electric and gasoline-powered pleasure carts, commonly referred to as “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.

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Deleted: GOLF

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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.

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Deleted: motorized vehicles

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

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

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

91 (3) Fee. A n annual, registration fee for each motorized cart shall be
 92 \$25.00 for City residents and \$30.00 for non-City residents. The
 93 registration shall be effective until the ownership of the motorized
 94 cart is transferred to another person or entity. The registration fees
 95 shall be due by January 31st each year and shall be paid annually
 96 until such time as the cart is transferred or otherwise disposed of.

97 (4) Transfer. Upon any transfer of ownership of a previously registered
 98 motorized cart, the new owner shall, before he or she shall operate
 99 the motorized cart in a manner regulated hereunder, apply for a new
 100 permit and registration. The new owner shall pay the registration
 101 and permit fee as required herein. ~~Deleted: \$15.00~~

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

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

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- a. The permit holder no longer holds a valid Georgia driver's license;
- b. The permit holder, or any operator of the registered vehicle, shall repeatedly fail to abide by the rules and regulations of this Article, including, but not limited to, failing to have a current registration and properly displaying current decals.
- c. The permit holder shall fail to abide by traffic laws in the use of a motorized cart on authorized streets;
- d. The permit holder shall fail to grant right-of-way to pedestrians and bicyclists; or
- e. The permit holder cannot safely operate the motorized cart on a designated roadway or pose a threat to the safety of others.

(7) Homeowner relocation. In the event that a registered motorized cart owner changes his/her address or contact information after the motorized cart is registered, that owner shall have 60 days to provide their new contact information to the City. If the ownership information is not updated within 60 days of relocation, a \$20.00 penalty will be applied and the cart shall be considered an unregistered cart after the 60-day period.

(b) Gasoline carts.

(1) Every motorized cart powered by gasoline shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

- a. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer;
- b. The exhaust system and its elements shall be securely fastened, with brackets or hangers which are designed for the particular purpose of fastening the motorized cart exhaust systems; and
- c. The engine and powered mechanism of every motorized cart shall be so equipped, adjusted and tuned so that the exhaust is in good working order.

175
176 (2) It shall be unlawful for the owner of any motorized cart to operate
177 or permit the operation of such motorized cart on which any device
178 controlling or abating atmospheric emissions, which is placed on a
179 cart by the manufacturer, is rendered unserviceable by removal,
180 alteration or other acts which interfere with its operation.
181
182 (3) Every two years, running with the time of registration, every
183 gasoline motorized cart must be inspected by a dealer holding a valid
184 business license for the inspection and repair of motorized carts, and
185 the dealer must certify that the exhaust system meets the standards
186 required by this Article. This certification must be presented to the
187 City in order to obtain a renewal permit.
188
189 (c) Rental carts. Motorized cart dealers and distributors, as well as other
190 commercial establishments, may rent carts to the public for use on
191 authorized streets and those areas accessible by the public of the City. Each
192 such establishment renting carts shall be required to register each such rental
193 cart in accordance with subsection (a) of this section and shall maintain a
194 written record of each person who rents each cart. Operators of rental
195 vehicles shall be required to furnish positive identification, shall be
196 provided a copy of this Article, shall carry a copy of the current registration
197 in the vehicle, and must be at least 18 years of age. The registration fee and
198 transfer fees and regulations shall be the same as those in subsections (a)(4)
199 and (5) of this section. Motorized carts for temporary use by the City during
200 special events are exempt from the requirement of this section.
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Sec. 74-177. Operation regulations.

202
203 (a) Only those persons who hold a valid Georgia driver's license may drive a
204 motorized cart on authorized streets and those areas accessible by the public
205 of the City.
206
207 (b) Motorized carts shall only be operated over those authorized streets and
208 those areas accessible by the public during daylight hours, unless such
209 motorized carts are equipped with functional headlights and taillights. All
210 carts must have functional brake lights and turn signals.
211
212 (c) Children (passengers) under the age of 12 must wear a certified bicycle
213 helmet.
214
215 (d) It shall be unlawful for the owner of any motorized cart or any other person
216 operating, employing, permitting the use of or otherwise directing the use
217 of such cart to operate or permit the operator of any such cart to drive over
218 the authorized streets or those areas accessible by the public in the City in
219 violation of this Article.
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223 (e) All laws and ordinances relative to alcohol and its use, including open
 224 container laws, which apply to traffic on streets of the City of Jonesboro,
 225 shall also apply to motorized carts.
 226

227 (f) Sidewalks and recreational paths. Except where specifically authorized,
 228 motorized carts shall not be driven on sidewalks or recreational paths.

229 (g) Designated parking areas. Except where specifically authorized, motorized
 230 carts shall not be parked on streets, street shoulders, or within rights-of-way.
 231 Motorized carts at residences shall only be parked in driveways or in
 232 carports / garages and shall be provided adequate off-street parking space
 233 as other types of vehicles. The City shall reserve the right to create
 234 motorized cart parking areas in certain districts.

235 (h) All motorized cart operators shall abide by all traffic regulations
 236 applicable to vehicular traffic when using the streets and those areas
 237 accessible by the public in the city. Where cart paths exist, they must be
 238 used in preference to parallel city streets with the exclusion of those cart
 239 paths privately owned and maintained and not used by the general public.

240 (i) All operators and passengers must remain seated at all times during the
 241 operation of the motorized cart. No person may sit on the operator's lap
 242 during the operation of the motorized cart.

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

244 (a) Motorized carts may be operated on the following streets and areas:
 245

246 (i) Except as may otherwise be provided below, all City of Jonesboro
 247 streets with 35 M.P.H. speed limits or less.

248 (ii) Fayetteville Road from North Avenue to North Main Street.

249 (iii) North Avenue from 223 North Main Street rear entrance to West
 250 Avenue.

251 (iv) North Main from north City Limit to 223 North Main Street.

252 (v) Main Street from Spring Street to Church Street.

253 (vi) McDonough Street from Mill Street/Courthouse Way to Keystone
 254 Apartment entrance.

255 (vii) South Main Street from Burnside to all driveways of the police
 256 department.

269
270 (b) Motorized carts may cross the following streets only at the indicated
271 locations:
272
273 (i) Fayetteville Road at West Mill Street, Smith Street, Spring Street,
274 and Dixon Road.
275
276 (ii) North Main Street at Spring Street to Watterson Street.
277
278 (iii) Main Street at West Mill Street/Courthouse Way.
279
280 (iv) Jonesboro Road at Fifth Avenue.
281
282 (v) College Street at Stewart Avenue and Cloud Street.
283
284 (c) Motorized carts may not be operated under any circumstances in the
285 following locations:
286
287 (i) Lake Jodeco Road.
288
289 (ii) Turner Road.
290
291 (iii) Stockbridge Road.
292
293 (iv) Tara Blvd.
294
295 (v) Fayetteville Road from Tara Blvd. to North Avenue.
296
297 (vi) The intersection of North Avenue at Main Street and at Jonesboro
298 Road.
299
300 (vii) Main Street from North Avenue to Spring Street.
301
302 (viii) Except as otherwise provided above, South Main Street South of
303 College Street.
304
305 (ix) Except as otherwise provided above, any street with a speed limit of
306 above 35 M.P.H.
307
308 (x) Recreational paths, except where specifically authorized by the City
309 of Jonesboro.

Deleted: none,

311 **Sec. 74-179. - Liability.**
312

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

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Sec. 74-180. - Penalties.

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

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

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

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

329 (3) For a third offense committed within one year of the imposition of
 330 a civil penalty for a second offense, the minimum fine shall be
 331 \$500.00, and the registered owner's motorized cart registration shall
 332 be revoked. The registered owner may not thereafter operate a
 333 motorized cart in the City for a period of two years after imposition
 334 of the civil penalty.

Deleted: by Chapter 74

Deleted: \$50.00

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Sec. 74-181. - Signs.

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

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Deleted: shall be posted

Deleted: advising

Deleted: of the potential presence of motorized carts on streets

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

347 incorporated by reference as if fully set out herein.

Section 3.

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

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

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

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

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

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

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

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:

390 **STEVE M. FINCHER**, City Attorney

[0387-0028/293242/1]



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item

11.2.c

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.

At the October 1st City Council work session, several more changes to the revised Ordinance were requested by the Council as a whole:

- Discussion of whether or not an annual registration fee should be charged or whether the one-time fee should remain, and whether certain citizens already registered should be grandfathered.
- Reduction of the proposed annual registration fee for City residents to \$20 and non-City residents to \$25.
- Exemption of registration fee for residents 65 and older.

(Continued page 2)

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

FOLLOW-UP APPROVAL ACTION (City Clerk)		City Clerk's Office
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

- Providing a temporary permit for visitors and guests of the City bringing their own carts into the City.
- Discussion of allowing carts on all City sidewalks and recreational paths as long as they give right-of-way to pedestrians.
- Increasing the allowed driving areas for carts to all City streets, with the exception of Tara Boulevard, Turner Road, Stockbridge Road, and all areas north of Highway 138.
- Discussion of whether increased fines are too large.

The City Attorney's office reviewed the original submittal for October 1st.

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]

22
23
24ARTICLE VI. **GOLF**MOTORIZED CARTS

25

Sec. 74-175. Findings, Purpose and Definitions.26
27
28

(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.

29

(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.

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31
32

(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:

33
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36

City is the City of Jonesboro.

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

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

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Motorized carts are defined as those electric and gasoline-powered pleasure carts, commonly referred to as “golf carts”, and further defined by reference to O.C.G.A. 40-1-1(~~32~~17.3). These are the only ~~motorized vehicles~~Personal Transportation Vehicles, as that term is defined by O.C.G.A. 40-1-1(~~33~~43.1), authorized for use under this Article.

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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.

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

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61**Sec. 74-176. Registration/Inspection/Certification.**62
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(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. ~~within ten business days of the date of purchase of the motorized cart~~. Only those persons

Commented [LF1]: I don't think this provision is a good idea. What if they purchased the golf cart a while back for use in a private subdivision or golf course? Are they not allowed to use them for City use because they were purchased more than ten business days ago?

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 72
 73 18 years of age or older may register a motorized cart. Motorized
 74 cart registration may be in one person's name only, and the
 75 registration form must be signed by that person. A record of each
 76 motorized cart number with corresponding owner information shall
 77 be maintained by the City.

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

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

91 (3) Fee. An annual~~one time~~ registration fee for each newly-purchased
 92 motorized cart shall be \$120.00 for City residents and \$25.00 for
 93 non-City residents. All citizens aged 65 and over shall be exempt
 94 from the payment of registration fees but shall still have their
 95 cart registered with the City. The registration shall be effective
 96 until the ownership of the motorized cart is transferred to another
 97 person or entity. The registration fees shall be due by January 31st
 98 each year and shall be paid annually until such time as the cart is
 99 transferred or otherwise disposed of.

100 (4) Transfer. Upon any transfer of ownership of a previously registered
 101 motorized cart, the new owner shall, before he or she shall operate
 102 the motorized cart in a manner regulated hereunder, apply for a new
 103 permit and registration. The new owner shall pay the \$15.00
 104 registration and permit fee as required herein.

105 (5) Decals. Two numerical decals shall be issued upon completion of
 106 registration. The decals must be affixed to the sides of the cart in
 107 such a manner as to be fully visible at all times. Decals for City
 108 residents and non-City residents shall be different, distinct colors.

113 Decals for City residents and non-City residents shall change color
 114 annually, in a revolving schedule determined by the City.

115
 116 (6) Revocation of permit. Permits may be revoked if it is found that:
 117
 118 a. The permit holder no longer holds a valid Georgia driver's
 119 license;
 120
 121 b. The permit holder, or any operator of the registered vehicle,
 122 shall repeatedly fail to abide by the rules and regulations of
 123 this Article, including, but not limited to, failing to have a
 124 current registration and properly displaying current decals.
 125
 126 c. The permit holder shall fail To abide by traffic laws in the
 127 use of a motorized cart on authorized streets;
 128
 129 d. The permit holder shall fail To grant right-of-way to
 130 pedestrians and bicyclists; or
 131
 132 e. The permit holder cannot safely operate the motorized cart
 133 on a designated roadway or possess a threat to the safety of
 134 others.

135
 136 (7) Homeowner relocation. In the event that a registered motorized
 137 cart owner changes his/her address or contact information after the
 138 motorized cart is registered, that owner shall have 60 days to
 139 provide their new contact information to the City. If the ownership
 140 information is not updated within 60 days of relocation, a \$20.00
 141 penalty will be applied and the cart shall be considered an
 142 unregistered cart after the 60-day period.

143 (8) Temporary permits. For short-term visitors or guests to the City
 144 using a motorized cart within the City, which is registered in
 145 another municipality other than the City of Clayton County,
 146 Georgia, a temporary permit is required by the City and shall
 147 be placed in a conspicuous place on the subject cart. No decals
 148 are required.

149
 150 (b) Gasoline carts.

151
 152 (1) Every motorized cart powered by gasoline shall at all times be
 153 equipped with an exhaust system in good working order and in
 154 constant operation, meeting the following specifications:
 155
 156 a. The exhaust system shall include the piping leading from the
 157 flange of the exhaust manifold to and including the muffler

158 and exhaust pipes or include any and all parts specified by
 159 the manufacturer;

160

161 b. The exhaust system and its elements shall be securely
 162 fastened, with brackets or hangers which are designed for the
 163 particular purpose of fastening the motorized cart exhaust
 164 systems; and

165

166 c. The engine and powered mechanism of every motorized cart
 167 shall be so equipped, adjusted and tuned so that the exhaust
 168 is in good working order.

169

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

175

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

182

183 (c) Rental carts. Motorized cart dealers and distributors, as well as other
 184 commercial establishments, may rent carts to the public for use on
 185 authorized streets and those areas accessible by the public of the City. Each
 186 such establishment renting carts shall be required to register each such rental
 187 cart in accordance with subsection (a) of this section and shall maintain a
 188 written record of each person who rents each cart. Operators of rental
 189 vehicles shall be required to furnish positive identification, shall be
 190 provided a copy of this Article, shall carry a copy of the current registration
 191 in the vehicle, and must be at least 1618 years of age. The registration fee
 192 and transfer fees and regulations shall be the same as those in subsections
 193 (a)(4) and (5) of this section. Motorized carts for temporary use by the City
 194 during special events are exempt from the requirement of this section.

195

196 **Sec. 74-177. Operation regulations.**

197

198 (a) Only those persons who hold a valid motor vehicle Georgia driver's license
 199 may drive a motorized cart on authorized streets and those areas accessible
 200 by the public of the City.

201

202 (b) Motorized carts shall only be operated over those authorized streets and
 203 those areas accessible by the public during daylight hours, unless such

204 motorized carts are equipped with functional headlights and taillights. All
205 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.
- (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. Pedestrians should be given the right-of-way when encountering motorized carts driven on paved sidewalks and/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 all City of Jonesboro streets and areas, except as provided below:

- (i) Streets and areas north of Georgia State Route 138 Spur.
- (ii) Turner Road.

250 (iii) **Stockbridge Road.**
251
252 (iv) **Tara Blvd.**

Sec. 74-179. - Liability.

Nothing in this section 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 permit license holder or the failure by the City to revoke said permit license.

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 by Chapter 74 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~~\$50.00~~.

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

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, advising/informing drivers of the potential presence of motorized carts on City streets of which City streets are authorized for motorized cart.

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

293 **Section 3.**

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

297 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent
298 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance
299 is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance.
300 It is hereby further declared to be the intention of the Mayor and Council that, to the greatest
301 extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is
302 mutually dependent upon any other section, paragraph, sentence, clause or phrase of this
303 Ordinance.

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

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

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

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

319 **Section 7.** It is the intention of the governing body, and it is hereby ordained that the
320 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
321 Jonesboro, Georgia and the sections of this Ordinance may be renumbered to accomplish such
322 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:

323 **STEVE M. FINCHER**, City Attorney

[0387-0028/293242/1]



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-3

11.3

COUNCIL MEETING DATE
October 8, 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.)*

Council to consider approval of Ordinance 2018-013, 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.)

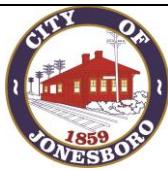
No cost associated.

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
- Agenda Cover Sheet - Short Term Rentals REV 10.8.18
- Air BnB codified - FINAL REV 10.8.18

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date October, 8, 2018	10/01/18	City Council OLD BUSINESS Next: 10/08/18
Signature	City Clerk's Office		



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item

11.3.a

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	

Revised 03/12/09 (Previous versions are obsolete)

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:

ARTICLE XIII. – SHORT-TERM RENTALS

Sec. 18-476. Purpose.

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.

Sec. 18-477. - Definitions.

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

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

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

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

104 (2) The property owner must designate an individual to serve as a rental agent to
105 respond to issues associated with short-term rentals. The agent may be the
106 property owner.

107

108 (3) Within the Historic Districts and Historic Residential Overlay District, no
109 more than 20% of homes within each district shall be used as short-term
110 rentals, on a first-come, first-serve basis.

111

112 (4) Tenants must be a least 25 years of age to enter into a contractual arrangement
113 with the owner/operator of a short-term rental dwelling.

114

115 (5) Properties containing both a principal residential dwelling and accessory
116 residential dwelling, shall only use one residential structure as a short-term
117 rental, not both.

118

119 **Sec. 18-484. – Procedure.**

120

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

126

127 (a) A report from a certified Home Inspector verifying that the rental unit is in
128 compliance with life safety and habitability codes, including an evaluation
129 of the floor plan for the unit, verifying that all rooms meet applicable Code
130 requirements.

131 (b) The name, address, telephone and email address of the owner(s) of record
132 of the dwelling unit for which a license is sought, and the address of the
133 short term rental dwelling unit. If such owner is not a natural person, the
134 application shall identify all partners, officers and/or directors of any such
135 entity, including personal contact information.

136

137 (c) Name and phone number of the rental agent who is available 24 hours a
138 day, seven days a week, to respond to complaints regarding the operation
139 or occupancy of the short-term rental unit/property.

140

141 (d) A notarized statement signed by the owner or operator that the short-term
142 rental will be in compliance with these regulations.

143

144 (e) Proof of ownership.

145

146 (f) Proof of insurance.

147

148

149 (g) Evidence that short-term rental properties are enrolled with City of
150 Jonesboro's sanitation service.

151

152 (h) Copy of a sample Short-Term Rental Agreement used by the
153 owner/operator, which shall include at least the following
154 provisions:

155

156 (1) The occupant(s)' agreement to abide by all of the
157 requirements of this Article, any other applicable City of
158 Jonesboro ordinances, state and federal law and
159 acknowledgement that his or her rights under the agreement
160 may not be transferred or assigned to anyone else;

161

162 (2) The occupant(s)' acknowledgement that it shall be unlawful
163 to allow or make any noise or sound that exceeds the limits
164 set forth in the City's noise ordinance; and

165

166 (3) The occupant(s)' acknowledgement and agreement that
167 violation of the agreement or this Article may result in
168 immediate termination of the agreement and eviction from
169 the short-term rental unit by the owner or agent, as well as
170 the potential liability for payments of fines levied by the
171 City.

172

173 (4) All trash will be promptly and properly disposed of within
174 12 hours of the departure of a guest.

175

176 (5) No on-street parking for guests will be allowed.

177

178 (6) 24-hour contact name and phone number.

179

180 (7) A statement from the tenant stating that he/she will use
181 their best efforts to assure that the use of the premises by
182 short-term rental occupants will not disrupt the
183 neighborhood, and they will not interfere with the rights of
184 neighboring property owners to the quiet enjoyment of their
185 properties.

186

187 (i) Affidavit of Adjacent Property Owner Notification. The applicant
188 of a short-term rental shall provide, in writing, notice to adjacent
189 property owners within 250 feet of a local telephone number, name
190 and address of a rental agent/property manager who will accept
191 and handle complaints immediately relating to tenant activities.

192

193 (j) The owner's sworn acknowledgement that he or she has received a
 194 copy of this Article, has reviewed it and understands its
 195 requirements.

196 (k) The number and location of parking spaces allotted to the
 197 premises.

198 (l) Any other information that this Article requires the owner to
 199 provide to the City as part of an application for a short-term rental
 200 license. The City Manager or designee shall have the authority to
 201 obtain additional information from the applicant as necessary to
 202 achieve the objectives of this Article.

203 (m) A written certification from the short-term rental agent that he or
 204 she agrees to perform the duties specified in this Article.

205 **Sec. 18-485. - Rental Unit Conditions.**

206 (1) Each short-term rental must provide sufficient off-street parking for
 207 residents and/or guests.

208 (2) Maximum occupancy is limited to 4 persons per dwelling unit with up to
 209 two bedrooms. For dwelling units with three or more bedrooms, the
 210 number shall not exceed 2 persons per bedroom. At least one person over
 211 the age of 25 must be a guest of a short term rental unit at all times during
 212 its occupancy.

213 (3) A legible copy of the short-term rental unit license shall be posted within
 214 the unit and include all of the following information:

215 (i) The name, address, telephone number and email address of the
 216 short-term rental agent;

217 (ii) The occupation tax certificate number;

218 (iii) The maximum occupancy of the unit;

219 (iv) The maximum number of vehicles that may be parked at the unit;
 220 and

221 (4) Short-term rental units must be properly maintained and regularly
 222 inspected by the owner to ensure continued compliance with applicable
 223 zoning, building, health and life safety code provisions.

224 **Sec. 18-486. - Complaints.**

239 All complaints shall proceed as follows:

240

241 (1) The complaining party shall first attempt to communicate with the
242 designated contact person/rental agent on the affidavit of adjacent
243 property owner's notification.

244

245 (2) The designated contact person/rental agent shall respond promptly
246 to the complaint, regardless of the time of day and make
247 reasonable efforts to remedy any situation that is out of compliance
248 with the conditions of the short-term rental uses.

249

250 (3) If the response is not satisfactory to the complaining party and/or
251 the source of the complaint continues unabated, the complaining
252 party must provide a written complaint to the City's designee
253 responsible for approving short term rentals. The complaint shall
254 include a description of the informal and formal attempts that have
255 been made to resolve the complaint. A copy of the written
256 complaint will be provided to the rental agent and contact person
257 by the City.

258

259 (4) The City shall attempt to resolve the complaint. The rental agent
260 shall provide a written response to the City with the anticipated
261 corrective action within 10 days from the date of notification by
262 the City.

263

264 (5) Three violations of this article within a 12-month period are
265 grounds for review by the City to determine if the short-term rental
266 license should be revoked.

267

268 (6) A license for a short-term rental may also be revoked if the
269 property is engaged in any prohibited activities listed herein.

270

271 **Sec. 18-487. - Prohibitions.**

272

273 (1) No on-street parking is permitted.

274

275 (2) The short-term rental property may not be utilized as an event center.
276 Existence of advertisement or promotional materials regarding same shall
277 be prima facie evidence of the short-term rental property owner's violation
278 of this provision.

279

280 (3) No exterior or interior alterations shall be made for the express purpose of
281 adding guest rooms to the short-term rental facility. All significant
282 exterior or interior alterations shall require a permit from the City.

283

284 **Sec. 18-488. - Discrimination prohibited.**

285
 286 No owner/operator of a short-term rental establishment shall discriminate
 287 regarding his or her guests on the basis of race, color, sex, religion, creed or
 288 natural origin.

289
 290 **Sec. 18-489. Short Term Rental Agent.**

291 (a) The property owner may serve as the short-term rental agent.
 292 Alternatively, the owner may designate a natural person as his or her agent
 293 who is over age 18.

294
 295 (b) The duties of the short-term rental agent are to:

296 (1) Be reasonably available to handle any problems arising from use of
 297 the short-term rental unit;

298 (2) Appear on the premises of any short-term rental unit within two
 299 hours following notification from the City of issues related to the
 300 use or occupancy of the premises. This includes, but is not limited
 301 to, notification that occupants of the short-term rental unit have
 302 created unreasonable noise or disturbances, engaged in disorderly
 303 conduct or committed violations of the City of Jonesboro Code of
 304 Ordinances or other applicable law pertaining to noise, disorderly
 305 conduct, overcrowding, consumption of alcohol or use of illegal
 306 drugs. Failure of the agent to timely appear to two or more
 307 complaints regarding violations may be grounds for penalties as set
 308 forth in this Article. This is not intended to impose a duty to act as
 309 a peace officer or otherwise require the agent to place himself or
 310 herself in a perilous situation;

311 (3) Receive and accept service of any notice of violation related to the
 312 use or occupancy of the premises; and

313 (4) Monitor the short-term rental unit for compliance with this Article.

314
 315 (c) An owner may change his or her designation of a short-term rental agent
 316 temporarily or permanently; however there shall only be one such agent
 317 for a property at any given time. To change the designated agent, the
 318 owner shall notify the City in writing of the new agent's identity, together
 319 with all information regarding such person as required by the applicable
 320 provisions of this Article.

321
 322 **Sec. 18-490. Grant or Denial of Application.**

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

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

335

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

337

338 (a) To ensure the continued application of the intent and purpose of this
339 Article, the City Manager or designee shall notify the owner of a short-
340 term rental unit of all instances in which nuisance behavior of the rental
341 guest or the conduct of his or her short-term rental unit agent results in a
342 citation for a code violation or other legal infraction.

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344 (b) The City Manager or designee shall maintain in each short-term rental
345 location file a record of all code violation charges, founded accusations
346 and convictions occurring at or relating to a short-term rental unit. When a
347 property owner has accumulated three code violations for a particular
348 property within a period of 12 consecutive months, the City may revoke
349 any pending licenses and, subsequently, reject all applications for the
350 subject premises for a period of 12 consecutive months.

351

352 (c) If a short-term rental unit owner has been cited and found to be in
353 violation of any zoning, building, health or life safety code provision, the
354 owner must demonstrate compliance with the applicable code prior to
355 being eligible to receive a short-term rental license.

356

357 (d) Violations of this Article are subject to the following fines, which may not
358 be waived or reduced and which may be combined with any other legal
359 remedy available to the City:

360

361 (1) First violation: \$500.00.

362

363 (2) Second violation within the preceding 12 months: \$750.00.

364

365 (3) Third or subsequent violation within the preceding 12 months:
366 \$1,000.00.

367

368 (e) A person aggrieved by the City's decision to revoke, suspend or deny a
369 short-term rental license may appeal the decision to the City Manager or
370 designated hearing officer. The appeal must be filed with the City
371 Manager's office in writing, within 30 calendar days after the adverse
372 action and it shall contain a concise statement of the reasons for the
373 appeal. Timely filing of an appeal shall stay the revocation, suspension or
374 denial pending a decision by the City Manager.

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(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.

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

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

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

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

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

434 **Section 7.** It is the intention of the governing body, and it is hereby ordained that the
435 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

11.3.c

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.”

At the October 1st work session, the Council had some suggestions and one definite revision:

(Continued, page 2)

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	

Revised 03/12/09 (Previous versions are obsolete)

- Make this use have to go through a conditional use hearing.
- Do not allow this use in R-2, R-4, or RC zoning (can be covered in the Table of Uses)
- Change the amount of homes allowed to do this in the Historic District and Historic Residential Overlay from 20% to 10%.

The City Attorney's office reviewed the original submittal from the October 1st meeting.

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:

ARTICLE XIII. – SHORT-TERM RENTALS

Sec. 18-476. Purpose.

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.

Sec. 18-477. - Definitions.

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

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

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

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.

104 (2) The property owner must designate an individual to serve as a rental agent to
 105 respond to issues associated with short-term rentals. The agent may be the
 106 property owner.

107

108 (3) Within the Historic Districts and Historic Residential Overlay District, no
 109 more than **10%** of homes within each district shall be used as short-term
 110 rentals, on a first-come, first-serve basis.

111

112 (4) Tenants must be a least 25 years of age to enter into a contractual arrangement
 113 with the owner/operator of a short-term rental dwelling.

114

115 (5) Properties containing both a principal residential dwelling and accessory
 116 residential dwelling, shall only use one residential structure as a short-term
 117 rental, not both.

118

119 **Sec. 18-484. – Procedure.**

120

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

126

127 (a) A report from a certified Home Inspector verifying that the rental unit is in
 128 compliance with life safety and habitability codes, including an evaluation
 129 of the floor plan for the unit, verifying that all rooms meet applicable Code
 130 requirements.

131 (b) The name, address, telephone and email address of the owner(s) of record
 132 of the dwelling unit for which a license is sought, and the address of the
 133 short term rental dwelling unit. If such owner is not a natural person, the
 134 application shall identify all partners, officers and/or directors of any such
 135 entity, including personal contact information.

136 (c) Name and phone number of the rental agent who is available 24 hours a
 137 day, seven days a week, to respond to complaints regarding the operation
 138 or occupancy of the short-term rental unit/property.

139 (d) A notarized statement signed by the owner or operator that the short-term
 140 rental will be in compliance with these regulations.

141 (e) Proof of ownership.

142 (f) Proof of insurance.

143

149 (g) Evidence that short-term rental properties are enrolled with City of
150 Jonesboro's sanitation service.

151

152 (h) Copy of a sample Short-Term Rental Agreement used by the
153 owner/operator, which shall include at least the following
154 provisions:

155

156 (1) The occupant(s)' agreement to abide by all of the
157 requirements of this Article, any other applicable City of
158 Jonesboro ordinances, state and federal law and
159 acknowledgement that his or her rights under the agreement
160 may not be transferred or assigned to anyone else;

161

162 (2) The occupant(s)' acknowledgement that it shall be unlawful
163 to allow or make any noise or sound that exceeds the limits
164 set forth in the City's noise ordinance; and

165

166 (3) The occupant(s)' acknowledgement and agreement that
167 violation of the agreement or this Article may result in
168 immediate termination of the agreement and eviction from
169 the short-term rental unit by the owner or agent, as well as
170 the potential liability for payments of fines levied by the
171 City.

172

173 (4) All trash will be promptly and properly disposed of within
174 12 hours of the departure of a guest.

175

176 (5) No on-street parking for guests will be allowed.

177

178 (6) 24-hour contact name and phone number.

179

180 (7) A statement from the tenant stating that he/she will use
181 their best efforts to assure that the use of the premises by
182 short-term rental occupants will not disrupt the
183 neighborhood, and they will not interfere with the rights of
184 neighboring property owners to the quiet enjoyment of their
185 properties.

186

187 (i) Affidavit of Adjacent Property Owner Notification. The applicant
188 of a short-term rental shall provide, in writing, notice to adjacent
189 property owners within 250 feet of a local telephone number, name
190 and address of a rental agent/property manager who will accept
191 and handle complaints immediately relating to tenant activities.

192

193 (j) The owner's sworn acknowledgement that he or she has received a
 194 copy of this Article, has reviewed it and understands its
 195 requirements.

196 (k) The number and location of parking spaces allotted to the
 197 premises.

198 (l) Any other information that this Article requires the owner to
 199 provide to the City as part of an application for a short-term rental
 200 license. The City Manager or designee shall have the authority to
 201 obtain additional information from the applicant as necessary to
 202 achieve the objectives of this Article.

203 (m) A written certification from the short-term rental agent that he or
 204 she agrees to perform the duties specified in this Article.

205 **Sec. 18-485. - Rental Unit Conditions.**

206 (1) Each short-term rental must provide sufficient off-street parking for
 207 residents and/or guests.

208 (2) Maximum occupancy is limited to 4 persons per dwelling unit with up to
 209 two bedrooms. For dwelling units with three or more bedrooms, the
 210 number shall not exceed 2 persons per bedroom. At least one person over
 211 the age of 25 must be a guest of a short term rental unit at all times during
 212 its occupancy.

213 (3) A legible copy of the short-term rental unit license shall be posted within
 214 the unit and include all of the following information:

215 (i) The name, address, telephone number and email address of the
 216 short-term rental agent;

217 (ii) The occupation tax certificate number;

218 (iii) The maximum occupancy of the unit;

219 (iv) The maximum number of vehicles that may be parked at the unit;
 220 and

221 (4) Short-term rental units must be properly maintained and regularly
 222 inspected by the owner to ensure continued compliance with applicable
 223 zoning, building, health and life safety code provisions.

224 **Sec. 18-486. - Complaints.**

239 All complaints shall proceed as follows:

240

241 (1) The complaining party shall first attempt to communicate with the
242 designated contact person/rental agent on the affidavit of adjacent
243 property owner's notification.

244

245 (2) The designated contact person/rental agent shall respond promptly
246 to the complaint, regardless of the time of day and make
247 reasonable efforts to remedy any situation that is out of compliance
248 with the conditions of the short-term rental uses.

249

250 (3) If the response is not satisfactory to the complaining party and/or
251 the source of the complaint continues unabated, the complaining
252 party must provide a written complaint to the City's designee
253 responsible for approving short term rentals. The complaint shall
254 include a description of the informal and formal attempts that have
255 been made to resolve the complaint. A copy of the written
256 complaint will be provided to the rental agent and contact person
257 by the City.

258

259 (4) The City shall attempt to resolve the complaint. The rental agent
260 shall provide a written response to the City with the anticipated
261 corrective action within 10 days from the date of notification by
262 the City.

263

264 (5) Three violations of this article within a 12-month period are
265 grounds for review by the City to determine if the short-term rental
266 license should be revoked.

267

268 (6) A license for a short-term rental may also be revoked if the
269 property is engaged in any prohibited activities listed herein.

270

271 **Sec. 18-487. - Prohibitions.**

272

273 (1) No on-street parking is permitted.

274

275 (2) The short-term rental property may not be utilized as an event center.
276 Existence of advertisement or promotional materials regarding same shall
277 be prima facie evidence of the short-term rental property owner's violation
278 of this provision.

279

280 (3) No exterior or interior alterations shall be made for the express purpose of
281 adding guest rooms to the short-term rental facility. All significant
282 exterior or interior alterations shall require a permit from the City.

283

284 **Sec. 18-488. - Discrimination prohibited.**

285
286
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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.

290

Sec. 18-489. Short Term Rental Agent.

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295

(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.

296

(b) The duties of the short-term rental agent are to:

297
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300

(1) Be reasonably available to handle any problems arising from use of the short-term rental unit;

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313

(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;

314
315
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319

(3) Receive and accept service of any notice of violation related to the use or occupancy of the premises; and

320

(4) Monitor the short-term rental unit for compliance with this Article.

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322
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326

(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.

327
328
329
330

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

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

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

337

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 339 Article, the City Manager or designee shall notify the owner of a short-
 340 term rental unit of all instances in which nuisance behavior of the rental
 341 guest or the conduct of his or her short-term rental unit agent results in a
 342 citation for a code violation or other legal infraction.

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344 (b) The City Manager or designee shall maintain in each short-term rental
 345 location file a record of all code violation charges, founded accusations
 346 and convictions occurring at or relating to a short-term rental unit. When a
 347 property owner has accumulated three code violations for a particular
 348 property within a period of 12 consecutive months, the City may revoke
 349 any pending licenses and, subsequently, reject all applications for the
 350 subject premises for a period of 12 consecutive months.

351

352 (c) If a short-term rental unit owner has been cited and found to be in
 353 violation of any zoning, building, health or life safety code provision, the
 354 owner must demonstrate compliance with the applicable code prior to
 355 being eligible to receive a short-term rental license.

356

357 (d) Violations of this Article are subject to the following fines, which may not
 358 be waived or reduced and which may be combined with any other legal
 359 remedy available to the City:

360

361 (1) First violation: \$500.00.

362

363 (2) Second violation within the preceding 12 months: \$750.00.

364

365 (3) Third or subsequent violation within the preceding 12 months:
 366 \$1,000.00.

367

368 (e) A person aggrieved by the City's decision to revoke, suspend or deny a
 369 short-term rental license may appeal the decision to the City Manager or
 370 designated hearing officer. The appeal must be filed with the City
 371 Manager's office in writing, within 30 calendar days after the adverse
 372 action and it shall contain a concise statement of the reasons for the
 373 appeal. Timely filing of an appeal shall stay the revocation, suspension or
 374 denial pending a decision by the City Manager.

375

(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.

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(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.

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421 by the valid judgment or decree of any court of competent jurisdiction, it is the express intent
422 of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall,
423 to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise
424 unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of this
425 Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses,
426 sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional,
427 enforceable, and of full force and effect.

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

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

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

434 **Section 7.** It is the intention of the governing body, and it is hereby ordained that the
435 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 #

-1

12.1

COUNCIL MEETING DATE
October 8, 2018

Requesting Agency (Initiator)

Police

Sponsor(s)

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

Council to consider the low bid acceptance in the amount of \$6022.55 for the replacement/repair of the flooring (bottom floor) within the Jonesboro Police Department.

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)

Safety, Health and Wellbeing

Summary & Background

The Jonesboro Police Department needs to replace the flooring on the bottom floor of the police department. The areas of the police department designated as the Roll Call Room, division commander's offices, probation officers' offices, front window and interview room need new flooring due to the very old, torn and dirty carpet. The condition of the carpet is beyond repair and could present a safety hazard because of long rips people could possible trip over.

The police department asked 3 contractors for quotes to replace the floors with a laminate peel and stick tile. The peel and stick tile is the best choice due to durability, maintenance and cost. The quotes were as follows:

Carpets By Leon , 2419 Lake Harbin Road, Morrow, GA 30260	\$12,079.48
Prestige Carpet & Flooring , 9517 South Main Street, Suite 500, Jonesboro, GA 30236	\$17,462.50
Carpet Depot of Jonesboro , 8295 Tara Blvd, Jonesboro, GA 30236	\$6,254.49 - taxes =
\$6022.55	

Each company was asked to quote the price to purchase and install the tile on the entire bottom floor areas described above. The company would be required to move the furniture, remove the old carpet, replace the flooring with the peel and stick tile and move the furniture back in place.

This project would be financed out of the Confiscated Fund State Account. The police department is advising the City Council of our desire to make this purchase. The police department will use the company who made the lowest price quote, Carpet Depot of Jonesboro, to do the repairs at a cost not to exceed \$6,254.49.

Fiscal Impact

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

The cost to replace/repair the floor is \$6254.49 minus taxes = (\$6022.55).

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

- purchase flooring for bottom floor of PD

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

October, 8, 2018

Signature

City Clerk's Office

- IMG_0123
- IMG_0118
- IMG_0120

12.1

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

Approved

Branch: 1	Quote No.: 014527	Quoted By:
Page: 01		
Cust. ID: CITYOFJ		
Printed: 9/14/2018 2:19 PM		
** P R O P O S A L **		
CARPET DEPOT OF JONESBORO		
8295 TARA BLVD		
JONESBORO GA 30236		
TEL 770-471-4131		
FAX 770-471-4119		
Name: CITY OF JONESBORO C/O LT. LUMPCODE: 0000 Contact: Project: CITY OF JONESBORO C/O LT. LUMPCODE: Addr.: 170 SOUTH MAIN STREET Cty/ST: JONESBORO, GA Zip.: 30236- City/ST: JONESBORO, GA Tel.: 770-478-7407 Fax:		
Contact: 170 SOUTH MAIN STREET Addr.: 170 SOUTH MAIN STREET Cty/ST: JONESBORO, GA Zip.: 30236- City/ST: JONESBORO, GA Tel.: 770-478-7407 Fax:		
Salesperson 1: ABU ANNA BUZZELI Special Instructions: COVE BASE COLOR: 2: PRICE EXTENSION		
PROD TYPE DESCRIPTION QUANTITY PRICE EXTENSION		
TITLE WORLD'S FAIR TI BOSTON		
SUPPLY CONTRACT ADJUSTMENT FREIGHT		
LABOR VCT/O/CONCRETE VCT LABOR		
LABOR FLOOR PREP . VCT LABOR		
LABOR COVE BASE LABOR VCT LABOR		
LABOR JOHNSONITE COVE BASEMYSTIFY CG #469		
LABOR REM/REP FURNITURE SF		
AMT DUE 6,254.49		
AMT TOTAL 6,022.55		
GROSS TAX 231.94		
DEPOSITS 0.00		
** PROPOSAL AMT **		
ALL QUOTES GOOD FOR FIVE BUSINESS DAYS!		
Customer Signature:		

INVOICE						
9517 South Main Street		SUITE 500		PRESTIGE CARPET & FLOORING		
Jonesboro, GA 30236		8/15/2018		770-477-9229		
P.O. Number	Ship To	Terms	Rep	Ship	Via	F.O.B.
Quantity	Item Code	Description		Price Each	Amount	
3,678	LVT/Float	*Commercial Grade Glue Down LVP (Luxury Vinyl Plank)		3.75	13,792.50	
		*Installed in all designated areas				
		Demo/haul off old flooring. Scrape & Prep concrete slab (Grind and/or apply leveling compound where needed)		1,200.00	1,200.00	
		Move/reset furniture/components		700.00	700.00	
		4" Vinyl Cove Base installed		1,50.00	1,620.00	
		Install transitions where needed		150.00	150.00	
		*Average pricing. The price can go up slightly according to final style choice. A level or 2 upgrade flooring will add an average of \$1.25-\$1.50 per sq ft				
		*Final quote not an invoice			\$17,462.50	
		THIS IS A QUOTE NOT AN INVOICE				
		Total				

Jonesboro Police Dept 170 S Main Street LaLamplink	Jonesboro, GA 30236
Ship To	
BILL To	

Invoice #	Date
3877	8/15/2018

SOLD to Stoneboro Police Dept.
 ADDRESS
120 South Main St.

CITY
Forsyth Co. STATE
GA ZIP
30236

PHONE
770-428-7400 JOB PHONE
770-428-4287 FAX
770-429-1827

JOB LOCATION:

CONTRACTOR

LJ

CASH

CHARGE

OTHER

Room	Mfg/Dist.	Style No.	Product Name	Color No	Color Name	Type of Flooring	Width	Length	Total SQ-YD/F	Price Per SQ-YD/F	AMOUNT
1	<u>Shaw</u>		<u>Commercial 2602 Utility Building Carpet</u>								
2			<u>Throught</u>			<u>Excluding new wall base</u>					
3											
4											
5											
6			<u>Marco Luxury Tile throughout excluding wall base</u>								
7			<u>Luxury Tile not over</u>								
8											
9											
10											

TYPE FLOOR
 WOOD CONCRETE

FURNITURE
 YES NO

APPLIANCES
 YES NO

PREP:

SUB-TOTAL

LABOR

SALES TAX

TAX

TOTAL

DEPOSIT

BALANCE DUE

DATE COMPLETED AND

PAID IN FULL

THANK YOU

Attention Lt. Lumpkin
CARPETS BY LEON

2419 Lake Habin Road
 Morrow, Georgia 30260

(770) 968-4706

JOB Estimate
INVOICE 09/13/18

SOLD BY	DATE OF ORDER

SCHEDULED INSTALLATION DATE

CUSTOMER READ BEFORE SIGNING: Buyer understands that there may be a dye-job variation from sample. Seller is not responsible for chips, dents or conditions of existing mouldings, doors, jambs or fixtures. Room must be clear of obstacles at time of installation. Seller is not responsible for cutting doors. Seller is not responsible for customers measurements. Seller is not responsible for manufacturer or shipper delays. Unforeseen structural problems upon installation may change the amount due on this invoice. A deposit is required to place. Installation warranty void if due to water leaks or moisture. Installation warranty is one year.

Other

PAYMENT IN FULL TO BE MADE UPON COMPLETION OF INSTALLATION, UNLESS OTHERWISE NOTED.
A 2% SERVICE CHARGE WILL BE IMPOSED IS THE TOTAL BALANCE OF THIS CONTRACT IS NOT PAID UPON COMPLETION.
 I/we the buyer(s) hereby accept the above terms and conditions: Signature: _____

ANY RETURNED CHECKS WILL BE CHARGED A 25.00 SERVICE CHARGE



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item #

12.2

-2

COUNCIL MEETING DATE

October 8, 2018

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

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

Council to consider establishing the millage rate of 4.0 for FY 2018.

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

O.C.G.A. Section 48-5-32

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

Community Planning, Neighborhood and Business Revitalization

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 tax rate, or millage, in each county is set annually by the governing authority of the taxing jurisdiction, and by the Board of Education. A tax rate of one mill represents a tax liability of one dollar per \$1,000 of assessed value. We have received our digest from the County and it appears that there was a slight increase in our values. Given the criticality of driving a municipal revenue source, staff has recommended an increase of 1.0 in our mills totaling 4.0 mills.

Pursuant to State Law, we have held the required Public Hearings and received no public comment in favor of or against the increase.

For comparative purposes, a homeowner with the allocated homestead exemption, given increase of 1.0 mills, still would not pay any property taxes. A property not eligible for the homestead exemption, with a Fair Market of \$60,000 (assessed value at 40% - \$24,000 at 3.0 mills would pay \$96.00)

For additional comparative purposes, a business with a Fair Market Value (FMV's) of 1,577,604.00 (assessed value at 40% - 631,041.00), at 3.0 mills would pay roughly \$1893.00, at 4.0 mills would pay roughly \$2524.00. This would be on the extreme high end as this is one of our largest FMV's.

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.)*

- Clayton News September 19 2018 Page 3A CND091918A03
- Clayton News Septeber 26 2018 Page 11A CND092618A11

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date October, 8, 2018	10/01/18	City Council	OLD BUSINESS Next: 10/08/18
Signature	City Clerk's Office			

Man confesses to rape in court

By ROBIN KEMP
robin.kemp@news-daily.com



Jose Fernando Loo

JONESBORO — A man charged with repeatedly raping a child from the time she was 8 until impregnating her at 14 changed his plea to guilty following a prosecutor's opening statement at his trial on Sept. 12.

Jose Fernando Loo, 38, of Whitesburg, had entered a plea of not guilty in March and had repeatedly refused to enter a plea deal, according to officials. He was charged with two counts of aggravated child molestation,

aggravated sexual battery, statutory rape and two counts of incest.

However, after Assistant

Robert Mack to sentence Loo to life in prison.

According to the Clayton County District Attorney's Office, Loo's defense attorney, Lloyd Matthews, "suggested that Loo be given 'credit' for not taking the child's life and for not making her testify at trial."

Loo begged the judge not to sentence him to life in prison. "I ask for leniency," said Loo. "I'd like room to breathe, to have some day to come home. I'm truly sorry, but I can't take it back."

Mack sentenced Loo to

District Attorney Kim Myers' opening statement revealed that DNA tests proved that Loo had fathered the victim's child, Loo immediately entered a guilty plea.

The victim, along with her mother and grandmother, asked Judge

25 years with no parole on the aggravated child molestation and aggravated sexual battery counts and 20 years on the statutory rape count, to run concurrently, followed by lifelong registration as a sex offender. The incest charges were not prosecuted.

Mack also ordered Loo never to contact the victim or her family again.

According to the DA's office, Loo has similar charges pending in Spalding and Carroll counties. As of press time, he remains in Clayton County custody.

Stovall hosting annual career and job fair

FROM STAFF REPORTS

FOREST PARK — State Rep. Valencia Stovall, D-Forest Park, is hosting the sixth annual Career and Job Fair next week.

The fair will be held from 1 to 4 p.m. Sept. 20 at Forest Park Recreation Center, 803 Forest Parkway in Forest Park.

"It is important as Georgia continues to be the No. 1 state to do business, that our workforce reflects the same," Stovall said in a press release. "For the sixth year my office will connect jobseekers to potential employers, while also sharing legislative updates."

Candidates of all experience levels and industries are encouraged to attend. Career resources will be available, and attendees should come prepared with their resumes and in professional dress.

Collaborative partners for the event include Ambitious X; City of Forest Park; Paradise Community Development Corporation; and Georgia Department of Labor.

The following employers and resource organizations are confirmed to attend the event: ProLogistix; DeKalb Fire Rescue; Automation Personnel Services, Inc.; Georgia United Credit Union; Little Ones Learning Center; Georgia Di-

agnostic Prison; DeKalb County E-911; AETC, Inc.; Cobb County Dept. of Public Safety; Primera Financial Services; Ga. Dept. of Community Supervision; Yancey Bros. Co.; Top Job Hospitality; Shae Naturals; Ga. Dept. of Public Safety; Gate Gourmet; Clayton County Police Dept.; LA-Z-BOY Furniture Galleries; Honidu's Caring Foundation & Empowerment Programs; and Penske Truck Leasing.

Additional companies include CCME Training Service; Heavy Equipment College of America; People Plus Solutions; Clayton County CSA, Inc.; Kabobs Acquisition, Inc.; ASK Charter Con-

sulting LLC; Emory Police Department; Waffle House; Bobby Dodd Institute; Belhaven University; DeKalb County Fleet Management; Paparazzi Independent Consultants; CEFGA: Construction Education Foundation of Georgia; Generation: You Employed, Inc.; AFLAC; Anderson Merchandisers; Ga. Dept. of Juvenile Justice; Goodwill of North Georgia; Georgia Tech Hotel & Conference Center; ResCare Homecare; Walden Security; Lanier Parking Solutions; Coca Cola Bottling Company United; Six Flags Over Georgia; Health and Style Institute; and Central Michigan University-Atlanta Metro Chapter.

Fall gardens need sun, good soil, right plants

FROM STAFF REPORTS

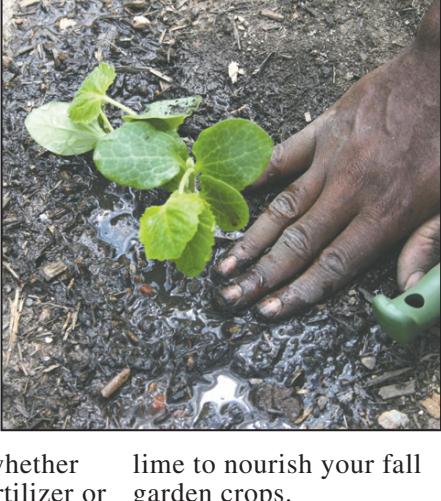
Temperatures are dropping, leaves are falling, and home gardeners are beginning to plan their fall vegetables.

If you're new to food gardening, University of Georgia Cooperative Extension offers tips that should lead to a successful fall harvest.

Establish the garden in a location that receives full sunlight, from six to eight hours per day.

Prepare the soil before planting based on soil test recommendations. A laboratory soil test takes the guesswork out

University of Georgia Cooperative Extension experts say before planting seeds or transplants, first have your soil tested. After adding the recommended nutrients, then select plant varieties that are known to perform well in Georgia. (Special Photo)



of determining whether the soil needs fertilizer or

lime to nourish your fall garden crops.

To have your soil tested, visit the Extension website for directions on taking soil samples. Then bring your dry soil sample to your local Extension office with the \$10 testing fee.

Plant fall vegetables on schedule and use varieties that are recommended for Georgia. For a list of recommended cultivars and planting dates, refer to UGA Extension Circular 963, "Vegetable Gardening in Georgia," at extension.uga.edu/publications.

Control weeds, pest insects and diseases.

When Mother Nature does not supply rainfall, water your garden thoroughly at soil level.

And, as always, if you have any questions, contact your local Extension office at 1-800-ASK-UGA1 for advice.

CCPS is holding variety of events

By HEATHER MIDDLETON
hmiddleton@news-daily.com

JONESBORO — Events from open house and informational meetings to fine arts performances are scheduled throughout the Clayton County school district.

Open house

The open house/curriculum nights schedule is as follows:

- Middle schools, Sept. 20 from 5-7 p.m.
- High schools, Sept. 27 from 5-7 p.m.

Dual Enrollment information meetings

CCPS is hosting a dual enrollment parent informational meeting at 6 p.m. Nov. 8 at the S. Truett

Cathy Professional Learning Center, 1087 Battle Creek Road in Jonesboro.

The district will host three additional meetings at the Professional Learning Center. The schedule is as follows:

- Jan. 17, 2019 at 6 p.m.
- March 14, 2019 at 6 p.m.

• April 18, 2019 at 6 p.m.

Fine arts musicals and performances

• CCPS and Peach State Opera presents Puccini's La Boheme at 3 p.m. on Sept. 23 at the Clayton County

Performing Arts Center. Tickets are \$12 in advance and \$15 at the door. The performance features students from Stilwell School of the Arts.

• M.D. Roberts Middle School Fine Arts Magnet presents Addams Family Young @ Part on Nov. 8-11 at the CCPAC.

• Orchestra Noir — the Atlanta African-American Orchestra will perform on Dec. 1 at 7 p.m. at the Clayton Performing Arts Center.

• Stilwell School of the Arts presents "Hunchback of Notre Dame" on Jan. 17-19 at the Performing Arts Center.

• Students from the Kay R. Pace School of the Arts will perform "Shrek, Jr." Feb. 21-23 at the PAC.

• CCPS students will perform the All-County Honor Musical "Hairspray,"

Woman sought in theft of cellphone

By ROBIN KEMP
robin.kemp@news-daily.com

MORROW — Police are looking for a woman who allegedly took a cellphone that belonged to an employee of Nam Dae Mun Grocery in Morrow on Sept. 8.

Store security pictures show the woman entering the store at 1940 Mount Zion Road around 4:30 p.m., picking up the phone from the top of a gum machine, and walking away.

Anyone with information is asked to contact Detective M. Murphy of the Morrow Police Criminal

Jr." April 25-28.

For more information or to purchase ticket www.clayton.k12.ga.us; click on Performing Center.

Critical Conversations and Advisory Committees

Superintendent N. Cease Beasley is hosting several opportunities for community members and parents to learn about what is going on in the school district.

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Critical Conversations and Advisory Committees

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Girl Scouts host Discovery Day

The Girls Scouts of Greater Atlanta hosted a Discovery Day last week at First Morrow United Methodist Church. Attendees took part in songs, games, crafts and S.T.E.M — Science, Technology, Engineering and Math — activities. To learn more about the Girl Scouts or to join, call Bianca Benson at bbenson@gsgatl.org or Watiki Hardeman at whardeman@gsgatl.org. (Special Photos)



Successfully transplanting landscape plants takes prep

BY PAUL PUGLIESE
UGA Extension

McDONOUGH — If you want to rearrange your landscaping, the best time to do so is quickly approaching, though it's not easy lifting.

Nurseries use tree spades to dig large trees from a field-grown nursery. Unfortunately, this is not the kind of equipment a home landscaper can rent for a weekend project.

The roots of trees and shrubs normally grow beyond the amount of soil a home gardener can move. To keep most of the roots within a small area, plants should be root-pruned in the spring or fall before transplanting. Root pruning is the process of severing the roots of an established plant that is going to be transplanted to encourage growth of new feeder roots along the root ball.

Plants moved in the fall (October or November)

should be root-pruned in March. Those moved in spring (March) should be root-pruned in October. Root-prune after the leaves have fallen from deciduous plants in the fall or before buds break in the spring.

To root-prune, mark a circle the size of the desired ball around the tree or shrub. Next, dig a trench just outside the circle. Cleanly cut larger roots and backfill the trench with the available soil. Water the area to

settle disturbed soil and provide adequate moisture.

Roots within the pruned area grow many new fibrous roots, and form a strong root system within a confined area. If not root-pruned, larger plants may die from transplant shock because of root loss.

Shrubs less than 3 feet tall and deciduous trees less than an inch in trunk diameter (measured 6 inches above the ground) may be moved bare root.

“Bare root” means most or all of the soil is removed from the roots.

Bare-root plants are easier to handle than those with a ball of soil around the roots. Bare-root plants should be planted while dormant. It is best to immediately replant. If not, keep the roots moist in peat moss or wrapped in plastic or wet papers until you are ready to plant.

To move trees with soil attached to the roots, trim the root ball to the proper size and shape with a spade. Keep the back side of the spade toward the plant, round off the trimmed ball at the top and taper it inward toward the base.

Avoid loosening the soil around the roots by cutting the large roots with hand or lopping shears and the small roots with a sharp spade. Next, undercut at an angle of about 45 degrees to loosen the root ball from the soil and sever remaining roots.

Maintain constant moisture, not saturation, of the root ball. Add 3 inches of mulch to help conserve moisture.

Prepare the new site before transplanting a tree or shrub. Have the soil tested and follow recommendations. Don't use fertilizer that contains nitrogen for the first year after transplanting.

For more research-based advice on landscaping projects, refer to University of Georgia Cooperative Extension publications at uga.edu/publications.

Paul Pugliese is agriculture & natural resources agent for University of Georgia Extension office in Butts County.

PUBLIC NOTICE

The Lake City Mayor and Council do hereby announce that the 2018 millage rate will be set at a meeting to be held on October 8, 2018 at 7:00 pm at the Municipal Building located at 5455 Jonesboro Road, Lake City, GA and pursuant to the requirement of O.G.C.A. section 48-5-32 do hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

LAKE CITY GENERAL FUND- M&O 2013 2014 2015 2016 2017 2018

ASSESSED TAXABLE PROPERTY

REAL AND PERSONAL PROPERTY DIGEST \$79,373,462 \$82,123,858 \$78,199,010 \$88,830,686 \$87,289,523 \$95,613,482

PUBLIC UTILITIES DIGEST \$2,003,716 \$2,003,716 \$2,015,171 \$2,004,626 \$2,433,712 \$2,647,170

MOTOR VEHICLES DIGEST \$5,809,000 \$5,525,900 \$3,898,450 \$2,936,290 \$2,292,240 \$1,778,400

MOBILE HOMES DIGEST \$75,625 \$75,265 \$0 \$0 \$0 \$0

HEAVY DUTY EQUIPMENT \$73,027 \$60,695 \$59,187 \$102,318 \$89,099 \$80,739

GROSS DIGEST \$87,334,830 \$89,789,434 \$84,171,818 \$93,873,920 \$92,104,574 \$100,119,791

LESS EXEMPTIONS \$10,778,383 \$10,531,628 \$10,098,155 \$9,889,170 \$10,815,260 \$12,801,132

NET M&O DIGEST \$76,556,447 \$79,257,806 \$74,073,663 \$83,984,750 \$81,289,314 \$87,318,659

GROSS M&O MILLAGE 21.131 20.690 21.240 20.580 21.321 21.964

LESS ROLLBACK FOR REASSESSMENTS 0.000 0.000 0.000 0.000 0.000 0.000

LESS 1% LOCAL OPTION SALES TAX ROLLBACK 13.631 13.190 13.740 13.080 13.821 14.464

NET M&O MILLAGE 7.500 7.500 7.500 7.500 7.500 7.500

TOTAL CITY TAXES LEVIED \$574,173 \$594,434 \$555,552 \$629,886 \$609,670 \$654,890

NET MILLAGE INCREASE/(DECREASE) **0.000** **0.000** **0.000** **0.000** **0.000** **0.000**

NET MILLAGE % INCREASE/(DECREASE) 0.000% 0.000% 0.000% 0.000% 0.000% 0.000%

NET TAXES \$ INCREASE/(DECREASE) (\$2,023) \$20,260 (\$38,881) \$74,333 (\$20,216) \$45,220

NET TAXES % INCREASE/(DECREASE) -0.35% 3.53% -6.54% 13.38% -3.21% 7.42%

567499-1

NOTICE

The City of Jonesboro does hereby announce that the millage rate will be set at a meeting to be held at the Jonesboro Police Department, Council Chambers, located at 170 South Main Street on October 8, 2018 at 6:00 p.m. and pursuant to the requirements of O.C.G.A. § 48-5-32 does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

CURRENT 2018 TAX DIGEST AND FIVE YEAR HISTORY OF LEVY

	2013	2014	2015	2016	2017	2018
RESIDENTIAL	\$21,685,088.00	\$21,902,002.00	\$24,081,584.00	\$23,586,081.00	\$23,623,226.00	\$28,097,326.00
AGRICULTURAL/CONSERVATION	\$30,179.00	\$30,179.00	\$30,179.00	\$30,179.00	\$30,179.00	\$31,315.00
COMMERCIAL	\$38,904,986.00	\$36,876,051.00	\$36,588,461.00	\$37,629,721.00	\$41,544,117.00	\$67,806,658.00
INDUSTRIAL	\$3,010,960.00	\$3,042,728.00	\$3,788,066.00	\$2,415,167.00	\$3,116,356.00	\$4,946,607.00
UTILITY	\$7,536,676.00	7,536,676.00	7,001,452.00	\$7,782,845.00	\$5,668,418.00	\$5,255,655.00
MOTOR VEHICLE	\$12,259,780.00	\$9,068,950.00	\$6,664,830.00	\$4,881,700.00	\$3,454,420.00	\$2,492,840.00
MOBILE HOME	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TIMBER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
HEAVY DUTY EQUIPMENT	\$0.00	\$0.00	\$0.00	\$2,423.00	\$0.00	\$4,818.00
GROSS DIGEST	\$83,427,669.00	\$78,456,586.00	\$78,154,572.00	\$76,598,116.00	\$77,436,716.00	\$108,635,219.00
EXEMPTIONS-M&O	\$5,013,978.00	\$10,025,273.00	\$10,758,088.00	\$10,597,825.00	\$10,507,702.00	\$12,174,844.00
CITY EXEMPTIONS	\$10,406,430.00	\$5,659,860.00	\$5,751,132.00	\$5,751,132.00	\$5,751,132.00	\$6,094,801.00
NET M&O DIGEST	\$68,007,261.00	\$62,771,453.00	\$67,396,484.00	\$66,000,291.00	\$61,177,882.00	\$90,365,574.00
Gross M&O Millage	18.77	17.94	8.90	15.92	16.64	20.88
Less Rollback	17.27	16.44	7.40	14.42	13.64	16.88
Net M&O Millage	1.50	1.50	1.50	1.50	3.00	4.00
	\$102,010.00	\$94,157.00	\$101,094.00	\$99,000.44	\$183,533.64	\$362,462.30

percent wider than soil ball to loosen surrounding soil and ensure good root establishment. The root ball should be at the same depth it was before moved.

Research has shown that adding soil amendments to the planting hole will not provide benefits to newly planted trees or shrubs. Most studies show amendments can create drainage issues and cause poor establishment.

When moving them to its new home, lift and shrubs by the root ball. Never carry a plant by the stem. This can damage underlying tissues. Place the plant in the hole and backfill with existing native soil.

Maintain constant moisture, not saturation, of the root ball. Add 3 inches of mulch to help conserve moisture.

Prepare the new site before transplanting a tree or shrub. Have the soil tested and follow recommendations. Don't use fertilizer that contains nitrogen for the first year after transplanting.

Dig the new hole 50 percent wider than the root ball to loosen surrounding soil and ensure good root establishment. The root ball should be at the same depth it was before moved.

Avoid loosening the soil around the roots by cutting the large roots with hand or lopping shears and the small roots with a sharp spade. Next, undercut at an angle of about 45 degrees to loosen the root ball from the soil and sever remaining roots.

Maintain constant moisture, not saturation, of the root ball. Add 3 inches of mulch to help conserve moisture.

When moving them to its new home, lift and shrubs by the root ball. Never carry a plant by the stem. This can damage underlying tissues. Place the plant in the hole and backfill with existing native soil.

Maintain constant moisture, not saturation, of the root ball. Add 3 inches of mulch to help conserve moisture.

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